



ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Karl Lawson *Karl Lawson* Agenda Item No. I-6
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____

DATE: May 22, 2012

TO: City Council

FROM: Karl Lawson, Acting Director *[Signature]*
Housing

SUBJECT: Resolution of Support for Assembly Bill 1938

RECOMMENDATION

That City Council adopt a resolution expressing support for Assembly Bill 1938.

DISCUSSION

California Assembly Bill 1938 was introduced by Assembly Member Das Williams on February 22, 2012, and is currently awaiting a floor vote by the full Assembly. The bill seeks to amend the state Mobilehome Residency Law (MRL), the statute governing most aspects of the relationship between the owners of mobile home parks and the owners of mobile homes who rent spaces in mobile home parks.

The Golden State Mobile Home Owners League (GSMOL), which represents mobile home owners in California, endorsed AB 1938. The Western Manufactured Housing Communities Association (WMA), which advocates in Sacramento on behalf of mobile home park owners, opposes the bill.

When originally introduced, AB 1938 sought to make several substantive changes to the MRL. Key among these were (1) the institution of a requirement that rental agreements between mobile home park management and mobile homeowners include a written summary specifying all rent, utilities charges, and other charges that a homeowner would be obligation to pay under the agreement; (2) a prohibition from including in the body of any rental agreement any clause denying a mobile homeowner the right to trial by jury, or mandating arbitration of any disputes between the management and the homeowner; (3) a prohibition from including in any rental agreement any provision allowing park management to increase rent or otherwise charge homeowners for certain losses incurred by the owner of the mobile home park arising out of court decisions, fines, or other administrative penalties or damages, or for any losses not compensated fully by insurance; and (4) expanding the circumstances under which a mobile home owner may void a recently-signed lease with the park owner.

In April, the Assembly Committee on Housing and Community Development conducted hearings on AB 1938. The bill was amended in Committee, and again in the full Assembly, where it currently awaits a floor vote.

The amended AB 1938 addresses two of the four matters set forth in the original version of the bill. In its current version, AB 1938 would amend the MRL as follows:

1. Mobile homeowners would have the right to void a rental agreement by notifying management in writing within 72 hours of the homeowner receiving an executed copy of the rental agreement from the park management;
2. Mobile home park owners would be prohibited from charging or imposing upon a homeowner any fee or increase in rent which reflects the cost to the management of certain fines, fees, or damages assessed or awarded by a court against the management for a violation of the Mobilehome Residency Law, or for fines, fees, or damages assessed or awarded by the court or an enforcement agency against the management for a violation of specified laws pertaining to mobile home parks. The bill would also clarify that these provisions do not apply to violations for which the registered owner of the mobile home is initially responsible, as specified.

Oxnard residents who are members of GSMOL have appeared before the Oxnard City Council and requested City support of the legislation.

FINANCIAL IMPACT

None.

KL/kl

Attachment #1 - Resolution Supporting Assembly Bill 1938

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA IN
SUPPORT OF ASSEMBLY BILL 1938

WHEREAS, there are twenty-two mobile home parks in the City of Oxnard; and

WHEREAS, mobile homes constitute an important segment of our City's affordable housing stock, with approximately five percent (5%) of the City's total population living in the 2900 mobile homes in those mobile home parks; and

WHEREAS, the California Mobilehome Residency Law governs most aspects of the legal relationship between owners of mobile home parks and owners of mobile homes who rent spaces in those parks; and

WHEREAS, the California State Assembly is currently considering Assembly Bill 1938, a piece of legislation aimed at strengthening the protections of the Mobilehome Residency Law; and

WHEREAS, mobile home owners in Oxnard have joined with mobile home owners throughout California in support of A. B. 1938, and have requested support for the bill from local legislative bodies;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard, California, hereby expresses its support for A. B. 1938, and urges the California Legislature to approve the bill.

PASSED AND ADOPTED THIS 5th day of June, 2012, by the following vote:

AYES:

NOES:

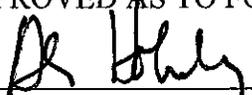
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney