



AB-456 Mobilehome parks: sales or transfers: prospective purchasers of mobilehomes.

(2025-2026)

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Assembly Bill No. 456

CHAPTER 59

An act to amend Sections 798.73.5, 798.74, 798.74.4, and 798.75 of the Civil Code, relating to mobilehomes.

[Approved by Governor July 28, 2025. Filed with Secretary of State July 28, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 456, Connolly. Mobilehome parks: sales or transfers: prospective purchasers of mobilehomes.

Existing law, the Mobilehome Residency Law, prescribes various terms and conditions of tenancies in mobilehome parks. Existing law, in the case of a sale or transfer of a mobilehome that will remain in the park, authorizes the management of a mobilehome park to only require repairs or improvements to, among other structures, a mobilehome, if specified conditions are met. Existing law requires the management to provide a homeowner with a written summary of repairs or improvements that management requires to, among other structures, the mobilehome no later than 10 business days following the receipt of a request for this information, as specified.

This bill would instead require the management to provide a homeowner with the written summary of repairs or improvements no later than 15 days following receipt of a request. The bill would deem the management to have voluntarily waived any and all rights to require repairs or improvements if the management fails or refuses to provide a homeowner the written summary, except as specified.

Existing law authorizes the management of a mobilehome park to require prior approval of a purchaser of a mobilehome that will remain in the park, as specified. Existing law requires management to notify the seller and the prospective purchaser, in writing, of either acceptance or rejection of the application within 15 days of receiving all of the information requested from the prospective purchaser.

This bill would deem management to have approved the application of the prospective purchaser if management fails or refuses to notify the seller and the prospective purchaser within 15 days of receiving the information.

Existing law requires the homeowner of a mobilehome or manufactured home in a mobilehome park to make certain real estate disclosures as part of a transfer or sale of a manufactured home or mobilehome in a mobilehome park, including the use of a Mobilehome Transfer Disclosure Statement.

This bill would require a homeowner to provide a copy of the Manufactured Home and Mobilehome Transfer Disclosure Statement to the management of a mobilehome park in the case of a sale or transfer of a mobilehome that would remain in the park.

Existing law requires an escrow, sale, or transfer agreement involving a mobilehome located in a park at the time of the sale, where the mobilehome is to remain in the park, to contain a copy of either a fully executed rental agreement or a statement signed by the park's management and the prospective homeowner that the parties have agreed to the terms and conditions of a rental agreement. Under existing law, if the purchaser fails to execute the rental agreement, the purchaser does not have any rights to tenancy. Existing law considers an occupant of a mobilehome who has no rights to tenancy and is not otherwise entitled to occupy the mobilehome an unlawful occupant if the occupant refuses to surrender the mobilehome park site to management, as specified, and subjects an unlawful occupant to certain provisions related to unlawful detainer. Existing law exempts an occupant of a mobilehome from being considered an unlawful occupant if certain conditions are present, including, among other things, the management has determined that the occupant has the financial ability to pay rent and charges of the park and will comply with the rules and regulations of the park, as specified, and provisions regarding the sale and transfer of a mobilehome.

This bill, as an alternative to the above-specified condition, would exempt an occupant of a mobilehome from being considered an unlawful occupant if management failed or refused to timely notify the occupant of rejection or acceptance of the application of the prospective purchaser pursuant to the bill's provisions.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 798.73.5 of the Civil Code is amended to read:

798.73.5. (a) In the case of a sale or transfer of a mobilehome that will remain in the park, the management may only require repairs or improvements to the mobilehome, its appurtenances, or an accessory structure that meet all of the following conditions:

- (1) Except as provided by Section 798.83, the repair or improvement is to the mobilehome, its appurtenances, or an accessory structure that is not owned and installed by the management.
- (2) The repair or improvement is based upon or is required by a local ordinance or state statute or regulation relating to mobilehomes, or a rule or regulation of the mobilehome park that implements or enforces a local ordinance or a state statute or regulation relating to mobilehomes.
- (3) The repair or improvement relates to the exterior of the mobilehome, its appurtenances, or an accessory structure that is not owned and installed by the management.

