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**CIVIL CODE - CIV**

**DIVISION 2. PROPERTY [654 - 1422]** ( *Heading of Division 2 amended by Stats. 1988, Ch. 160, Sec. 13.* )

**PART 2. REAL OR IMMOVABLE PROPERTY [[755.] - 945.5]** ( *Part 2 enacted 1872.* )

**TITLE 2. ESTATES IN REAL PROPERTY [761 - 817.4]** ( *Title 2 enacted 1872.* )

**CHAPTER 2.5. Mobilehome Residency Law [798 - 799.12]** ( *Chapter 2.5 added by Stats. 1978, Ch. 1031.* )

**ARTICLE 1. General [798 - 798.14]** ( *Article 1 added by Stats. 1978, Ch. 1031.* )

**798.** This chapter shall be known and may be cited as the "Mobilehome Residency Law."

(Amended by Stats. 1992, Ch. 958, Sec. 1. Effective September 28, 1992.)

**798.1.** Unless the provisions or context otherwise requires, the following definitions shall govern the construction of this chapter.

(Added by Stats. 1978, Ch. 1031.)

**798.2.** "Management" means the owner of a mobilehome park or an agent or representative authorized to act on his behalf in connection with matters relating to a tenancy in the park.

(Added by Stats. 1978, Ch. 1031.)

**798.3.** (a) "Mobilehome" is a structure designed for human habitation and for being moved on a street or highway under permit pursuant to Section 35790 of the Vehicle Code. Mobilehome includes a manufactured home, as defined in Section 18007 of the Health and Safety Code, and a mobilehome, as defined in Section 18008 of the Health and Safety Code, but, except as provided in subdivision (b), does not include a recreational vehicle, as defined in Section 799.29 of this code and Section 18010 of the Health and Safety Code or a commercial coach as defined in Section 18001.8 of the Health and Safety Code.

(b) "Mobilehome," for purposes of this chapter, other than Section 798.73, also includes trailers and other recreational vehicles of all types defined in Section 18010 of the Health and Safety Code, other than motor homes, truck campers, and camping trailers, which are used for human habitation if the occupancy criteria of either paragraph (1) or (2), as follows, are met:

(1) The trailer or other recreational vehicle occupies a mobilehome site in the park, on November 15, 1992, under a rental agreement with a term of one month or longer, and the trailer or other recreational vehicle occupied a mobilehome site in the park prior to January 1, 1991.

(2) The trailer or other recreational vehicle occupies a mobilehome site in the park for nine or more continuous months commencing on or after November 15, 1992.

"Mobilehome" does not include a trailer or other recreational vehicle located in a recreational vehicle park subject to Chapter 2.6 (commencing with Section 799.20).

(Amended by Stats. 2005, Ch. 595, Sec. 1. Effective January 1, 2006.)

**798.4.** "Mobilehome park" is an area of land where two or more mobilehome sites are rented, or held out for rent, to accommodate mobilehomes used for human habitation.

(Added by Stats. 1978, Ch. 1031.)

**798.6.** "Park" is a manufactured housing community as defined in Section 18210.7 of the Health and Safety Code, or a mobilehome park.

(Amended by Stats. 2007, Ch. 596, Sec. 1. Effective January 1, 2008.)

**798.7.** (a) "New construction" means any newly constructed spaces initially held out for rent after January 1, 1990. A mobilehome park space shall be considered "initially held out for rent" on the date of issuance of a permit or certificate of occupancy for that space by the enforcement agency in accordance with Section 18551 or 18613 of the Health and Safety Code.

(b) "New mobilehome park construction" means all spaces contained in a newly constructed mobilehome park for which a permit to operate is first issued by the enforcement agency on or after January 1, 2023.

*(Amended by Stats. 2022, Ch. 666, Sec. 1. (SB 940) Effective January 1, 2023.)*

**798.8.** "Rental agreement" is an agreement between the management and the homeowner establishing the terms and conditions of a park tenancy. A lease is a rental agreement.

*(Amended by Stats. 1982, Ch. 1397, Sec. 1.)*

**798.9.** "Homeowner" is a person who has a tenancy in a mobilehome park under a rental agreement.

*(Amended by Stats. 1982, Ch. 1397, Sec. 2.)*

**798.10.** "Change of use" means a use of the park for a purpose other than the rental, or the holding out for rent, of two or more mobilehome sites to accommodate mobilehomes used for human habitation, and does not mean the adoption, amendment, or repeal of a park rule or regulation. A change of use may affect an entire park or any portion thereof. "Change of use" includes, but is not limited to, a change of the park or any portion thereof to a condominium, stock cooperative, planned unit development, or any form of ownership wherein spaces within the park are to be sold.

*(Amended by Stats. 1980, Ch. 137, Sec. 1.)*

**798.11.** "Resident" is a homeowner or other person who lawfully occupies a mobilehome.

*(Amended by Stats. 1982, Ch. 1397, Sec. 3.)*

**798.12.** "Tenancy" is the right of a homeowner to the use of a site within a mobilehome park on which to locate, maintain, and occupy a mobilehome, site improvements, and accessory structures for human habitation, including the use of the services and facilities of the park.

*(Amended by Stats. 1982, Ch. 1397, Sec. 4.)*

**798.13.** (a) This chapter does not apply to any area owned, operated, or maintained by the state for the purpose of providing employee housing or space for a mobilehome owned or occupied by an employee of the state.

(b) Notwithstanding subdivision (a), a state employer shall provide the occupant of a privately owned mobilehome that is situated in an employee housing area owned, operated, or maintained by the state, and that is occupied by a state employee by agreement with his or her state employer and subject to the terms and conditions of that state employment, with a minimum of 60-days' notice prior to terminating the tenancy for any reason.

*(Added by Stats. 2000, Ch. 471, Sec. 1. Effective January 1, 2001.)*

**798.14.** (a) Unless otherwise provided, all notices required by this chapter shall be either delivered personally to the homeowner or deposited in the United States mail, postage prepaid, addressed to the homeowner at his or her site within the mobilehome park.

(b) All notices required by this chapter to be delivered prior to February 1 of each year may be combined in one notice that contains all the information required by the sections under which the notices are given.

*(Amended by Stats. 2012, Ch. 478, Sec. 1. (AB 2150) Effective January 1, 2013.)*