

Mobilehome Code Enforcement: Resident Rights & Responsibilities

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

Importance of protecting mobilehome parks

- ▶ One of few remaining options for low-income homeownership
- ▶ Historically low rents prior to corporate acquisition
- ▶ Number of parks decreasing each year
- ▶ Code enforcement problems → parks losing permits, shutdowns
- ▶ Home is owned but land is rented
- ▶ Cannot move home if evicted

Who lives in mobilehome parks?



- ▶ Low and moderate income working families
- ▶ Farmworkers
- ▶ Young families
- ▶ Immigrant populations
- ▶ Minority groups
- ▶ Disabled individuals
- ▶ Elderly individuals

Code enforcement issues more common in:

- ▶ Older parks--> aging infrastructure, aging homes
- ▶ Lower-income parks → deferred maintenance keeps rents lower
- ▶ Bad actor landlords -> absentee or slumlords
 - ▶ Predatory landlords do not use rent for maintenance
 - ▶ Easy to prey on low income, minority, elderly, disabled residents



Code enforcement tools: MRL vs. MPA

Mobilehome Residency Law (“MRL”)- Cal. Civ. Code s. 798 et. seq

- Resident protections
- “Landlord-tenant law” for mobilehome parks
- Governs evictions for ‘noncompliance’ with health & safety; rules

Mobilehome Parks Act (“MPA”)

- “Health and Safety Codes”
- Governs entire park
- Common areas = park owner
- Inside spaces = residents

Common code enforcement issues: park owner responsibilities

- ▶ Roads in poor condition → potholes, cracks, exposed wires
- ▶ Common area lighting
- ▶ Flooding/lack of drainage
- ▶ Septic/sewer malfunctioning
- ▶ Electrical → pedestals
- ▶ Water quality
- ▶ Water shut offs
- ▶ Illegal dumping or lack of solid waste services
- ▶ Unauthorized chop shops, encampments in common areas