(b) (1) The management, in the case of sale or transfer of a mobilehome that will remain in the park, shall provide a homeowner with a written summary of repairs or improvements that management requires to the mobilehome, its appurtenances, or an accessory structure that is not owned and installed by the management no later than 15 business days following the receipt of a request for this information, as part of the notice required by Section 798.59. This summary shall include specific references to park rules and regulations, local ordinances, and state statutes and regulations relating to mobilehomes upon which the request for repair or improvement is based.

- (2) In the event that management fails or refuses to provide a homeowner a written summary of repairs and improvements required by paragraph (1), the management shall be deemed to have voluntarily waived any and all rights to require repairs or improvements to the mobilehome, its appurtenances, or an accessory structure, as a condition of the sale or transfer of a mobilehome, other than a repair or improvement that is required by local ordinances and statutes and regulations, due to, or based upon, health and safety.

(c) The provisions of this section enacted at the 1999–2000 Regular Session of the Legislature are declarative of existing law as they pertain to allowing park management to enforce park rules and regulations; these provisions specifically limit repairs and improvements that can be required of a homeowner by park management at the time of sale or transfer to the same repairs and improvements that can be required during any other time of a residency.

SEC. 2. Section 798.74 of the Civil Code is amended to read:

798.74. (a) The management may require the right of prior approval of a prospective purchaser of a mobilehome that will remain in the park.

(b) (1) A selling homeowner or their agent shall give notice of a sale of a mobilehome that will remain in the park to management before the close of the sale.

(2) Management shall, within 15 days, provide the seller and the prospective purchaser both of the following, in writing, upon receiving the notice required in paragraph (1):

(A) The standards that management customarily utilizes to approve a tenancy application, including the minimum reported credit score from a consumer credit reporting agency that management requires for approval.

(B) A list of all documentation that management will require to determine if the prospective purchaser will qualify for tenancy in the park.

(c) Management shall not withhold approval from a prospective purchase of a mobilehome unless any of the following apply:

(1) Management reasonably determines that, based upon the purchaser's prior tenancies, they will not comply with the rules and regulations of the park.

(2) The purchaser does not have the financial ability to pay the rent, estimated utilities, and other charges of the park.

(3) The purchaser has committed fraud, deceit, or concealment of material facts during the application process.

(d) In determining whether the prospective purchaser has the financial ability to pay the rent and charges of the park pursuant to paragraph (2) of subdivision (c), the management may require the prospective purchaser to document the amount and source of their gross monthly income or means of financial support. However, management shall not require the prospective purchaser to submit any of the following:

(1) Documentation beyond that disclosed pursuant to subparagraph (B) of paragraph (2) of subdivision (b).

(2) Copies of any personal income tax returns.

(e) (1) Within 15 business days of receiving all of the information requested from the prospective purchaser, management shall notify the seller and the prospective purchaser, in writing, of either acceptance or rejection of the application. During this 15-day period, the prospective purchaser shall comply with management's request, if any, for a personal interview.

(2) (A) If management rejects the application, management shall state the reason for the rejection in accordance with subdivision (c). If the rejection is based upon an alleged lack of financial ability to pay the rent, estimated utilities, and other charges of the park, as described in paragraph (2) of subdivision (c), the prospective purchaser may elect to provide additional financial or asset information to management to demonstrate their financial ability to pay the rent, estimated utilities, and other charges of the park. For purposes of this paragraph, "additional financial information" includes, but is not limited to, the following:

(i) Savings accounts.

(ii) Certificates of deposit.

(iii) Stock portfolios.

(iv) Trust interests of which the purchaser is a beneficiary.

(v) Real property.

(vi) Similar financial assets that can be liquidated or sold.

(B) If the prospective purchaser elects to provide additional financial and asset information specified in subparagraph (A), management shall consider the information together with the prospective purchaser's gross monthly income to determine whether the purchaser has the financial ability to pay the rent, estimated utilities, and other charges of the park.

