

## Mobilehome and Mobilehome Park Laws and Regulations



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### Topics

- Mobilehome Parks Act
- Manufactured Housing Act
- Manufactured Housing Regulations
- Who is Responsible for What?
- MH Alterations
- Repairs – Permit Required
- Permits not required
- Cabanas
- Awnings / Carports
- Substandard MH Units
- Park Construction/Alterations
- MHP Emergency Attendant

### Topics

- New Park Construction or Expansion Approvals
- Top Park Violations
- Top Resident Violations
- MH Separations
- Roadways in Parks
- Mobilehome Assistance Center (Ombudsman)
- Mobilehome Residency Law
- Complaint Timelines
- Insignia Replacement Process
- Senate Bill 587 (Fee and Tax waiver)

### Mobilehome Parks Act

#### **HSC § 18300. - Statewide Application**

- Supersedes any ordinance by a city, county or city and county
- Also applies inside and outside of MHP and Special Occupancy Parks (SOP)
- Health and Safety within Parks

### Mobilehome Parks Act

#### **HSC § 18307. - Delegation of Authority**

- HCD may delegate authority found within the MHP Act
- Local Building or Health Department may assume jurisdiction
- LEA's may charge fees for services
  - Plan check
  - Inspection(s)
  - Code Enforcement

### Mobilehome Parks Act

#### **T25 CCR § 1004. - Local Enforcement**

- LEA assumption shall be valid through local ordinance
- LEA shall only enforce the MHP and SOP Acts and regulations
- LEA shall provide qualified personnel to enforce rules and regulations
- Permits to Operate renewals issued by LEA's shall be submitted to HCD within 30 days of the renewal date.

**Mobilehome Parks Act**

**T25 CCR § 1005. - Cancellation of Local Enforcement Responsibilities**

- LEA withdrawals shall provide written notice to HCD 90 days prior to cancellation
- LEA shall remit the appropriate fees to HCD
  - PTO renewal
  - Fees for park maintenance inspections

**Mobilehome Parks Act**

**T25 CCR § 1005.5 - Revocation of Local Enforcement Authority**

- LEA enforcement may be revoked if:
  - HCD finds LEA has not properly enforcing the MHP and SOP Acts
  - Fails to provide plan or correct issues within 30 days from the date HCD notified the LEA of concerns

**Manufactured Housing Act**

**HSC § 18015. - Statewide Application**

- Supersedes any ordinance by a city, county or city and county
- Also applies inside and outside of MHP and Special Occupancy Parks (SOP)
- **Design and construction of MH, CM, SPCM's.** Not to be confused with FBH Statue and regulations). Local Enforcement agencies may not assume the responsibility.
- Health and Safety within MH, CM, SPCM's

**Manufactured Housing Act**

**HSC Section 18030.5**

“A manufactured home, mobilehome, recreational vehicle, commercial coach, or special purpose commercial coach which meets the standards prescribed by this chapter, and the regulations adopted pursuant thereto, shall not be required to comply with any local ordinances or regulations prescribing requirements in conflict with the standards prescribed in this chapter.”

**Manufactured Housing Act**

**HSC Division 13 Part 2**

- Third-party agencies (CM,SPCM)
  - Design Approval Agencies (DAA)
  - Quality Assurance Agencies (QAA)
- MH Insignias, and replacment
- Smoke Detectors (installed in each sleeping room) HSC Section 18029.6
- Water heater installation (doesn't have to be MH specific) HSC Section 18031.8

**Manufactured Housing Regulations**

**T25, Division 1, Chapter 3, Subchapter2**

- Enforcement of Third-Party Agencies (DAA, QAA)
- MH Ignition Resistant Construction (WUI)
- MH Sprinkler Systems (not required, if installed NFPA 13D specific provisions, IB 2013-06
- Carbon Monoxide Alarms , IB 2012-03
- CM, SPCM Design and Construction

**Who is Responsible for What?**

**HSC Section 18402.**

The owner or operator of a park shall abate any nuisance in the park within five days, or within a longer period of time as may be allowed by the enforcement agency, after the owner or operator of a park has been given written notice to remove the nuisance.

