



| | | | | | | | |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|--|
| Home | Bill Information | California Law | Publications | Other Resources | My Subscriptions | My Favorites | |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|--|

AB-754 Floating home marinas: rent caps: County of Marin. (2025-2026)

SHARE THIS:  

Date Published: 10/13/2025 02:00 PM

Assembly Bill No. 754

CHAPTER 498

An act to amend Section 800.40.5 of, to amend, repeal, and add Section 800.41 of, and to add and repeal Section 800.40.6 of, the Civil Code, relating to housing.

[Approved by Governor October 10, 2025. Filed with Secretary of State October 10, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 754, Connolly. Floating home marinas: rent caps: County of Marin.

Existing law, the Floating Home Residency Law, prescribes various terms and conditions on tenancies in floating home marinas, as defined. Existing law, until January 1, 2030, prohibits management of a floating home marina located in the Counties of Alameda, Contra Costa, or Marin from increasing the gross rental rate for a tenancy for a floating home berth in a floating home marina more than 3% plus the percentage change in the cost of living, or 5%, whichever is lower, of the lowest gross rental rate charged for a tenancy at any time during the 12 months prior to the effective date of the increase. Existing law prohibits management of a floating home marina from increasing the rent of a new homeowner that purchases a floating home in the marina if the purchase qualifies as an in-place transfer, as defined.

This bill would, until January 1, 2038, prohibit management of a floating home marina located in the County of Marin from increasing the above-described rent more than the percent change in the cost of living, as specified, over the course of any 12-month period. The bill would require management to provide notice of any rental rate increases to each homeowner, as specified. The bill would specify that its provisions apply to rent increases for a tenancy in a floating home marina occurring on or after July 1, 2025. The bill would provide that in the event that management increases the rent by more than the amount specified above between July 1, 2025, and January 1, 2026, then the applicable rent on January 1, 2026, is the rent as of July 1, 2025, plus the maximum permissible increase, and that management is not liable to the homeowner for any corresponding rent overpayment.

This bill would, until January 1, 2038, in the event that an in-place transfer of a floating home involves the sale of a floating home subject to an existing lease with a 10-year or longer term or that was offered a lease of that term between 2 years and 6 months prior to the time of the sale, except as specified, permit management of a floating home marina located in the County of Marin to establish a new initial rental rate for a prospective homeowner, subject to specified conditions, including that the final sale price of the home provided to the marina owner shall be certified and substantiated in writing to be true under penalty of perjury by the buyer. By expanding the crime of perjury, this bill would impose a state-mandated local program.

This bill would exempt specified floating home berths from the rental rate increase limitations. The bill would void any waiver of the rights provided under these provisions and would provide that its provisions do not affect specified authority of local governments.

Existing law prohibits a homeowner from being charged a fee when obtaining a rental agreement on a floating home berth for a term of 12 months or a lesser period, or for charges other than rent, utilities, and incidental charges, as specified.

This bill would, until January 1, 2038, for a floating home marina located in the County of Marin, require that fees for utilities and incidental reasonable charges reflect actual costs, and would require a marina owner to demonstrate for all fees charged to a homeowner that the service was, or is currently being, actually rendered. The bill would prohibit marina owners from charging a fee to a homeowner for enforcement of marina rules.

This bill would make conforming changes.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Marin.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 800.40.5 of the Civil Code is amended to read:

800.40.5. (a) (1) Subject to subdivision (b), management shall not, over the course of any 12-month period, increase the gross rental rate for a tenancy for a floating home berth in a floating home marina more than 3 percent plus the percentage change in the cost of living, or 5 percent, whichever is lower, of the lowest gross rental rate charged for a tenancy at any time during the 12 months prior to the effective date of the increase.

(2) If the same homeowner maintains a tenancy over any 12-month period, the gross rental rate for the tenancy shall not be increased in more than two increments over that 12-month period, subject to the other restrictions of this subdivision governing gross rental rate increases.

(b) (1) For a new tenancy in which no homeowner from the prior tenancy remains in lawful possession of the floating home berth, management may establish the initial rental rate not subject to subdivision (a). However, if the applicable local agency or jurisdiction has adopted an ordinance, rule, regulation, or initiative measure that limits the allowable rental rate for a new tenancy, that ordinance, rule, regulation, or initiative measure shall apply. Subdivision (a) shall be applicable to subsequent increases after the initial rental rate has been established, except as otherwise provided in this section.

(2) Notwithstanding paragraph (1), management shall not impose an increase in rent on a homeowner that purchases a floating home if the purchase qualifies as an in-place transfer, and the initial rental rate shall be set at the rental rate of the previous tenancy. Subdivision (a) shall be applicable to subsequent increases after the initial rental rate has been established.

(c) Management shall provide notice of any increase in the rental rate, pursuant to subdivision (a), to each homeowner in accordance with Section 800.40.

(d) Subdivision (a) shall not apply to a tenancy for any of the following:

(1) A floating home berth restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.

(2) A floating home berth subject to any ordinance, rule, regulation, or initiative measure that restricts annual increases in the rental rate to an amount less than that provided in subdivision (a).

