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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 2.7. Floating Home Residency Law [800 - 800.306] (*Chapter 2.7 added by Stats. 1990, Ch. 1505, Sec.*

1.)

ARTICLE 1. General Provisions [800 - 800.9] (*Article 1 added by Stats. 1990, Ch. 1505, Sec. 1.)*

800. This chapter shall be known and may be cited as the Floating Home Residency Law.

(*Added by Stats. 1990, Ch. 1505, Sec. 1.*)

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

(*Added by Stats. 1990, Ch. 1505, Sec. 1.*)

800.2. "Management" means the owner of a floating home marina or an agent or representative authorized to act on his or her behalf in connection with matters relating to a tenancy in the floating home marina.

(*Added by Stats. 1990, Ch. 1505, Sec. 1.*)

800.3. "Floating home" has the same meaning as defined in subdivision (d) of Section 18075.55 of the Health and Safety Code.

(*Added by Stats. 1990, Ch. 1505, Sec. 1.*)

800.4. "Floating home marina" means an area where five or more floating home berths are rented, or held out for rent, to accommodate floating homes, but does not include a marina or harbor that satisfies all of the following:

(a) The marina or harbor is managed by a nonprofit organization, the property, assets, and profits of which may not inure to any individual or group of individuals, but only to another nonprofit organization.

(b) The rules and regulations of the marina or harbor are set by majority vote of the berthholders thereof.

(c) The marina or harbor contains berths for fewer than 25 floating homes.

(*Amended by Stats. 2022, Ch. 633, Sec. 1. (AB 252) Effective January 1, 2023.*)

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

(*Added by Stats. 1990, Ch. 1505, Sec. 1.*)

800.6. "Homeowner" means a person who owns or resides in a floating home which is in a floating home marina pursuant to a rental agreement with management.

(*Added by Stats. 1990, Ch. 1505, Sec. 1.*)

800.7. "Change of use" means a use of the floating home marina for a purpose other than the rental, or the holding out for rent, of five or more floating home berths, and does not mean the adoption, amendment, or repeal of a floating home marina rule or regulation. A change of use may affect an entire floating home marina or any portion thereof. "Change of use" includes, but is not limited to, a change of the floating home marina or any portion thereof to a condominium, stock cooperative, or any form of ownership wherein spaces within the floating home marina are to be sold.

(*Added by Stats. 1990, Ch. 1505, Sec. 1.*)

800.8. “Resident” means a homeowner or other person who lawfully occupies a floating home.

(Added by Stats. 1990, Ch. 1505, Sec. 1.)

800.9. “Tenancy” means the right of a homeowner to the use of a berth within a floating home marina on which to locate, maintain, and occupy a floating home, and accessory structures or vessels, including the use of the services and facilities of the floating home marina.

(Added by Stats. 1990, Ch. 1505, Sec. 1.)