**Who is Responsible for What?**

**T25 CCR § 1102. Responsibility. – Owner/Operator**

- Safe operation and maintenance of all common areas
- Park-owned electrical, gas, and plumbing equipment and their installations
- All park-owned permanent buildings or structures, within the park.
- When not owned by the serving utility, the park is responsible for lot services to include the gas riser, water riser, lot drain inlet and the electrical pedestal. The unit owner is responsible for the connections to those utilities.

**Who is Responsible for What?**

**PTO Amend – 25 CCR Section 1014 Owner/Operator**

- Report any change in PTO within 30 days
  - Owner name, add/remove number of lots, any construction
- Change in snow removal program (when applicable)
- Fee \$10
- Amended PTO under an LEA is forwarded to HCD, labeled "amended" and HCD issues the first PTO.

**Who is Responsible for What?**

**T25 CCR § 1102. Responsibility. – Unit Owner**

- Shall be responsible for the:
- Use and maintenance of the unit and its accessories
  - Accessory building or structure
  - Utility connections up to the lot services

**Who is Responsible for What?**

**HSC 18304 – Exemption of specified dwellings and utility facilities**

- This part does not apply to any apartment house, hotel, or dwelling which is subject to the provisions of Part 1.5 (commencing with Section 17910) of this division. (SHL)
- This part does not apply to electric, gas, or water facilities owned, operated, and maintained by a public utility.

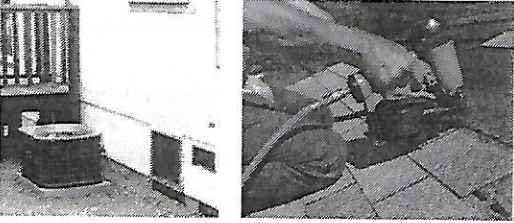
**Who is Responsible for What?**

**T25 CCR § 4040 – Permits Required**

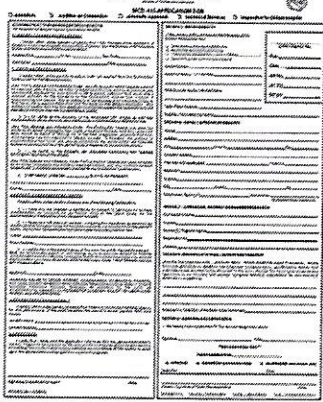
No person shall make any alteration or conversion of the electrical, mechanical or plumbing equipment or installations of a vehicle bearing, or required to bear, an insignia of approval or Title VI (24 C.F.R.) label, unless an application for such alteration or conversion has been filed with, and approved by, the department.



**MH Alterations**



Only HCD can approve alterations to a manufactured home both inside and outside of a park.



*must have permit  
must have new wall  
causes home to sink  
could't open door*

**Repairs – Permit Required**

- Re-roof of same material – overlay
- Garbage disposal (new) – new elec. Circuit
- Install sliding glass door
- Wood awning attachment
- Water heater replacement (same size) – make-up air
- Furnace replacement (vent)
- Removal of interior wall – load bearing
- Attachment of accessory structure (cabana/carport)

**Repairs – Continued**

- Emergency repairs
  - Permits will likely be required afterward to ensure compliance. (water heaters, broken windows during rain etc.)
- The inspector can field issue a permit in an emergency.
- Structural, fire-safety repairs alterations shall be done to California Residential Code (T25 Section 4050 (b))
- E,M,P, done to 24 CFR Section 3280

**Permits not required**

- Retaining walls less than 4 feet including the footing (provided no surcharge)
- Fences not over 6 feet in height. (A 6 foot fence may not have lattice placed on top above the 6 feet.)
- Storage buildings 120 square feet or smaller (provided no Electrical, Mechanical, or Plumbing is installed)
  - Need to meet minimum setback requirements (25 CCR Section 1428)
- Stairways with a landing 12 sq. ft. or less.
- Minor maintenance and repair.

