

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

AB 2596 (Gipson)
Version: June 18, 2026
Hearing Date: June 30, 2026
Fiscal: No
Urgency: No
ID

SUBJECT

Mobilehome parks: federally approved housing programs: compliance with state and local laws

DIGEST

This bill requires a mobilehome park operator or owner, if they fail to comply with federal law or other federal regulations imposed in connection with a federally approved housing program, to ensure ongoing compliance with applicable state laws, including, but not limited to, the Mobilehome Residency Law, the Unruh Civil Rights Act, and local ordinances.

EXECUTIVE SUMMARY

Mobilehome parks are an important source of affordable housing in California, including senior housing. The federal Fair Housing Act (FHA) was enacted to provide fair housing by prohibiting discrimination on the basis of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, financing, or provision of brokerage services in housing. The FHA includes an exemption from this prohibition for housing intended and operated for occupancy by persons 55 years of age or older where additional requirements are met. In recent years, disputes have arisen across the state when mobilehome parks that were operating as mobilehome parks for seniors attempt to transition to an all-ages park. Some local jurisdictions have tried to maintain their senior mobilehome parks for senior housing, but mobilehome parks have argued that they must convert to an all-ages park despite a local ordinance requiring the park maintain its status as a senior mobilehome park because they have failed to comply with the rules for the exemption to FHA. AB 2596 attempts to address issue by stating that, if a mobilehome park fails to comply with federal law or rules imposed in connection to a federally approved housing program, the mobilehome park must ensure continued compliance with mobilehome law, the Unruh Civil Rights Act, and local ordinances.

AB 2596 is sponsored by the California Association of Code Enforcement Officers and the Golden State Manufactured-home Owners League, and is supported by the California Senior Legislature and the City of San Marcos. The Committee has received no timely letters of opposition.

PROPOSED CHANGES TO THE LAW

Existing federal law establishes the Fair Housing Act to prohibit discriminatory practices in housing-related transactions on the basis of specified protected characteristics, including familial status, except for housing for older persons, as defined. (42 U.S.C. §§ 3601 et seq.)

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) Requires mobile home park management, when the management proposes an amendment to the park's rules and regulations, to meet and consult with the homeowners in the park, their representatives, or both, after written notice has been given to all the homeowners in the park at least 10 days before the meeting, except as specified. (Civ. Code § 798.25(a).)
- 3) Authorizes mobile home park management, following the meet and consult process in 2) above, to implement the noticed amendment without the homeowner's consent upon written notice of not less than six months, with exceptions related to recreational facilities and changes to the MRL, as specified. (Civ. Code § 798.25(b).)
- 4) Authorizes park management to require a prospective purchaser to comply with any rule or regulation limiting residency based on age requirements for housing for older persons, provided that the rule or regulation complies with the federal Fair Housing Act and implementing regulations. (Civ. Code § 798.76.)
- 5) Establishes the Unruh Civil Rights Act, to provide that all persons in the state are free and equal and are entitled to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind. Prohibits arbitrary discrimination by such establishments on the basis of sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status. (Civ. Code §§ 51 et seq.)

- 6) Prohibits a business establishment from discriminating in the sale or rental of housing based upon age, with exceptions for accommodations designed to meet the physical and social needs of senior citizens, as specified. (Civ. Code § 51.2 (a).)
- 7) Requires covenants, conditions, and restrictions and other documents regarding housing to set forth any limitations on occupancy, residency, or use on the basis of age, and requires that any such limitation not be more exclusive than to require one person in residence in each dwelling are required to be a senior citizen, and permits other residents within the unit to be required to be a qualified permanent resident, permitted health care resident, or other person, as specified. (Civ. Code § 51.3.)

