

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1817 (Addis)
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Fiscal: No
Urgency: No
ID

SUBJECT

Mobilehome parks: termination of tenancy: failure to comply with a rule or regulation

DIGEST

This bill requires the written notice that mobilehome park management must serve a homeowner for a termination of tenancy for failing to comply with a reasonable rule or regulation of the park to include the language of each rule or regulation for which the homeowner is alleged to be in violation, specific facts relating to the alleged violation, and any action required to adhere to the rule or regulation, and would require that this written notice be served upon the homeowner according to specified law.

EXECUTIVE SUMMARY

Mobilehome parks are an important source of affordable housing in California. State law specifies that mobilehome park management may not terminate or refuse to renew the tenancy of a homeowner within the park, except for specified reasons, including the homeowner's noncompliance with a reasonable rule or regulation of the park. Current law does not permit management to terminate a tenancy for noncompliance with a reasonable park rule or regulation unless management provides the homeowner with written notice of the alleged rule or regulation violation and the homeowner fails to adhere to the rule or regulation within seven days. Current law specifies that this requirement does not relieve management from its obligation to demonstrate that a rule or regulation was in fact violated. AB 1817 specifies that this written notice must recite the language of each rule or regulation alleged to have been violated, provide specific facts related to the alleged violation, and specify any action required to adhere to or comply with the rule or regulation. AB 1817 also specifies that this notice must be served upon the homeowner through a manner specified in existing law, and clarifies that the notice requirements do not relieve management from its burden of demonstrating that a rule or regulation was violated. AB 1817 is sponsored by the Golden State Manufactured-home Owners League, Inc., and is supported by a number of nonprofits. The Committee has received no timely letters of opposition.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Establishes the Mobilehome Residency Law (MRL) to regulate the relationship between mobilehome park management and park residents, and establishes various rights, responsibilities, and limits of both groups. (Civ. Code §§ 798 et seq.)
- 2) Prohibits mobilehome park management from terminating or refusing to renew a tenancy of a mobilehome owner within the park, unless it is pursuant to one of the permitted reasons described in (3), below, and management provides the homeowner with written notice in a manner described by Code of Civil Procedure section 1162 to sell or remove their mobilehome from the park within a period of no less than 60 days. Specifies that a copy of this notice must be sent to the legal owner of the mobilehome, each junior lienholder, and the registered owner of the mobilehome within 10 days after this notice is given to the homeowner. (Civ. Code § 798.55.) Specifies that this 60-day notice exclusively controls over the general unlawful detainer provisions in the Code of Civil Procedure for unlawful detainer proceedings for termination of mobilehome tenancies. (*Palmer v. Agee* (1978) 87 Cal. App. 3d 377, 386.)
- 3) Specifies that a mobilehome park may only evict a resident for: failing to comply with a local or state law or regulation on mobilehomes within a reasonable time after the mobilehome owner receives notice of noncompliance; conduct of the resident that amounts to a substantial annoyance of other mobilehome owners or residents; conviction for certain crimes; failure to comply with a reasonable rule of the park; nonpayment of rent, utilities, or other reasonable incidental services charged by the park; condemnation of the park; or change of use of the park or any portion thereof, as specified. (Civ. Code § 798.56.)
- 4) Specifies that no act or omission of the mobilehome owner or resident constitutes a failure to comply with a reasonable rule or regulation unless and until park management has given the homeowner written notice of the alleged rule or regulation violation and the homeowner has failed to adhere to the rule or regulation within seven days. Specifies that, if a homeowner has been given a written notice of an alleged violation of the same rule or regulation on three or more occasions within a 12-month period after the homeowner or resident has violated that rule or regulation, no written notice is required for a subsequent violation of the same rule or regulation. (Civ. Code § 798.56(a)(4).)
- 5) Specifies that the above-described paragraph does not relieve park management from the obligation to demonstrate that a rule or regulation has in fact been violated. (Civ. Code § 798.56(a)(4).)