**Cabanas**

**T25 CCR § 1446 – Cabana**

A freestanding accessory building or structure, or building component of a unit, located immediately adjacent to and intended to increase the usable area of that unit, which is a portable, demountable, or permanent room enclosure or other building generally erected or constructed for habitation. The total floor area of a cabana(s) on a lot shall not exceed the total floor area of the unit to which it is an accessory.

**Cabanas Continued**

**T25 CCR § 1446 – Cabana**

- Closets
- Pantries
- bath or toilet rooms
- service rooms
- connecting corridors
- Laundries
- storage spaces and similar spaces.

**Awnings / Carports**



Awning Extenders shall not extend over the lot line. Shall be 3 feet from any adjacent structure. Plans and permit required (25 CCR Section 1428)

**Awnings**

**T25 CCR Section 1470**

- Must be on same lot as MH
- May be on lot line if:
  - Constructed of non-combustible
  - Min 3' clearance from MH or other structure on adjacent lot
- If enclosed, a minimum of (2) sides or (1) and (1) end shall maintain at least 50% opening
- If partially enclosed shall be designed to resist lateral forces similar to awning structures

**Carports**

**T25 CCR Section 1478**

- Must be on same lot as MH
- May be on lot line if:
  - Constructed of non-combustible
  - Min 3' clearance from MH or other structure on adjacent lot
- If enclosed, a minimum of (2) sides or (1) and (1) end shall maintain at least 50% opening
- If partially enclosed shall be designed to resist lateral forces similar to awning structures

**Substandard MH Units**

**T25 CCR Section 1606**

General

- Faulty weather protection
  - Roof, walls, windows, missing sealant, protection from elements
- Any portion of MH, equipment, material which may cause a fire or explosion
- Work without permits
- Premises
  - Accumulation of weeds, debris, garbage, rat harborages, stagnant water, combustible material
- Lack of CO Detector

**Substandard Units Continued**

Structural

- General dilapidation
- Foundation issues
- Roof/ceiling issues

Plumbing

- Lack / inoperable water, water closet, lavatory, bathtub or shower
- Lack of or inoperable kitchen sink



**Substandard Units Continued**

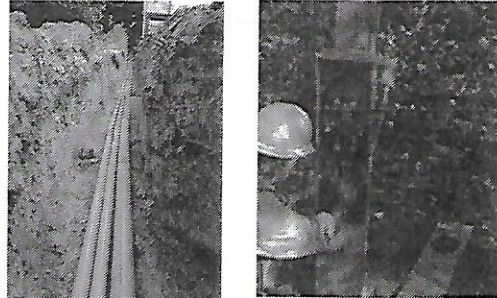
Electrical

- Ungrounded electrical equipment
- Conductors not protected with overcurrent devices
- Lack of or inoperable electrical lighting/equipment

Mechanical

- Unvented mechanical equipment
- Inadequate clearances from combustibles
- Lack of or inoperable heating

**Park Construction/Alterations**



*they/west No permit  
Drill - Pat Moll  
sewerage under houses*

**Park Alterations**

**T25 CCR 1018 – Permits Required**

(a) No person shall erect, construct, reconstruct, install, replace, relocate or alter any building, structure, accessory building or structure, or building component; any electrical, mechanical, or plumbing equipment; any fuel gas equipment and installations, or fire protection equipment; or installations of, or within, a park, or a lot, or perform any non-load bearing grading or area fill with a depth of one (1) foot or greater, unless exempted from obtaining a grading permit pursuant to Appendix J of the California Building Code, without first obtaining a written construction permit from the enforcement agency.