This bill:

- 1) specifies that, in the event that a mobilehome park operator, owner, or management fails to, or elects not to, comply with federal law or other federal requirements imposed in connection with a federally approved housing program, including the Housing for Older Persons Act of 1995, the mobilehome park operator or owner must ensure ongoing compliance with the Mobilehome Residency Law, the Unruh Civil Rights Act's provisions related to senior housing, and applicable state and local laws and ordinances, including those regulating or requiring operation as a senior mobilehome park or defining a mobilehome park or senior mobilehome park, as specified.
- 2) Specifies that, in the event that a mobilehome park operator, owner, or management fails or elects not to conduct the age verification requirement under the Housing for Older Persons Act of 1995, a local agency may conduct the age verification by any means authorized by law, and shall have the right to access and inspect records of the mobilehome park operator, owner, and management to conduct verification.

COMMENTS

1. Author's statement

According to the author:

AB 2596 makes clear that failure to maintain federal documentation or failure to comply with federal age-verification requirements does not relieve a mobilehome park owner of the obligation to comply with California law and locally adopted senior-housing ordinances. Without this clarification, mobilehome park owners are attempting to use technical compliance gaps as a pretext to convert senior communities to all-ages parks, which leads to significant rent increases, the displacement of long-time residents, and the loss of critical affordable housing for older Californians. This bill restores legislative intent, reduces unnecessary litigation, preserves local land use authority, protects

vulnerable seniors from economic displacement, and closes a loophole being exploited by bad actors.

2. Mobilehomes are an important source of affordable senior housing

Mobilehomes are pre-fabricated homes that are designed to be able to be transported and moved between locations. 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. 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 must then sell or relocate, they could lose the equity they've accumulated in their mobilehome upon eviction by the park. 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.

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 In addition, mobilehome park residents tend to be of lower income and older than the average Californian.³ Older adults living in mobilehomes experience financial hardship more frequently than their peers that live in other housing settings, and face greater housing insecurity and have a harder time affording their regular living expenses.⁴

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>.

³ Noah I. Durst and Esther Sullivan, "The Contribution of Manufactured Housing to Affordable Housing in the United States: Assessing Variation Among Manufactured Housing Tenures and Community Types" (2019), *Housing Policy Debate*, p. 3.

⁴ Consumer Financial Protection Bureau, "Data Spotlight: Profiles of older adults living in mobile homes," (May 10, 2022), <https://www.consumerfinance.gov/data-research/research-reports/data-spotlight-profiles-of-older-adults-living-in-mobile-homes/full-report/>.

3. The Mobilehome Residency Law

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. Provisions of the MRL also specify that a park may evict a resident only for specified reasons.

The MRL also requires that the rules and regulations of the park be included in the rental agreement for the mobilehome site, and specifies the procedures that a park must follow to change the park rules. (Civ. Code §§ 798.15, 798.25.) If a mobilehome park wishes to change the rules of the park, it must meet and consult with mobilehome residents in the park after providing written notice to all mobilehome residents 10 days or more before the meeting. After the meeting, if a mobilehome resident does not consent to the proposed amendment of a rule or regulation, the park must provide them with written notice not less than 6 months before the change may be implemented. (Civ. Code § 798.25.)

4. The Federal Housing Act and the Unruh Civil Rights Act

The federal Fair Housing Act (FHA) was enacted to provide fair housing by prohibiting discrimination on the basis of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, financing, or provision of brokerage services in housing. (42 U.S.C. §§ 3601 et seq.) However, amendments to the FHA in 1988 recognized the importance of providing an exception for housing specifically aimed at assisting seniors. This exception was later amended by the Housing for Older Persons Act of 1995 (HOPA). (Pub. L. 104-76 (1995).) The exception applies to housing under any state or federal program designed to assist elderly persons, housing intended for and solely occupied by persons 62 years of age or older, or housing intended and operated for occupancy by persons 55 years of age or older where additional requirements are met. (42 U.S.C. § 3607(b)(2).) This last category applies when at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older, the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent to provide housing for older persons, and the housing facility or community complies with rules issued by the federal government for verifying occupancy by older persons. (42 U.S.C. § 3607(b)(2)(C).)