- 6) Specifies that park management must set forth in a notice of termination the reason it relied upon for the termination with specific facts to permit determination of the date, place, witnesses, and circumstances concerning that reason. (Civ. Code § 798.57.)
- 7) Permits specified three-day notices to vacate a homeowner's mobilehome site to be served upon the homeowner by: delivering a copy to the homeowner personally; by leaving a copy with a person of suitable age and discretion at the homeowner's place of residence or usual place of business, if they are absent, and sending a copy by mail to their place of residence; or by affixing a copy in a conspicuous place on the property, delivering a copy to a person on the property, and mailing a copy to the homeowner at the place where the property is situated, if no place of residence or business can be ascertained, or a person of suitable age or discretion cannot be found. (Code Civ. Proc. § 1162(a).)
- 8) Requires, when park management proposes an amendment to the park's rules and regulations, that management meet and consult with the homeowners in the park, their representatives, or both, after written notice has been given to all homeowners in the park 10 days or more before the meeting. Specifies that, after the meeting and consultation with homeowners, the park may implement the noticed amendment to the park's rules and regulations with the consent of the homeowner, or without the homeowner's consent upon written notice of not less than six months, except in specified circumstances. (Civ. Code § 798.25.)
- 9) Specifies that any amendment to the park's rules and regulations that creates a new fee payable by the homeowner that has not been expressly agreed upon by the homeowner and management in the written rental agreement or lease shall be void and unenforceable. (Civ. Code § 798.25(e).)
- 10) Specifies that any rule or regulation of a mobilehome park that is: unilaterally adopted by management; implemented without the consent of the homeowners; or by its terms purports to deny homeowners the right to a trial by jury or which would mandate binding arbitration of any dispute between the management and homeowners, is void and unenforceable. (Civ. Code § 798.25.5.)
- 11) Specifies a variety of limitations on the rules and regulations that a mobilehome park may implement, including: that park management may not prohibit a homeowner or resident from installing accommodations for the disabled; management may not prohibit or restrict a homeowner or resident from installing or using a solar energy system on their mobilehome or mobilehome site; and management may not prohibit or restrict a homeowner or resident from installing, upgrading, replacing, or using a cooling system in their mobilehome, as specified. (Civ. Code §§ 798.29.6; 798.44.1; 798.44.2.)

- 12) Permits, in addition to the authority to terminate the tenancy of a homeowner, any person in violation of a reasonable rule or regulation of the mobilehome park to be enjoined from the violation of that rule or regulation, as specified. (Civ. Code § 798.88.)

This bill:

- 1) Requires that, for (4), above, management must serve the homeowner with written notice of the alleged violation of a reasonable park rule or regulation in the manner prescribed by Code of Civil Procedure section 1162.
- 2) Requires this notice to recite the language of each rule or regulation for which the homeowner is alleged to be in violation, specific facts that permit the homeowner or resident to determine the date, place, or circumstances concerning the alleged violation, and any action required to adhere to or comply with the rule or regulation.
- 3) Amends the provision described in (5), above, to specify that the requirements of (4), above, do not relieve park management from its burden of demonstrating that a rule or regulation has in fact been violated.

COMMENTS

1. Author's statement

According to the author:

Receiving a 7-day notice is an extremely stressful event for a homeowner because, if they are unable to remedy the situation, it could cause them to lose their home. With many residents of mobilehome parks being part of vulnerable communities, being evicted is an especially devastating situation. Many residents are living on fixed incomes or are low-income individuals, leaving them with few alternatives for permanent housing.

We must ensure that mobile home park residents do not abruptly lose their homes because of vague 7-day notices and delivery procedures. Rules violations should be addressed, but they should be done in a way that will not unnecessarily lead to eviction.

2. Mobilehomes are an important source of affordable housing in California

Mobilehomes represent an important source of affordable housing in California. There are an estimated 508,589 mobilehome units in California, providing housing to about

1.5 million Californians.¹ The median price of a mobilehome in 2022 was \$82,600, making mobilehome ownership one of the most significant, un-subsidized sources of affordable housing.²

Mobilehomes are pre-fabricated homes that are designed to be able to be transported and moved between locations. Because mobilehomes are transportable, they are considered personal property instead of real property like traditionally built homes, and are not tied to the land on which they sit. Thus, mobilehomes are unique among all residential options. However, while they are technically mobile, a significant amount of time, effort, and money is often required to actually move a mobilehome. Costs for moving a mobilehome range from a few thousand to tens of thousands of dollars. Mobilehomes are also unique because many mobilehome residents own their mobilehome, but lease the land upon which their home is located from a mobilehome park. In this arrangement, the mobilehome sits on a lot within a park of mobilehomes and common space. The mobilehome park and the lots on which the mobilehomes sit are usually privately owned and managed by a mobilehome park company.

Thus, while residents technically own their mobilehome, they pay rent to the park management, are subject to the rules of the mobilehome park set by the ownership of the park, and often rely on the park for the provision of utilities. If they fall behind on their rent payments to the park for their mobilehome's lot, or if they violate a rule of the park, they can be evicted from the park. Considering that they may have invested a large amount of money in a mobilehome that they can no longer live in, they could lose the equity they've accumulated in their mobilehome upon eviction by the park, either by having to sell the mobilehome quickly, or spend thousands of dollars to move their mobilehome elsewhere. These circumstances and the difficulty in moving a mobilehome often mean that mobilehome park owners hold an unequal bargaining position in relation to the mobilehome owners within their park.

