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AB-760 Mobilehome parks: rental restrictions: exemptions: emergencies. (2025-2026)

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AMENDED IN ASSEMBLY MAY 08, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 760

Introduced by Assembly Member Ta

February 18, 2025

An act to amend Section 798.23 of the Civil Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 760, as amended, Ta. Mobilehome parks: rental restrictions: exemptions: emergencies.

Existing law, the Mobilehome Residency Law, regulates mobilehome parks and generally subjects management of a mobilehome park to all park rules and regulations to the same extent as residents and their guests. In this regard, if a rule or regulation prohibits either renting or subleasing by a homeowner, existing law prohibits management from renting a mobilehome it owns, except to house onsite employees, avoid a vacancy, or continue a rental agreement executed before January 1, 2022, as specified. Existing law exempts from these provisions mobilehomes and mobilehome sites restricted to affordable housing uses in a park owned by specified nonprofit, government, or other qualified entities, as provided.

This bill would additionally exempt from the above-described provisions a mobilehome park that is located in a city or county that is, or has been in the prior ~~year~~, *6 months*, under a state of emergency ~~or local emergency~~, *caused by a disaster or conditions that resulted in housing units being damaged, destroyed, or rendered uninhabitable*, or that is located in an adjacent city or county. *In this regard, the bill would allow the mobilehome park to directly rent a mobilehome to a tenant on a limited emergency basis, as specified, not to exceed 36 months from the expiration of the state of emergency.* The bill would specify that this exemption would apply for the duration of a tenancy in which the tenant is using the mobilehome as their personal and actual residence.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

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

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

SECTION 1. Section 798.23 of the Civil Code is amended to read:

798.23. (a) Management shall be subject to, and comply with, all park rules and regulations to the same extent as residents and their guests.

(b) Subdivision (a) does not apply to either of the following:

(1) Any rule or regulation that governs the age of any resident or guest.

(2) Acts of management that are undertaken to fulfill management's maintenance, management, and business operation responsibilities.

(c) (1) Notwithstanding subdivision (b) and subject to paragraph (2), management shall be subject to, and comply with, all rules and regulations that prohibit a homeowner from renting or subleasing the homeowner's mobilehome or mobilehome space.

(2) (A) If a rule or regulation has been enacted that prohibits either renting or subleasing by a homeowner, management shall not directly rent a mobilehome except as follows:

(i) Management may directly rent up to two mobilehomes within the park for the purpose of housing onsite employees.

(ii) For every 200 mobilehomes in a park, the management may directly rent one more mobilehome within the park, in addition to the mobilehomes authorized for direct rental pursuant to clause (i), for the purpose of housing onsite employees.

(B) For purposes of this paragraph, "the purpose of housing onsite employees" includes directly renting a mobilehome to a person who is not an onsite employee to avoid a vacancy during times when the mobilehome is authorized for direct rental pursuant to subparagraph (A) and not needed for housing onsite employees.

(d) Notwithstanding subdivision (c), management may continue to directly rent a mobilehome to a tenant if both of the following apply:

(1) The tenancy was initially established by a rental agreement executed before January 1, 2022.

(2) A tenant listed on the rental agreement described in paragraph (1) continues to occupy the mobilehome.

(e) (1) A park shall be exempt from the provisions of subdivision (c) if either of the following apply:

(A) The park is owned and operated by an organization that qualifies as an exempt organization under Section 501(c)(3) of the United States Internal Revenue Code of 1986, and the property has been granted an exemption from property taxation pursuant to Section 214 of the Revenue and Taxation Code.

(B) The park is owned by a government agency or an entity controlled by a government agency, and has an affordability covenant in place.

(2) The exemption contained in paragraph (1) applies only to those mobilehomes or mobilehome sites within a park that are restricted for use as affordable housing pursuant to either a written regulatory agreement or the policy or practice of the exempt organization or government agency.

(3) A park shall be exempt from the provisions of subdivision (c) *and may directly rent a mobilehome to a tenant on a limited emergency basis* if it is located in a city, county, or city and county that is any of the following:

(A) Under a declared state of emergency pursuant to Section 8625 of the Government ~~Code.~~ *Code and the disaster or conditions that caused the state of emergency resulted in housing units in the city, county, or city and county being damaged, destroyed, or otherwise rendered uninhabitable.*

~~(B) Under a local emergency pursuant to Section 8630 of the Government Code.~~

~~(C)~~

~~(B)~~ Within ~~one year~~ *six months* of the expiration of a declared state of emergency ~~or local emergency pursuant to described in subparagraph (A) or (B).~~ *(A).*

~~(D)~~

(C) Adjacent to a city, county, or city and county that meets ~~any~~ *either* of the conditions in subparagraph ~~(A), (B), or (C)~~: (A) or (B).

(4) The exemption in paragraph (3) applies for the duration of a *limited emergency* tenancy in which the tenant is using the mobilehome as their personal and actual ~~residence~~: *residence, but in no event shall the tenancy exceed 36 months from the expiration of the declared state of emergency described in subparagraph (A) of paragraph (3).*

SEC. 2. The Legislature finds and declares that due to the housing shortage across the state, facilitating greater housing opportunities for those affected by emergencies and natural disasters is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this act amending Section 798.23 of the Civil Code applies to all cities, including charter cities.