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AB-806 Mobilehomes: cooling systems. (2025-2026)

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Assembly Bill No. 806

CHAPTER 343

An act to add Sections 798.44.2 and 799.13 to the Civil Code, relating to mobilehomes.

[Approved by Governor October 06, 2025. Filed with Secretary of State October 06, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 806, Connolly. Mobilehomes: cooling systems.

Existing law, the Mobilehome Residency Law, governs tenancies in mobilehome parks and includes provisions that are applicable to those who have an ownership interest in a subdivision, cooperative, or condominium for mobilehomes, or a resident-owned mobilehome park, as specified. Among other things, these provisions set forth the rights of residents and homeowners regarding the use of the property.

This bill would make any covenant, restriction, or condition contained in any rental agreement or other instrument affecting the tenancy of a homeowner or resident in a mobilehome park, in a subdivision, cooperative, or condominium for mobilehomes, or in a resident-owned mobilehome park that effectively prohibits or restricts the installation, upgrade, replacement, or use of a cooling system, as defined, in a mobilehome void and unenforceable. The bill would make it unlawful for the management or the ownership to prohibit or restrict a homeowner or resident from installing, upgrading, replacing, or using a cooling system in their mobilehome or to take other specified actions in connection with the installation, upgrade, replacement, or use of a cooling system, subject to specified exceptions.

This bill would prohibit the termination of tenancy for the installation, upgrade, replacement, or use of a cooling system. The bill would make any entity that willfully violates these provisions in a subdivision, cooperative, or condominium for mobilehomes, or a resident-owned mobilehome park liable to the homeowner, resident, or other party for actual damages occasioned thereby, and for a civil penalty paid to the homeowner, resident, or other party in an amount not to exceed \$2,000.

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

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

SECTION 1. Section 798.44.2 is added to the Civil Code, immediately following Section 798.44.1, to read:

798.44.2. (a) Any covenant, restriction, or condition contained in any rental agreement or other instrument affecting the tenancy of a homeowner or resident in a mobilehome park that effectively prohibits or restricts the installation, upgrade, replacement, or use of a cooling system in a mobilehome is void and unenforceable.

(b) (1) Subject to paragraph (2), management shall not prohibit or restrict a homeowner or resident from installing, upgrading, replacing, or using a cooling system in their mobilehome. Management shall not do any of the following:

(A) Charge any fee to a homeowner or resident in connection with the installation, upgrade, replacement, or use of a cooling system.

(B) Require a homeowner or resident to use a specific cooling system, type of cooling system, or cooling system contractor or product.

(C) Claim or receive any rebate, credit, or commission in connection with a homeowner's or resident's installation, upgrade, replacement, or use of a cooling system.

(D) Require homeowners or residents to remove cooling systems or prevent replacements or upgrades to existing cooling systems.

(2) Paragraph (1) shall not apply if management establishes any of the following:

(A) The installation, upgrade, replacement, or use of the cooling system would violate federal, state, or local law.

(B) A permit from a designated permitting authority is required for the installation, upgrade, replacement, or use of the cooling system, and that permit is not granted.

(C) The amperage required to power any individual cooling system cannot be accommodated by the power service to the lot, as demonstrated in writing by a federal, state, or local governmental enforcement authority.

(c) For purposes of this section, "cooling system" may include, but is not limited to, a portable air-conditioning unit, a window air-conditioning unit, a swamp cooler or any evaporative cooler, a cooling fan system, a heat pump, or any other technology that reasonably creates an internal temperature cooling benefit. A cooling system shall meet applicable health and safety standards and requirements imposed by law.

(d) The tenancy of a homeowner or resident shall not be terminated for the installation, upgrade, replacement, or use of a cooling system as permitted under this section.

SEC. 2. Section 799.13 is added to the Civil Code, immediately following Section 799.12, to read:

799.13. (a) Any covenant, restriction, or condition contained in any rental agreement or other instrument affecting the tenancy of a homeowner or resident in a subdivision, cooperative, or condominium for mobilehomes, or resident-owned mobilehome park that effectively prohibits or restricts the installation, upgrade, replacement, or use of a cooling system in a mobilehome is void and unenforceable.

(b) (1) Subject to paragraph (2), ownership or management shall not prohibit or restrict a homeowner or resident from installing, upgrading, replacing, or using a cooling system in their mobilehome. Management shall not do any of the following:

(A) Charge any fee to a homeowner or resident in connection with the installation, upgrade, replacement, or use of a cooling system.

(B) Require a homeowner or resident to use a specific cooling system, type of cooling system, or cooling system contractor or product.

(C) Claim or receive any rebate, credit, or commission in connection with a homeowner's or resident's installation, upgrade, replacement, or use of a cooling system.

(D) Require homeowners or residents to remove cooling systems or prevent replacements or upgrades to existing cooling systems.

(2) Paragraph (1) shall not apply if ownership or management establishes any of the following:

(A) The installation, upgrade, replacement, or use of the cooling system would violate federal, state, or local law.

(B) A permit from a designated permitting authority is required for the installation, upgrade, replacement, or use of the cooling system, and that permit is not granted.

(C) The amperage required to power any individual cooling system cannot be accommodated by the power service to the lot, as demonstrated in writing by a federal, state, or local governmental enforcement authority.

(c) For purposes of this section, "cooling system" can include, but is not limited to, a portable air-conditioning unit, a window air-conditioning unit, a swamp cooler or any evaporative cooler, a cooling fan system, a heat pump, or any other technology that reasonably creates an internal temperature cooling benefit. A cooling system shall meet applicable health and safety standards and requirements imposed by law.

(d) The tenancy of a homeowner or resident shall not be terminated for the installation, upgrade, replacement, or use of a cooling system as permitted under this section.

(e) Any entity that willfully violates this section shall be liable to the homeowner, resident, or other party for actual damages occasioned thereby, and shall pay a civil penalty to the homeowner, resident, or other party in an amount not to exceed two thousand dollars (\$2,000).

(f) In any action to enforce compliance with this section, the prevailing party shall be awarded reasonable attorney's fees.