

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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INFORMATION BULLETIN 2020-03 (SHL, EH, RT, MP, MH)

TO: State Housing Law Program
Employee Housing Program
Registration and Titling Program
Mobilehome Parks Program
Manufactured Housing Program
Interested Parties
Division Staff

FROM: Richard Weinert, Deputy Director
Division of Codes and Standards

SUBJECT: 2019 Legislative Changes

This Information Bulletin summarizes the 2019 legislative changes to California laws that affect the California Department of Housing and Community Development's (Department's) Division of Codes and Standards. The amendments, repeals, and additions to the California laws summarized in this Information Bulletin became effective January 1, 2020, unless otherwise specified in the legislation.

STATE HOUSING LAW PROGRAM**Assembly Bill (AB) 143 (Quirk-Silva, Chapter 336, Statutes of 2019)
Shelter crisis: homeless shelters: Counties of Alameda and Orange: City of San Jose. Legislative report required.**

AB 143 expands the Shelter Crisis Act to include the Counties of Alameda and Orange, any cities located within the Counties of Alameda and Orange, and the City of San Jose. The bill requires these cities and counties to develop a shelter crisis plan that includes how to transition residents from homeless shelters to permanent supportive housing, and to make the plan available to the public by July 1, 2020. The cities and counties are permitted to adopt by ordinance reasonable local standards for design and operation of homeless shelters that must be reviewed and approved by the Department to ensure that the local ordinance addresses minimum health and safety standards. This bill expands the time from 30 to 90 days from the date of receiving the draft ordinance for the Department to report its findings to the appropriate Legislative

committees. This bill also requires cities and counties provide specified information to the appropriate Legislative committees on or before January 1 of the year following the declaration of a shelter crisis. Lastly, the bill extends the Shelter Crisis Act sunset date from January 1, 2021, to January 1, 2023. This bill has an urgency clause and went into effect on September 26, 2019.

Senate Bill (SB) 13 (Wieckowski, Chapter 653, Statutes of 2019)

Accessory dwelling units.

SB 13 makes amendments and additions to the laws governing accessory dwelling units (ADUs) related to construction, including water and sewer connections and minimum and maximum square footage, as well as statutory amendments effecting tiered schedule of impact fees, ADU set-backs, reduction in parking spaces, ministerial permit approval by local government, mandatory permit approval time within 60 days of ADU permit application, and removal of owner-occupancy restrictions. SB 13 also requires the Department, after a local ADU ordinance is adopted, to review and submit findings to the local agency as to whether it complies with ADU law. If the Department finds it does not, the Department is required to provide the local agency up to 30 days to respond before taking any other action, including notifying the Attorney General after making specified findings. SB 13 also authorizes the Department to review, adopt, amend, or repeal guidelines to implement uniform standards and criteria that supplement or clarify the terms, references, and standards in ADU law and authorizes, explicitly, a local agency to count an ADU for purposes of identifying adequate sites for its housing element. Lastly, SB 13 requires a local agency's notice of a violation of any building standard to an ADU owner to include a statement of the owner's right to request a delay in enforcement. It requires a local agency, upon request of the owner, to delay enforcement for five years if correction is not necessary to protect health and safety and the ADU was built before January 1, 2020, or the ADU was built prior to that date in a local jurisdiction that had a compliant ADU ordinance at that time. This bill sunsets this provision on January 1, 2025.

SB 280 (Jackson, Chapter 640, Statutes of 2019)

Building standards: fall prevention.

SB 280 requires the Department to investigate changes in building standards that promote aging-in-place design at the next triennial building standards rulemaking cycle, commencing on or after January 1, 2020, limited to accessible locations of doorbells, light switches, heating, ventilation, air conditioning; installation of support backing for later installation of grab bars in bathrooms; and 32-inch clearance in the width opening for at least one bathroom and bedroom door. This bill allows the Department to propose the adoption of mandatory building standards for those features in the California Residential Code if the Department determines that one or more changes can be made without significantly increasing the cost of construction. This bill further requires that in those proposed standards the Department include a finding as to whether a delay of 18 months in the effective date is warranted to provide adequate time for industry to incorporate the change into standard designs.

AB 1745 (Kalra, Chapter 342, Statutes of 2019)

Shelter crisis: emergency bridge housing community: City of San Jose.

Legislative report required.

