December 31, 2015

Information Bulletin 2015-06 (MP, MH, OL, RT, SHL)

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

SUBJECT: 2015 Legislative Changes

This Information Bulletin summarizes the legislative changes for 2015 California laws that impact the Division of Codes and Standards' programs. The amendments, repeals, and additions to the California laws summarized in the Information Bulletin become effective January 1, 2016, unless specified in the legislation.

STATE HOUSING LAW PROGRAM

**Chapter 449, Statutes of 2015 (SB 287 - Hueso)** adds Chapter 3 (commencing with Section 19300) to Part 3 of Division 13 of the Health and Safety Code, relating to automated external defibrillators.

This bill requires specified structures, constructed on or after January 1, 2017, have installed on its premises an automated external defibrillator (AED). It prohibits a person that uses an AED appropriately to be liable for any civil damages. This does not apply to structures owned by any local government entity, health facilities, and structures that are vacant, under construction or under renovation.

**Chapter 589, Statutes of 2015 (AB 793 – Quirk)** adds Section 717 to, and amends section 2790, of the Public Utilities Code, relating to public utilities.

This bill requires an electrical corporation or gas corporation develop an incentive program by January 1, 2017. The incentive program is for a residential, small or medium business customer to acquire energy management technology for use in the
customer’s home or place of business. It requires an education plan for the incentive program be developed by September 30, 2016.

In addition, it broadens the definition of weatherization by not limiting energy management technology only to home energy management technology. It also redefines energy management technology. Energy management technology includes a product, service, or software that allows a customer to better understand and manage electricity or gas use in their customer’s home.

**Chapter 590, Statutes of 2015 (AB 802 - Williams)** amends Sections 25301 and 25303, and repeals and adds Section 25402.10, the Public Resources Code, and amends Section 381.2, amends and renumbers Section 384.2, and adds Section 913.8 to the Public Utilities Code, relating to energy efficiency.

This bill requires, on or after January 1, 2016, each utility maintain at least the 12 most complete calendar month records of the energy usage data of all buildings to which they provide service. It also requires that the utility deliver aggregated energy usage data to their ENERGY STAR Portfolio Manager upon the request of the owner of a designated building, beginning no later than January 1, 2017. In addition, it authorizes electrical or gas corporations, by September 1, 2016, to provide financial incentives, rebates, technical assistance, and support to their customers efforts to increase the energy efficiency of existing buildings.

**Chapter 598, Statute of 2015 (AB 1236 - Chiu)** adds Section 65850.7 to the Government Code, relating to local ordinances: electric vehicle charging stations.

This bill gives a city, county, or city and county to adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations. It gives the local government agency (LEA) authorization to administratively approve the installation of electric vehicle charging stations through the use of a permit. It prohibits the LEA to deny an application for a permit unless it makes written findings that the proposed installation would have a specific, adverse impact on the public health or safety.

**Chapter 720, Statutes of 2015 (AB 655 – Mitchell)** adds section 1941.7 to the Civil Code, amends sections 17920 and 17920.3, of the Health and Safety Code, relating to housing standards: mold.

This bill declares any building or portion thereof to be substandard if there is visible mold growth. It excludes the presence of mold that is minor and found on surfaces that can accumulate moisture as part of their properly functioning and intended use. If mold is present in a dwelling unit, it allows for the landlord to enter to repair a dilapidation. It also defines mold to mean microscopic organisms or fungi that can grow in damp conditions in the interior of a building.
MANUFACTURED HOMES/MOBILEHOMES/SPECIAL OCCUPANCY PARKS

Chapter 176, Statutes of 2015 (SB 244 - Vidak) amends and repeals Section 798.88 of the Civil Code, and amends and repeals Section 85 of the Code of Civil Procedure, relating to mobilehomes: injunctions.

This bill eliminates the January 1, 2016, sunset date on existing law that authorizes the management of a mobilehome park to enjoin violations of park rules by seeking an injunction, rather than filing an unlawful detainer. It also eliminates the sunset date of January 1, 2016, on existing law pertaining to an action or special proceeding treated as a limited civil case. The elimination of the sunset dates makes existing law permanent.

Chapter 288, Statutes of 2015 (SB 419 - McGuire) amends, repeals, and adds Sections 798.70, 798.71, and 798.74 of the Civil Code, relating to mobilehomes: homeowners: sale.

This bill allows an individual(s) who gained ownership of a mobilehome in a mobilehome park, as specified, to advertise the mobilehome for sale, exchange, or rent, if not prohibited by the terms of an agreement with management. It allows displaying one sign in the window of, or posting one sign on the side of or the front of the mobilehome and posting one “open house” sign facing the street.

Provides that park management allow open houses and establish rules and regulations on how an open house should be conducted.

This bill also prohibits park management from denying the listing or sale of a manufactured home or mobilehome within the park by a homeowner or other specified person(s), including advertising the address of the home to the general public.

Additionally, it provides that the park management is not liable for damages from withholding the approval of a prospective homeowner’s application due to fraud, deceit, or concealment of material facts by the prospective purchaser.

Chapter 376, Statutes of 2015 (AB 999 - Daly) amends Sections 798.56(a) and 798.61 of the Civil Code, and amends Section 18080.5 of the Health and Safety Code, relating to mobilehomes: disposal.

This bill provides that the management of a mobilehome park that acquires a mobilehome after enforcing a warehouse lien or through a petition for a judicial declaration of abandonment, and files a notice of disposal, as specified, with the Department of Housing and Community Development (HCD) shall not be required to pay past or current vehicle license fees or obtain a tax clearance certificate, provided it meets the established requirements.

It also requires HCD to charge a fee, not to exceed $45, for processing the notice of disposal and any information required to complete the process.
Additionally, it defines “dispose” or “disposal” as the removal and destruction of an abandoned mobilehome from a mobilehome park, thus making it unusable for any purpose and not subject to, or eligible for, use in the future as a mobilehome.

**Chapter 581, Statutes of 2015 (AB 682 - Williams)** adds Section 18029.1 to the Health and Safety Code, relating to mobilehome park: electric and gas service: master-meter customers.

This bill waives the requirement of an application for an alteration or conversion of a mobilehome to be filed with HCD if a person is altering or converting, or causing to be altered or converted, the structural, fire safety, plumbing, heat-producing, or electrical systems and installations or equipment of a mobilehome in order to extend a gas line and/or electrical feeder line from a utility-owned service line to the electrical subpanel or gas inlet of a mobilehome. This waiver only applies if it is part of a natural gas and/or electric service utility upgrade within a mobilehome park that is subject to or consistent with the requirements of the Public Utilities Commission’s Mobilehome Park Utility Upgrade Program; or a defect in the mobilehome is to be repaired or replaced if specified conditions are met. It also requires HCD to inspect any such alterations or conversions to ensure that health and safety standards are met.

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/](http://leginfo.legislature.ca.gov/).

For questions regarding the new requirements, please contact the Division of Codes and Standards staff at (916) 445-9471. You may also contact the Department via our web comment site at [http://www.hcd.ca.gov/comments](http://www.hcd.ca.gov/comments).

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