(e) (1) This section shall apply to all rent increases occurring on or after January 1, 2022.

(2) In the event that management has increased the rent by more than the amount permissible under subdivision (a) between January 1, 2022, and January 1, 2023, both of the following shall apply:

(A) The applicable rent on January 1, 2023, shall be the rent as of January 1, 2022, plus the maximum permissible increase under subdivision (a).

(B) Management shall not be liable to a homeowner for any corresponding rent overpayment.

(f) Any waiver of the rights under this section shall be void as contrary to public policy.

(g) For the purposes of this section:

(1) "Consumer Price Index for All Urban Consumers for All Items" means the CPI-U for the San Francisco-Oakland-Hayward metropolitan area, or any successor metropolitan area index.

(2) (A) "Percentage change in the cost of living" means the percentage change in the applicable CPI-U, as described in paragraph (1) and computed pursuant to subparagraph (B) of this paragraph.

(B) (i) For rent increases that take effect before August 1 of any calendar year, the following shall apply:

(I) The percentage change shall be the percentage change in the amount published for April of the immediately preceding calendar year and April of the year before that.

(II) If there is not an amount published in April for the applicable geographic area, the percentage change shall be the percentage change in the amount published for March of the immediately preceding calendar year and March of the year before that.

(ii) For rent increases that take effect on or after August 1 of any calendar year, the following shall apply:

(I) The percentage change shall be the percentage change in the amount published for April of that calendar year and April of the immediately preceding calendar year.

(II) If there is not an amount published in April for the applicable geographic area, the percentage change shall be the percentage change in the amount published for March of that calendar year and March of the immediately preceding calendar year.

(iii) The percentage change shall be rounded to the nearest one-tenth of 1 percent.

(3) "In place transfer" means the sale of a floating home where the floating home is transferred by a homeowner to a subsequent homeowner and remains docked at the same berth.

(h) (1) Nothing in this section affects the authority of a local government to adopt or maintain an ordinance, rule, regulation, or initiative measure that establishes a maximum amount that may be charged for rent or the rental rate for a new tenancy, including any ordinance, rule, regulation, or initiative measure adopted before the effective date of this section. However, if a local ordinance, rule, regulation, or initiative measure allows for the rental rate for a new tenancy or a rental rate increase greater than that provided in subdivision (a), this section shall apply.

(2) This section is not intended to express any policy regarding the appropriate, allowable rental rate increase limitations imposed by ordinance, rule, regulation, or initiative measure regulating rent increases adopted before or after the effective date of this section.

(i) This section shall only apply to floating home marinas in the following counties:

(1) The County of Alameda.

(2) The County of Contra Costa.

(3) The County of Marin, until Section 800.40.6 becomes operative.

(j) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 2. Section 800.40.6 is added to the Civil Code, to read:

800.40.6. (a) For the purposes of this section, the following definitions apply:

(1) "Consumer Price Index for All Urban Consumers for All Items" or "CPI-U" means the Consumer Price Index for All Urban Consumers for All Items for the San Francisco-Oakland-Hayward metropolitan area, or any successor metropolitan area index.

(2) (A) "Percentage change in the cost of living" means the percentage change in the applicable CPI-U, as described in paragraph (1) and computed pursuant to subparagraph (B).

(B) (i) For rent increases that take effect before August 1 of any calendar year, both of the following shall apply:

(I) The percentage change shall be the percentage change in the amount published for April of the immediately preceding calendar year and April of the year before that.

(II) If there is not an amount published in April for the applicable geographic area, the percentage change shall be the percentage change in the amount published for March of the immediately preceding calendar year and March of the year before that.

(ii) For rent increases that take effect on or after August 1 of any calendar year, both of the following shall apply:

(I) The percentage change shall be the percentage change in the amount published for April of that calendar year and April of the immediately preceding calendar year.

(II) If there is not an amount published in April for the applicable geographic area, the percentage change shall be the percentage change in the amount published for March of that calendar year and March of the immediately preceding calendar year.

(iii) The percentage change shall be rounded to the nearest one-tenth of 1 percent.

(3) "In place transfer" means the sale of a floating home where the floating home is transferred by a homeowner to a subsequent homeowner and remains docked at the same berth.

(b) (1) Except as provided by this subdivision, management shall not, over the course of any 12-month period, increase the gross rental rate for a tenancy for a floating home berth in a floating home marina more than the percent change in the cost of living. If the gross rental rate is increased, the increase shall be a minimum of 3 percent and a maximum of 7.5 percent.

(2) If the annual percent change in the cost of living exceeds 5 percent, only one-half of the percent change in cost of living that is in excess of 5 percent may be used to increase the gross rental rate up to the maximum allowable increase of 7.5 percent.

(3) (A) This subdivision shall apply to all rent increases occurring on or after July 1, 2025.

(B) In the event that management has increased the rent by more than the amount permissible under this subdivision between July 1, 2025, and January 1, 2026, both of the following shall apply:

(i) The applicable rent on January 1, 2026, shall be the rent as of July 1, 2025, plus the maximum permissible increase under this subdivision.

(ii) Management shall not be liable to a homeowner for any corresponding rent overpayment.