3. The Mobilehome Residency Law and mobilehome park evictions

In light of this and the unique nature of mobilehome parks, the Legislature passed the Mobilehome Residency Law (MRL) in 1978 to regulate the relationship between mobilehome park management and park residents, and to establish various rights, responsibilities, and limits of both groups. (Civ. Code §§ 798 et seq.) The MRL covers a variety of areas, including: permissible rental and lease contract terms; park rules and mandatory notices to residents; limits on fees and charges, as well as increases to them; and conditions and limits related to mobilehome park evictions.

¹ U.S. Census Bureau, 2021 American Community Survey 1-Year Estimates (2021), available at <https://data.census.gov/>.

² U.S. Census Bureau, Manufactured Housing Survey (Jun. 2022), available at <https://www.census.gov/data/tables/time-series/econ/mhs/annual-data.html>.

Provisions of the MRL specify that a park may evict a resident only for: failing to comply with a local or state law or regulation on mobilehomes within a reasonable time after the homeowner receives notice of noncompliance; conduct of the resident that amounts to a substantial annoyance of other mobilehome owners or residents; conviction for certain crimes; failure to comply with a reasonable rule of the park; condemnation of the park; a change of use of the park or any portion of it, as specified; or nonpayment of rent, utilities, or other reasonable incidental service charged by the park. (Civ. Code § 798.56.) If management is evicting the homeowner for noncompliance with a rule or regulation of the park, management must give the homeowner written notice of the alleged rule or regulation violation and seven days to adhere to the rule or regulation. However, if a homeowner has been given a written notice of an alleged violation of the same rule or regulation on three or more occasions within a 12-month period, management is not required to provide written notice for a subsequent violation of the same rule or regulation.

When the seven-day period has expired or a homeowner is subject to eviction under any of the other permissible grounds for eviction, management must then give written notice to the homeowner to either sell their mobilehome or remove it from the park within no less than 60 days. (Civ. Code § 798.55.) If the homeowner fails to do so, the park may initiate an unlawful detainer action in court to require the homeowner to vacate the park.

4. AB 1817 clarifies the notice required for noncompliance with a reasonable rule or regulation of the park

According to the author, the current provisions relating to the seven-day notice when a homeowner violates a rule or regulation of the park are vague and risk unnecessary evictions. They point out that the statute currently does not require that this notice includes key information for a homeowner to understand the alleged violation or how to remedy the violation, and does not specify the method by which the notice must be provided to the homeowner. This risks evictions that could have been prevented through corrective action, preventing homeowners from ensuring they comply with park rules or regulations, and creating uncertainty regarding whether park management complied with the notice requirements of the law.

AB 1817 aims to provide additional clarity regarding the seven-day notice. Specifically, it requires the notice to recite the language of each park rule or regulation that the park alleges the homeowner violated, along with the specific facts related to the date, place, or circumstances of the alleged violation. It also requires that the notice recite any action required by the homeowner to adhere to or comply with the rule or regulation alleged to have been violated.

AB 1817 also specifies the method of service by which management must serve the seven-day notice. It aligns the method of service with the method required for a 60-day

eviction notice. This method requires notice to be served by one of three ways: 1) providing a copy of the notice to the homeowner personally; 2) leaving a copy with a person of suitable age and discretion at the homeowner's place of residence or usual place of business if the homeowner is absent, and sending a copy by mail to their place of residence; or 3), if no place of residence or business can be ascertained, or a person of suitable age or discretion cannot be found, by affixing a copy of the notice in a conspicuous place on the property, delivering a copy to a person on the property, and mailing a copy addressed to the homeowner at the place where the property is situated.

SUPPORT

Golden State Manufactured-home Owners League, Inc. (co-sponsor)
Aids Healthcare Foundation
California Rural Legal Assistance Foundation
National Housing Law Project
Public Interest Law Project

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

AB 813 (Solache, 2025) would have authorized mobilehome park management to terminate a tenancy for conduct by the homeowner or resident upon park premises that constitutes a substantial annoyance to park employees, or other individuals who have contracted with, or regularly provide services for, the park. AB 813 died in the Assembly Housing and Community Development Committee.

AB 806 (Connolly, Ch. 343, Stats. 2025) prohibited mobilehome park management or ownership from prohibiting or restricting a homeowner or resident from installing, upgrading, replacing, or using a cooling system in their mobilehome, and prohibited the termination of a tenancy for the installation, upgrade, replacement, or use of a cooling system.

AB 2373 (Rendon, Ch. 395, Stats. 2024) prohibited a mobilehome park tenancy from being terminated and a notice of termination from being issued when the mobilehome park does not have a current permit to operate issued by the enforcement agency.

AB 682 (Corbett, Ch. 561, Stats. 2003) added the provision that permitted a homeowner within a mobilehome park to sell their mobilehome, not just remove it, at their election, within 60 days of termination of their tenancy.

PRIOR VOTES:

Assembly Floor (Ayes 73, Noes 0)

Assembly Judiciary Committee (Ayes 12, Noes 0)

Assembly Housing and Community Development Committee (Ayes 12, Noes 0)