*SanDiego/Noone's park  
pubs new houses up  
do they get permit*

**New Park Construction or Expansion Approvals**

**T25 CCR Section 1032**

Approvals from local:

- Planning
  - Health
  - Public works
  - Fire
  - Serving Utilities ("will serve letters")
  - CEQA
  - Coastal Commission
- Forms contained within HCD 514

**New Park Construction or Expansion Approvals**

Park Construction Approval Packet HCD 514 (submitted to HCD)

- Site plans
- Drainage and Grading Plans
- Electrical (including calculations)
- Fire Protection
- Sewage disposal
- Water distribution
- Gas distribution
- Local approval forms

**Top Park Violations**

Top Park Violations	CY 2015	Jan-June 2016
Miscellaneous Park General	1,892	1,788
Gas Meter Not Supported	750	1,579
Lots Not Identified	1,304	1,488
Exposed Live Electrical Parts	1,421	1,422
Garbage, Rubbish, Combustibles	-	925
Miscellaneous Park Electrical	722	898
Lot Equipment Not Accessible	675	718
Miscellaneous Park Plumbing	810	691
Electrical Equipment Not Approved for Wet Location	828	672
Drain Inlet Open, No Cap	644	532
Electrical Equipment Supports	812	**

*no ref outside of house*

**Top Resident Violations**

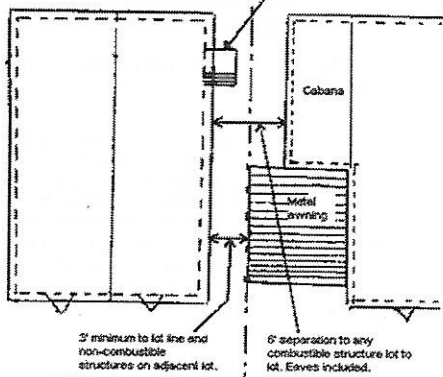
Top Resident Violations	CY 2015	Jan-June 2016
Accumulation of Rubbish, Combustible Material	4,062	5,350
MH/RV Weather Protection	1,094	1,837
Awning/Carport Support Missing/Damaged	785	1,424
Extension Cord Used in Lieu of Permanent Wiring	1,317	1,303
No Handrail on Stairway	1,254	1,374
Miscellaneous Resident Plumbing	*	1,259
Stairway Handrail Unsound	1,135	1,184
Appliances Outside	907	1,103
Miscellaneous Resident General	626	930
Shed Less Than 3' from Lot Line	*	841
Exit No Stairway	769	**
Stairs Unsound	772	**

**MH Separations**

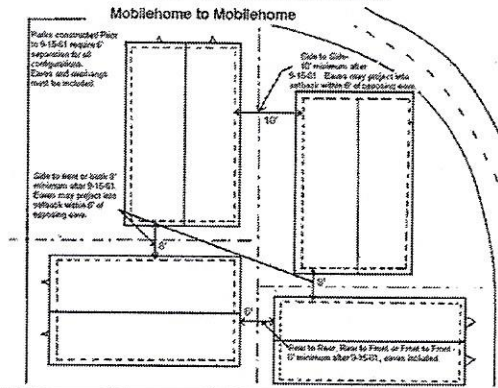
**T25 CCR Section 1330**

- Parks built before Sep. 15, 1961 units shall be no closer than 6'
- Parks built after Sep. 15, 1961 units shall maintain:
  - 10' to permanent building
  - 10' from MH side to MH side
  - 8' from MH side to MH front or rear
  - 6' from MH front or rear to MH front or rear
  - 3' from MH overhang to property line. (extenders up to line but shall not extend over the lot line. Shall remain 3 feet from any adjacent structure)

**Separation and Setbacks**



**Separations Between Units**



**Roadways in Parks**  
**T25 CCR Section 1106**

Year Built	Each Lot Access to Roadway of min	Min Width (Unobstructed)	Parking one side	Parking two sides
Prior to September 15, 1961	15' unobstructed	15'	22'	30'
After September 15, 1961	25' two way roadway *15' unobstructed one lane one way roadway	25'	22' One way roadway	30' one way roadway
			32' Two way roadway	40' two way roadway
After September 23, 1974	20' unobstructed	25'	Same	Same