In addition to the federal FHA, California has its own, similar anti-discrimination law: the Unruh Civil Rights Act. (Civ. Code §§ 51 et seq.) The Unruh Civil Rights Act prohibits businesses from engaging in discriminatory actions on the basis of a number of protected characteristics, including age. Civil Code section 51.2 of the Unruh Civil

Rights Act prohibits businesses from discriminating in the sale or rental of housing, but includes an exception for age preferences imposed in connection with a federally approved housing program. (Civ. Code § 51.2(e).) Civil Code section 51.2 also permits a business establishment to establish and preserve housing for senior citizens, pursuant to certain requirements, except where the requirements are “preempted by the prohibition in the federal Fair Housing Amendments Act of 1988 (Public Law 100-430) and implementing regulations against discrimination on the basis of familial status.” (Civ. Code § 51.2(a).)

5. Numerous mobilehome park owners in California have recently converted their parks to “All-ages” parks

While numerous mobilehome parks in California are senior-only parks, many such parks have been converted to “all-ages” parks in recent years. This has decreased the supply of affordable senior housing in the state, and also has resulted in conflict between park owners, the city government, and park residents. In response to concerns that senior mobilehome parks may convert to all-ages parks, numerous cities have enacted zoning ordinances that create senior mobilehome park overlay districts prohibiting senior mobilehome parks in the district from converting to all-ages parks. Such city actions, and parks’ conversions to all-ages parks, have led to a slew of lawsuits.

In *Putnam Family Partnership v. City of Yucaipa*, four park owners challenged the city’s senior mobilehome park overlay district as violative of the FHA because it forced them to discriminate on the basis of familial status. The court ruled that the senior mobilehome park overlay district was permissible under the FHA’s senior housing exemption, and because the FHA permitted the senior housing required by the ordinance, compliance with the ordinance did not violate the FHA. (*Putnam Family P’shp v. City of Yucaipa* (2012), 673 F.3d 920.) It found that the city’s ordinance was not expressly or impliedly preempted by the FHA, and that the relevant intent to maintain a senior housing was that of the city’s. In the more recent case, *1210 Cacique St. v. City of Santa Barbara*, the court recognized that, in *Putnam*, there was no question of fact regarding whether the mobilehome park was actually operating as a senior mobilehome park under the FHA exemption at the time that the city enacted its senior mobilehome park overlay district. (*1210 Cacique St. v. City of Santa Barbara* (2024) 2024 U.S. Dist. LEXIS 2123233.) The court there ultimately found that the evidence showed that the park was operating as a senior mobilehome park at the time that the city’s ordinance was adopted, but such an issue of fact has now been raised in recent disputes with mobilehome parks who intend to convert their parks to all-age parks.

In one recent example, a mobilehome park that had long been run as a seniors-only park in Goleta, California was bought by an LLC in October 2025. Soon after, the park’s manager proposed new rules for the park to make the park an all-ages park, arguing at a city council meeting that the park was already an all-ages park because it did not meet

the requirements for the HOPA exemption.⁵ In light of this change and concerns raised by the park's senior residents, the city council passed an ordinance establishing a senior mobilehome park zoning overlay district to prohibit the conversion to an all-ages park, but the park manager has promised to sue the city over the ordinance.

In a similar case regarding Countryside mobilehome park in Cotati, the city sued the mobilehome park for violating the city's senior mobilehome overlay. The park countered that the overlay did not apply to Countryside mobilehome park because it was not actually a senior mobilehome park at the time that the overlay was enacted. The superior court agreed with the defendant and declined to enjoin the park owner from converting the park to an all-ages park after finding that the plaintiffs did not show that the park had met all of the requirements required by exemption in the FHA at the time that the overlay was enacted. (*People of the State of California v. Countryside MHP LLC* (2025) 24CV07691). This case appears to still be ongoing.

6. AB 2596 requires mobilehome parks to ensure compliance with state and local laws in the event that they do not comply with federal law

The fundamental paradox of these disputes is that a mobilehome park that intends to open its park to all ages can simply claim that it does not meet all requirements of the HOPA exemption in order to subvert local ordinances meant to maintain mobilehome parks that historically operated as senior mobilehome parks. Preventing the park from converting to all-ages housing, argue the park owners, would subject the park to liability for familial status discrimination, and would require the park to violate federal law. At the same time, if the park fails to comply with the HOPA requirements, the park owner can claim it never was a senior mobilehome park and thus the local ordinance does not apply to the park.