(4) Management shall provide notice of any increase in the rental rate, pursuant to this subdivision, to each homeowner in accordance with Section 800.40.

(c) (1) In the event a qualifying in-place transfer of a floating home involves the sale of a floating home either subject to an existing lease with a 10-year or longer term or that was offered a lease with a 10-year or longer term between two years and six months prior to the time of the home sale, management may establish a new initial rental rate for a prospective homeowner consistent with the following requirements:

(A) Except as specified in subparagraph (B), the new initial rental rate shall not exceed the lesser of either of the following:

(i) A 25-percent increase over the rental rate prior to the sale.

(ii) Fifteen-hundredths of 1 percent of the sale price of the home.

(B) If the formula described in subparagraph (A) results in a new initial rental rate that is less than a 3-percent increase over the rental rate immediately prior to the time of the home sale, the new initial rental rate shall not exceed the rental rate immediately prior to the time of the home sale plus the most recent percent change in the cost of living, which shall be a minimum increase of 3 percent and a maximum increase of 5 percent.

(C) The final sale price of the home provided to the marina owner shall be certified and substantiated in writing by the buyer to be true under penalty of perjury, as defined in Section 2015.5 of the Code of Civil Procedure.

(D) Lease terms offered after an in-place transfer shall be at least 10 years.

(E) In the event a floating home sold pursuant to this subdivision is sold again within five years, the new total monthly initial rental rate shall not exceed the lesser of either of the following:

(i) A 15-percent increase over the rent prior to the sale.

(ii) Fifteen-hundredths of 1 percent of the sale price of the home.

(2) Notwithstanding the limitations described in paragraph (1), this subdivision shall additionally apply to all in-place transfers occurring between July 1, 2025, and July 1, 2026, regardless of whether the floating home was subject to an existing lease with a 10-year or longer term or was offered a lease with a 10-year or longer term between two years and six months prior to the time of the home sale.

(d) The requirements of subdivisions (b) and (c) shall not apply to a tenancy for any of the following:

(1) A floating home berth restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.

(2) A floating home berth subject to any ordinance, rule, regulation, or initiative measure that allows annual increases in the rental rate up to an amount less than that provided in subdivision (b) or (c).

(e) Any waiver of the rights under this section shall be void as contrary to public policy.

(f) (1) Nothing in this section affects the authority of a local government to adopt or maintain an ordinance, rule, regulation, or initiative measure that establishes a maximum amount that may be charged for rent or the rental rate for a new tenancy, including any ordinance, rule, regulation, or initiative measure adopted before the effective date of this section. However, if a local ordinance, rule, regulation, or initiative measure allows for the rental rate for a new tenancy or a rental rate increase greater than that provided in subdivision (b) or (c), this section shall apply.

(2) This section is not intended to express any policy regarding the appropriate, allowable rental rate increase limitations imposed by ordinance, rule, regulation, or initiative measure regulating rent increases adopted before or after the effective date of this section.

(g) This section shall apply only to floating home marinas in the County of Marin.

(h) This section shall remain in effect only until January 1, 2038, and as of that date is repealed.

SEC. 3. Section 800.41 of the Civil Code is amended to read:

800.41. (a) A homeowner shall not be charged a fee for other than rent, utilities, and incidental reasonable charges for services actually rendered.

(b) A homeowner shall not be charged a fee for obtaining a rental agreement on a floating home berth for (1) a term of 12 months, or (2) a lesser period as mutually agreed upon by both the homeowner and the management. A fee may be charged for a rental agreement of more than one year if the fee is mutually agreed upon by both the homeowner and management.

(c) Notwithstanding subdivisions (a) and (b), the following shall apply to floating home marinas within the County of Marin:

(1) (A) Fees for utilities and incidental reasonable charges for services actually rendered to a homeowner shall reflect actual costs.

(B) A marina owner shall demonstrate for all fees charged to a homeowner that the service was, or is currently being, actually rendered.

(2) A marina owner shall not charge a homeowner a fee for enforcement of a marina's rules and regulations.

(d) This section shall remain in effect only until January 1, 2038, and as of that date is repealed.

SEC. 4. Section 800.41 is added to the Civil Code, to read:

800.41. (a) A homeowner shall not be charged a fee for other than rent, utilities, and incidental reasonable charges for services actually rendered.

(b) A homeowner shall not be charged a fee for obtaining a rental agreement on a floating home berth for (1) a term of 12 months, or (2) a lesser period as mutually agreed upon by both the homeowner and the management. A fee may be charged for a rental agreement of more than one year if the fee is mutually agreed upon by both the homeowner and management.

(c) This section shall become operative on January 1, 2038.

SEC. 5. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of floating home marinas in the County of Marin that have been operating with 10-year or longer leases. The design of 10-year or longer leases was to increase long-term financial security of current tenants, with the understanding that when a home is sold to a new owner management would have an opportunity to increase berth rental rates beyond existing caps to reflect market conditions. This lease structure enabled management to support needed capital improvements at a floating home marina with a

minimal cost burden to current tenants. Without this exemption, marina management will not be able to adequately finance future necessary capital improvements that benefit both marina owners and floating homeowners.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.