- Paving is not required (roadway or driveways unless needed for grading.)
- Park owner/operator may request the local fire department, to designate fire lanes (provided no conflict with minimum widths).
- If owner/operator desires to change roadway widths local fire dept. acknowledgement shall be submitted to the enforcement agency

**Mobilehome Assistance Center (Ombudsman)**

- Receives and processes complaints from the public related to manufactured housing.
- Provides information, coordination, referrals, and other assistance to help resolve complaints generally related to:
  - The operation of mobilehome parks relating to health and safety matters.
  - The purchase, sale, financing, titling and registration of manufactured homes and mobilehomes.
  - The installation, inspection, and maintenance or alteration of manufactured homes, mobilehome accessory structures, and park grounds.
- Complaints for parks under local enforcement are forwarded local authority having jurisdiction for resolution.



### **Mobilehome Residency Law**

#### **Civil Code**

- Suspected violations of the civil law provisions contained in the Mobilehome Residency Law are addressed by the person affected, through the judicial process, in a civil court.
- No State Agency has the legal authority to interpret or enforce the provisions of the Civil Code. In these matters it is recommended the complainant seek the advice of competent legal counsel regarding possible violations of the civil code.
- Ombudsman cannot mediate or offer any legal advice on mobilehome park rent disputes, lease or rental agreement disputes, or similar legal matters.

### **Complaint Timelines**

#### **T25 CCR § 1004.5 – Complaint Investigations**

- Immediate risk to life, health or safety (5) days
- Unreasonable risk to health or safety (30) days
- If, at re-inspection violations are not corrected, the enforcing agency shall be compensated for the re-inspection and the person responsible for the correction shall pay the appropriate amount

### **MHP Emergency Attendant**

#### **HSC Section 18603**

- Every park shall have a person available (e.g. cell phone, answering machines, pagers) and responsible for responding in a timely manner to emergencies concerning the operation and maintenance of the park.
- In parks with 50 or more lots that responsible person or their designee shall reside in the park.
- They shall be familiar with the emergency preparedness plans for the park.

### **Insignia Replacement Process**

#### **T25 CCR § 4037 - Lost or Damaged Insignia**

If your insignia is missing or is damaged beyond recognition, you may request a replacement by submitting a fully completed form HCD-416 (PDF) and the \$83.00 fee for each transportable section to the Manufactured Housing Section at Department of Housing and Community Development, 2020 West El Camino Avenue, Sacramento, CA 95833.

- Manufacturer / year
- VIN / serial number
- Insignia number

### **Senate Bill 587**

- Effective January 1, 2017 through December 31, 2019, owners of mobilehomes and manufactured homes who are currently not the registered owner on record are eligible to apply for registration or conditional registration with a fee and tax waiver from the Department of Housing and Community Development (HCD).
- Deadline - December 31, 2019
- Call: (800) 952-8356
- Email: [587questions@hcd.ca.gov](mailto:587questions@hcd.ca.gov)

### **Area Office Contact Information**

**NORTHERN AREA OFFICE** - (916) 255-2501  
9342 Tech Center Drive, Suite 550  
Sacramento, CA 95826-2581  
FAX: (916) 255-2535

**SOUTHERN AREA OFFICE** - (951) 782-4420  
3737 Main Street, Suite 400  
Riverside, CA 92501-3337  
FAX: (951) 782-4437



**Contact Information**

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Mobilehome Parks Program Manger  
(916) 263-4681  
[Cesar.Ponce@hcd.ca.gov](mailto:Cesar.Ponce@hcd.ca.gov)

Mobilehome Parks Program Webpage  
<http://www.hcd.ca.gov/manufactured-mobile-home/mobile-home-parks/>

Mobile Home Assistance Center  
(916) 263-4742 or (800) 952-5275  
[MHassistance@hcd.ca.gov](mailto:MHassistance@hcd.ca.gov)

Registration and Titling  
(916) 323-9224 or (800) 952-8356  
[ContactRT@hcd.ca.gov](mailto:ContactRT@hcd.ca.gov)