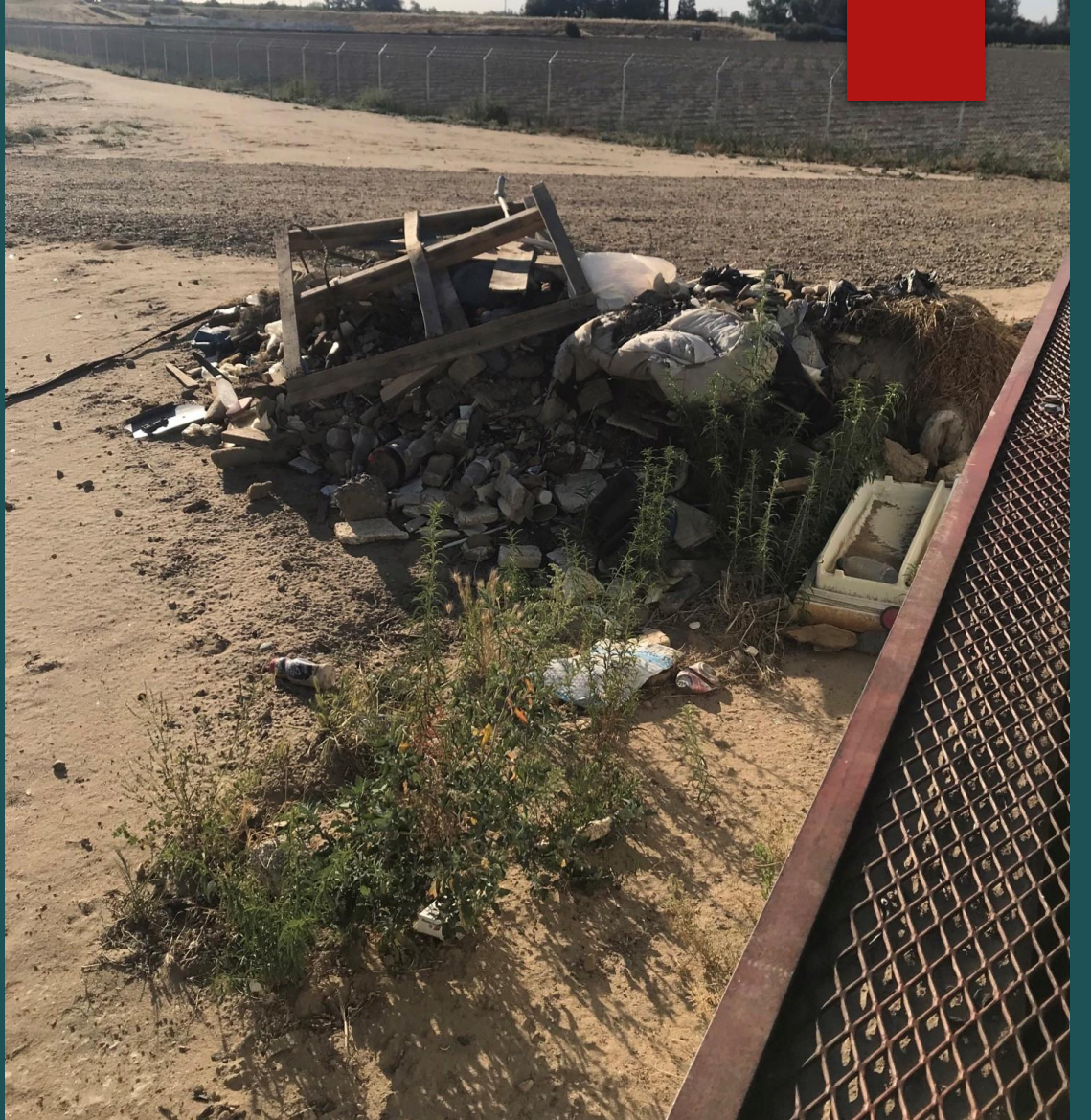














Code compliance for park owners: how SHOULD it work:

- ▶ HCD primary responsibility
- ▶ Local jurisdictions can take over
- ▶ Affirmative park-wide inspections
- ▶ Complaint-based inspections
- ▶ NOVs issued against park owners
- ▶ Failure to comply → revoke PTO → no rent
- ▶ Failure → lawsuit by local jurisdiction
- ▶ Potential for receivership (risky)

Code compliance for park owners: when it DOESN'T work

- ▶ Inadequate or infrequent inspections by HCD
- ▶ Residents don't know how to make complaints (to who?)
- ▶ Residents get lost in complaint system
- ▶ Residents afraid to make complaints → retaliation
- ▶ No local control over enforcement OR declines to sue
- ▶ Residents live in health/safety dangers
- ▶ Potential for lawsuit, but lack of resources or retaliation

Code compliance for residents

▶ **Option 1: HCD inspection**

- ▶ HCD full park or complaint-based inspection
- ▶ Issues NOV with 30 days to repair
- ▶ Possibilities for extension when good faith efforts
- ▶ If resident does not comply → NOV shifts to park owner
- ▶ PTO at risk
- ▶ Usually results in eviction

▶ **Option 2: Park Owner enforcement**

- ▶ Rule violations include H/S violations
- ▶ 7 day notice issued
- ▶ Failure to comply → 60 day
- ▶ Can result in eviction
- ▶ Risk of predatory 'rule enforcement'

