



## Your Rights Bytes

Knowledge a byte at a time

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**By Golden State Manufactured-home Owners Education Fund volunteers and published in cooperation with GSMOL.**

### **Vacant Homes**

*Home owners report that park owners are attempting to unlawfully evict residents and take possession of their manufactured home. What happens should a homeowner abandon and vacate their manufactured home?*



According to Section 798.61 of the Mobilehome Residency Law, if park managers suspect that a home has been abandoned, they must post a notice on the home for at least thirty days. Managers also should mail the notice to the last known address of the homeowner, any lien holders, and other interested parties. The notice must be mailed by certified or register mail, return receipt requested.

If managers receive no responses after thirty days, they may file a petition in county superior court for a judicial declaration of abandonment. Copies of the petition will be delivered to the home owner, lienholders, and other interested parties.

The court will hold a hearing. Managers must prove that the home has been abandoned. If no other party proves that they have a legal interest in the home, the court may enter a judgment of abandonment. The court also awards legal costs and administrative fees to the park.

Ten days later, managers may enter the abandoned home. They complete an inventory of the contents and submit the inventory to the court. Managers post and mail a notice that announces the sale of the home and its contents.

Up until the sale, any person having a right to possess the home may recover and remove it from the park. They must pay park managers all rent and other charges due including storage and costs awarded by the court. If so, management shall file an acknowledgement with the court.

Park managers conduct a public sale of the abandoned home and its contents. Park representatives may bid at the sale. Within thirty days after the sale, managers submit to the court an accounting of the sale. Managers retain the park's share of money raised at the sale and pay any remaining amount to the county treasurer. The former homeowner may request any unclaimed amount within one year by applying to the county treasurer.

Please feel free to share this and any other *Your Rights Bytes* will any interested home owners.