(C) If a prospective purchaser provides additional financial and asset information, management may also consider any liabilities of the prospective purchaser when making a final determination of the prospective purchaser's ability to pay the rent, estimated utilities, and other charges of the park under this subdivision.

(3) If the management fails or refuses to notify the seller and the prospective purchaser, in writing, of either acceptance or rejection of the application pursuant to paragraph (1), the management shall be deemed to have approved the application of the prospective purchaser.

(f) If the management collects a fee or charge from a prospective purchaser of a mobilehome in order to obtain a financial report or credit rating, the full amount of the fee or charge shall be credited toward payment of the first month's rent for that mobilehome purchaser. If, for whatever reason, the prospective purchaser is rejected by the management, the management shall refund to the prospective purchaser the full amount of that fee or charge within 30 days from the date of rejection. If the prospective purchaser is approved by the management, but, for whatever reason, the prospective purchaser elects not to purchase the mobilehome, the management may retain the fee, or a portion thereof, to defray its administrative costs under this section.

(g) Management may be held liable by the selling homeowner for any and all damages proximately caused by management's failure to comply with this section.

(h) For purposes of this section:

(1) "Charges" means all charges authorized and imposed by management under Section 798.31.

(2) "Consumer credit reporting agency" has the same meaning as defined in subdivision (d) of Section 1785.3.

(3) "Credit score" has the same meaning as defined in subdivision (b) of Section 1785.15.1.

SEC. 3. Section 798.74.4 of the Civil Code is amended to read:

798.74.4. (a) The transfer or sale of a manufactured home or mobilehome in a mobilehome park is subject to the transfer disclosure requirements and provisions set forth in Article 1.5 (commencing with Section 1102) of Chapter 2 of Title 4 of Part 4 of the Civil Code. The requirements include, but are not limited to, the use of the Manufactured Home and Mobilehome Transfer Disclosure Statement set forth in Section 1102.6d of the Civil Code.

(b) In the case of a sale or transfer of a mobilehome that will remain in the park, upon written request, a homeowner shall provide a copy of the Manufactured Home and Mobilehome Transfer Disclosure Statement required by subdivision (a) to management.

SEC. 4. Section 798.75 of the Civil Code is amended to read:

798.75. (a) An escrow, sale, or transfer agreement involving a mobilehome located in a park at the time of the sale, where the mobilehome is to remain in the park, shall contain a copy of either a fully executed rental agreement or a statement signed by the park's management and the prospective homeowner that the parties have agreed to the terms and conditions of a rental agreement.

(b) In the event the purchaser fails to execute the rental agreement, the purchaser shall not have any rights of tenancy.

(c) In the event that an occupant of a mobilehome has no rights of tenancy and is not otherwise entitled to occupy the mobilehome pursuant to this chapter, the occupant is considered an unlawful occupant if, after a demand is made for the surrender of the mobilehome park site, for a period of five days, the occupant refuses to surrender the site to the mobilehome park management. In the event the unlawful occupant fails to comply with the demand, the unlawful occupant shall be subject to the proceedings set forth in Chapter 4 (commencing with Section 1159) of Title 3 of Part 3 of the Code of Civil Procedure.

(d) The occupant of the mobilehome shall not be considered an unlawful occupant and shall not be subject to the provisions of subdivision (c) if all of the following conditions are present:

(1) The occupant is the registered owner of the mobilehome.

(2) The management has done either of the following:

(A) Determined that the occupant has the financial ability to pay the rent and charges of the park; will comply with the rules and regulations of the park, based on the occupant's prior tenancies; and will comply with this article.

(B) Failed or refused to timely notify the occupant of either acceptance or rejection of a tenancy application such that the occupant is deemed to have been approved for tenancy pursuant to paragraph (3) of subdivision (e) of Section 798.74.

(3) The management failed or refused to offer the occupant a rental agreement.