Resident compliance obstacles

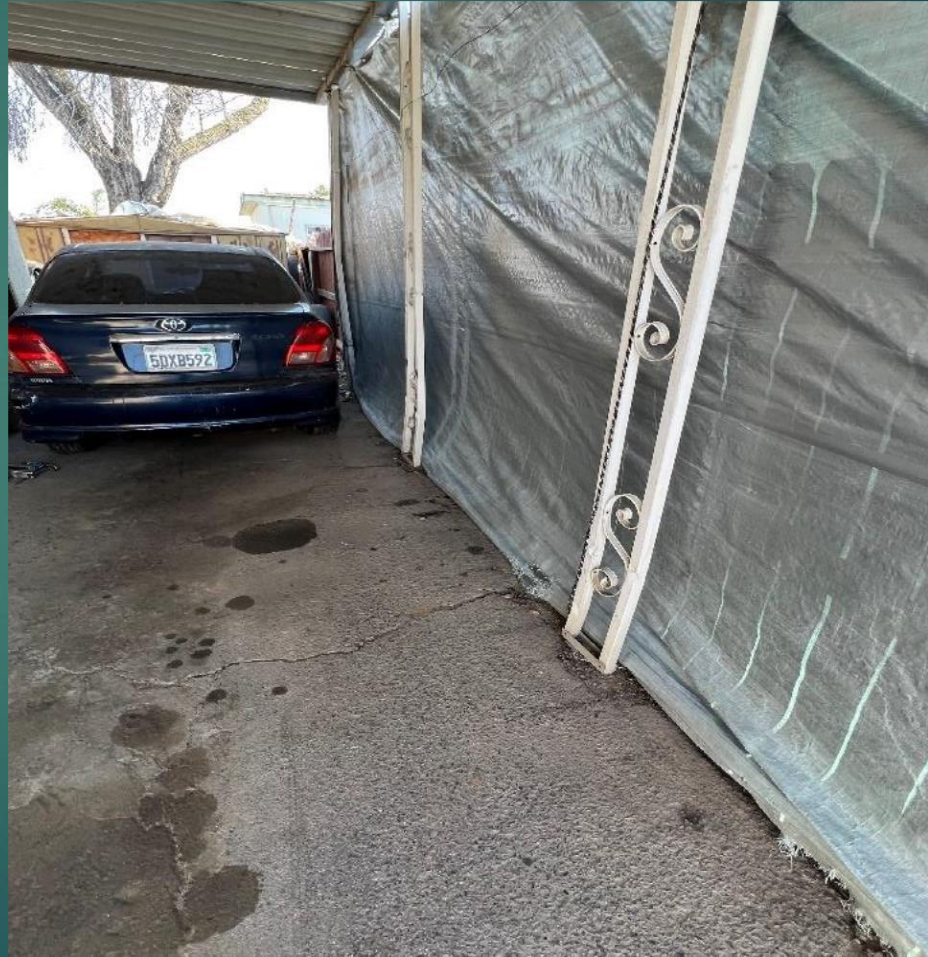
- ▶ Poverty → cannot afford large repairs
 - ▶ Awnings
 - ▶ Storage rental
 - ▶ Windows (expensive, old)
 - ▶ Unlawful additions
- ▶ Major changes require permits, construction plans (\$\$\$)
- ▶ Violations existed before resident purchase. Inherit violation











Supporting residents in code enforcement process

- ▶ HCD Enforcement
 - ▶ Help residents prepare for HCD inspections by reviewing materials
 - ▶ Identify key issues before the inspections occur
 - ▶ Help residents understand HCD letters
 - ▶ Encourage residents to be proactive
 - ▶ Be honest about consequences
 - ▶ Provide resources & get creative



Resources for residents:

- ▶ HCD Mobilehome Assistance Center (online)
 - ▶ Submit complaint against Park owner for violations of MRL/MPA
 - ▶ Obstacles exist
 - ▶ Resident compliance inspection manual (usually also sent by HCD)
 - ▶ Mobile Residency Law documents (English y Español)
 - ▶ FAQ for mobilehome owners
- ▶ Local legal aid offices → CRLA, Bay Area Legal Aid, Legal Aid Society of San Diego, etc.
- ▶ ROC USA → Co-op ownership of parks (State funding exists)
- ▶ State funding for rehab for code compliance → tied to other funding
- ▶ Local funds should be explored for code compliance
- ▶ Community orgs to help with clean-up



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