To address this, AB 2596 states that, in the event a mobilehome park operator or owner fails or elects not to comply with federal law or other federal requirements imposed in connection with a federally approved housing program, the mobilehome park operator or owner must ensure ongoing compliance with the MRL, the housing for seniors provisions in the Unruh Civil Rights Act, and local ordinances. This includes local ordinances that define a mobilehome park or senior mobilehome park or that regulate or require the operation as a senior mobilehome park. In addition, AB 2596 specifies that, if the mobilehome park fails to conduct age verification under HOPA, the local agency may conduct age verification itself by any means authorized by law, and requires that the local agency have access to and inspect the records of the mobilehome park to conduct verification itself.

⁵ Christina McDermott, "Goleta passes emergency law for senior mobile home parks," Santa Barbara Independent (Feb. 18, 2026), <https://www.independent.com/2026/02/18/goleta-passes-emergency-law-for-senior-mobile-home-parks/>.

7. Considerations

While AB 2596 aims to prevent the conversion of previous senior mobilehome parks to all-ages parks, it largely restates existing law. It is generally accepted that a party or individual must still comply with state law and local ordinances, regardless of whether they may be violating or failing to comply with federal law. There is no reason noncompliance with federal law invalidates an individual's obligation to comply with state and local laws and ordinances. In the case of senior mobilehome parks, mobilehome park owners have argued they cannot comply with local senior mobilehome park overlays because doing so would require they discriminate in violation of the federal law. This is a fundamentally different question that involves issues of federalism, and AB 2596 would likely not resolve that conflict. The more recent example in *Countryside* did not rely on this argument, but rather on the claim that the local ordinance simply did not apply to the mobilehome park. As currently written, AB 2596 is unlikely to counter such an argument in similar future cases as well.

Moreover, the advisability of enacting a statute that requires a party to follow state law even if they are not in compliance with federal law is also questionable, as it implies there may be instances where noncompliance with federal law would permit a party to disregard state law. This is not the case, so adding language that suggests otherwise could add more confusion than clarity. Nonetheless, the author argues that AB 2596's provisions add clarity to the law and to requirements that mobilehome parks comply with local ordinances when they do not comply with HOPA, so as to cut off any such argument by a mobilehome park in the future that wishes to convert to an all-ages park in contravention of local ordinances or other state law.

AB 2596 also includes provisions permitting a local agency to conduct age verification. While this is a requirement under HOPA, and local agencies may inspect parks for any variety of reasons, such as for health and safety, AB 2596 provides the agency new rights with regards to HOPA and the inspection of mobilehome park records. This may help local jurisdictions ensure parks comply with HOPA and maintain senior mobilehome parks as senior-only parks. While AB 2695 requires local agencies be provided access to mobilehome park records, it limits this access to the purposes of conducting age verification. Such verification ensures the park is not in violation of anti-discrimination laws and can continue being maintained as a senior mobilehome park.

8. Arguments in support

In support, the Golden State Manufactured-home Owners League states:

AB 2596 clarifies that mobilehome park owners cannot use their failure to comply with any federal-approved housing program requirements, including the Housing for Older Persons Act of 1995 (HOPA) – a federal law that amends the

Fair Housing Act to allow 55+ communities - to then ignore or exempt themselves from state and local laws passed in California.

By explicitly stating that park owners must comply with the Mobilehome Residency Law (MRL), the Unruh Civil Rights Act, and other applicable state laws and local ordinances, AB 2596 ensures mobilehome residents are protected.

This is not a new right, but a reaffirmation of our existing rights, and a necessary clarification to prevent any misinterpretation or misapplication of law or circumstance where park owners, who participate in federally-approved housing programs, can pick and choose when California laws apply to them.

SUPPORT

California Senior Legislature

City of San Marcos

Golden State Manufactured-home Owners League, Inc.

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

SB 1252 (Corbett, Ch. 524, Stats. 2010) amended the Unruh Civil Rights Act to specify that selection preferences based on age, imposed in connection with federally approved housing programs, do not constitute age discrimination in housing, and made various other changes to state anti-discrimination laws.

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)
