

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

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INFORMATION BULLETIN 2021-03 (SHL, MP)

TO: Mobilehome Parks Program
State Housing Law Program
Interested Parties

FROM: Kyle Krause, Acting Deputy Director
Division of Codes and Standards

SUBJECT: **2020 Legislative Changes**

This Information Bulletin summarizes the 2020 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, 2021, unless otherwise specified in the legislation.

MOBILEHOME PARKS PROGRAM**Assembly Bill (AB) 2553 (Ting, Chapter 147, Statutes of 2020)
Shelter crisis declarations.**

AB 2553 expands the Crisis Shelter Act (section 8698.4 of the Government Code) to all cities and counties in California. In current law, upon declaration of a shelter crisis by a city, county, or city and county, additional provisions are applicable. This includes exemptions from the California Environmental Quality Act specified actions by a state agency, city, county, or city and county, relating to land owned by a local government to be used for, or to provide financial assistance to, a homeless shelter constructed pursuant to these provisions, and provides that homeless shelters constructed or allowed pursuant to these shelter crisis declarations are not subject to specified laws, including the Special Occupancy Parks Act. Furthermore, current law defines a "homeless shelter" as a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. A city, county, or city and county that declares a shelter crisis pursuant to these provisions is required to develop a plan to address the shelter crisis on or before July 1, 2019, or July 1, 2020, as applicable, and to annually report particular information, as indicated, to specified committees of the

Legislature on or before January 1, 2019, or on or before January 1 of the year following the declaration of the shelter crisis, as applicable, and annually thereafter until January 1, 2023. These additional provisions are repealed as of January 1, 2026. Additionally, the Department will no longer review and approve draft ordinance for the design, site development, and operation of homeless shelters and the structures and facilities therein. However, upon adoption of an ordinance, the city, county, or city and county shall file a copy of the adopted ordinance and any associated findings with the Department. This legislation takes effect immediately.

AB 2782 (Stone, Mark, Chapter 35, Statutes of 2020)

Mobilehome parks: change of use: rent control.

Currently, Mobilehome Residency Law requires mobilehome park management to comply with notice requirements in order to terminate tenancy in a mobilehome park due to a change of use of the mobilehome park. AB 2782 amends the timeframe in which written notice by mobilehome park management must be given to homeowners. Specifically, from at least 15 days to at least 60 days before the mobilehome park management appears before a local governmental board, commission, or body to obtain local approval for the intended change in use of the mobilehome park.

AB 3088 (Chiu, Chapter 37, Statutes of 2020)

Tenancy: rental payment default: mortgage forbearance: state of emergency: COVID-19.

AB 3088 amends Civil Code to add the COVID-19 Tenant Relief Act of 2020. This Act lists COVID-19 as an exception to the reason for termination of tenancy. Additionally, this legislation limits a mobilehome park owner's ability to evict a tenant for non-payment of rent or other charges from March 1, 2020, to August 31, 2020, and rent that accrues from September 1, 2020, to January 31, 2021. Tenants cannot be evicted if they pay 25 percent of each rental payment owed by January 31, 2021. Tenants who fail to pay the 25 percent of each rental payment can be evicted beginning February 1, 2021. For more information about this change in eviction laws please visit the [Tenant and Landlord Resources page](#) from the Department of Real Estate. Also, this legislation increases the time that tenants have to respond to a demand to pay rent or other charges from 3 business days to 15 business days, until February 1, 2021. This legislation is effective immediately and will be repealed on February 1, 2025.

STATE HOUSING LAW PROGRAM

**Senate Bill (SB) 1030 (Committee on Housing, Chapter 165, Statutes of 2020)
Housing.**

State Housing Law currently establishes statewide construction and occupancy standards for buildings used for human habitation. The current law authorizes the owner of an accessory dwelling unit built before January 1, 2020, or on or after January 1, 2020, under specified circumstances, that receives a notice to correct violations or abate nuisances, to submit an application to the enforcement agency requesting a delay

in correction of the violation or abate nuisances for 5 years because it is not necessary to protect the health and safety of the occupants.

Additionally, this law requires the enforcement agency to approve the application if there is agreement from the enforcement agency that correcting the violation or abatement of the nuisances is not necessary to protect the health and safety of the occupants. SB 1030 makes a non-substantive correction to this requirement.

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>.