This bill extends the sunset date from January 1, 2022, to January 1, 2025, on the City of San Jose's authority to declare a shelter crisis and operate an emergency bridge housing community for homeless persons, including the matching of each resident of emergency bridge housing community to an affordable housing unit identified in the City's housing plan. It also extends the requirement for the City of San Jose to provide an annual report to the Legislature, as specified, from January 1, 2022, to January 1, 2025.

EMPLOYEE HOUSING PROGRAM

AB 1783 (Rivas, Chapter 866, Statutes of 2019)

H-2A worker housing: state funding: streamlined approval process for agricultural employee housing development.

Among other elements, AB 1783 creates a new definition of agricultural employee housing and confers rights on tenants who live in such housing, including those rights applicable to a person residing in employee housing, and creates a streamlined ministerial approval process for agricultural housing developments. The bill requires the Department to establish a process for certifying an affordable housing organization and establishing a roster of all affordable housing organizations.

REGISTRATION AND TITLING PROGRAM

AB 173 (Chau, Chapter 488, Statutes of 2019)

Mobilehomes: payments: nonpayment or late payments.

AB 173 renames the Department's "Fee and Tax Waiver Program" promulgated by AB 587 (Chapter 396, Statutes of 2016) to the "Register Your Mobilehome Program" (Program). Additionally, it makes the following changes: 1) extends the application date by one year—from December 1, 2019, to December 31, 2020—for mobilehome owners who cannot transfer title into their names due to the delinquent taxes and fees incurred by a previous owner; 2) extends to January 1, 2021, the ability of a person in possession of a conditional transfer of title to apply for a tax liability or tax clearance certificate; and 3) extends the date to January 1, 2021, to allow an unregistered mobilehome to be used for occupancy without being in compliance with all registration requirements. This bill also requires the Department to publish by July 1, 2021, an analysis of mobilehome registrations that come into compliance through the Program. Lastly, this bill prohibits mobilehomes acquired through a warehouseman's lien on or after January 1, 2017, from applying for the Program.

MANUFACTURED HOUSING PROGRAM / MOBILEHOME PARKS PROGRAM

AB 338 (Chu, Chapter 299, Statutes of 2019)

Manufactured housing smoke alarms; emergency preparedness.

AB 338 requires all used mobilehomes sold or rented after January 1, 2020, to have a smoke detector approved by the State Fire Marshal in each room designed for sleeping. The bill also requires park owners to provide annual notice to residents on how to access the emergency preparedness plan, including how to access in languages other than English. The bill requires park management to make Part II of the Emergency Plans for Mobilehome Parks booklet available in languages required by the Dymally-Alatorre Bilingual Services Act (currently only Spanish). The bill requires the Department to translate Part II and post the translation on its website.

MOBILEHOME PARK PROGRAM

SB 274 (Dodd, Chapter 504, Statutes of 2019)

Mobilehome parks: tenancies.

SB 274 provides a homeowner who lives alone in a mobilehome park (park) and wishes to share occupancy of their mobilehome more flexibility on who may live with them without park management imposing a fee. The bill increases the number of companions a homeowner may designate in a calendar year from one (1) to three (3), but a homeowner may only designate one (1) person at a time as a companion who may share occupancy.

Additionally, the bill requires management of a park that was destroyed, as a result of a wildfire or other natural disaster, and rebuilt in the same location to offer all previous homeowners who had rental agreements in existence at the time of the park's destruction renewed tenancy on substantially same terms.

The bill also requires park management to provide the seller and prospective purchaser of a mobilehome that will remain in the park after close of sale with the standards that management customarily utilizes to approve a tenancy application and a list of all documentation that management will require to determine if the prospective purchaser will qualify for tenancy in the park.

Lastly, the bill allows a prospective purchaser of a mobilehome that will remain in the park it is sited in after close of sale to provide evidence of their additional financial assets if their tenancy application is rejected due to the inability to pay the rent, estimated utilities, or other charges of the park. The bill further requires park management to consider such evidence in determining whether the prospective purchaser has the financial ability to pay the rent, estimated utilities, or other charges of the park.

This summary of legislative changes is not represented to be a complete digest of all new laws affecting the Division of Codes and Standards' programs. The complete text of each law can be reviewed through the [California Legislative Information website](http://leginfo.legislature.ca.gov/) at <http://leginfo.legislature.ca.gov/>.

If you have any questions or concerns regarding this Information Bulletin, please contact the Division of Codes and Standards at (800) 952-8356. You may also contact the Department via our [web comment site](http://www.hcd.ca.gov/comments) at <http://www.hcd.ca.gov/comments>.