

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

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July 24, 2024

**NOTICE OF PROPOSED EMERGENCY ACTION****SUBJECT: Mobilehome Residency Law Protection Program Legal Services Providers Selection Procedures**

The California Department of Housing and Community Development (HCD) is proposing to adopt emergency regulations that, if approved, would create and implement procedures for selecting and executing nonprofit legal services provider (LSP) contracts to which HCD refers Mobilehome Residency Law Protection Program (MRLPP) complaints for possible enforcement action. The intent of the MRLPP is to provide mobilehome homeowners an additional avenue to enforce violations of the Mobilehome Residency Law, which governs the landlord tenant relationship between mobilehome park residents and park owners and may relate to rental agreements, rent control, and/or termination of tenancy.

Current regulations require HCD to execute LSP contracts utilizing the Request for Proposals contracting method, a competitive bidding process that limits the ability to utilize other contract processes allowable under the California state contracting process. Current LSP contracts expire between February and May of 2024 and some LSPs have declined to extend contracts by one year, as permitted by Section 4916. Emergency action to propose amendments to Chapter 3.5 is necessary to provide continuity of service to mobilehome homeowners that submit MRL complaints for referral to contracted LSPs. Without amending Section 4916 to remove the requirement to use Request for Proposal contracting method, LSP contracts will lapse leaving much of the state without LSP coverage. As a result, HCD will be unable to fulfill statutory requirements of referring MRLPP complaints to LSPs in those areas. Inability to refer complaints to LSPs may result in the lack of legal representation of mobilehome homeowners which could further result in legal and financial harm to those owners, including termination of tenancy and/or loss of property. The proposed regulations are necessary to execute LSP contracts in a timely manner without loss of service, and to ensure that HCD can comply with the Act's statutory requirement that HCD refer complaints to contracted LSPs.

The proposed emergency regulations will be filed with the Office of Administrative Law (OAL) at least five (5) days after issuance of this Notice. Upon filing, OAL will have ten (10) calendar days within which to review and decide whether to accept the proposed emergency regulations. Upon posting this Notice on its website, OAL shall allow interested persons five (5) calendar days to submit comments on the proposed emergency regulations. Comments should be submitted directly to OAL. If approved,

OAL will file the regulations with the Secretary of State, and the emergency regulations become effective immediately for 180 days.

Copies of the specific regulatory language of HCD's proposed emergency action and HCD's Finding of Emergency are available for review on the HCD Title 25 Rulemaking webpage (<https://www.hcd.ca.gov/building-standards/title-25-rulemaking>).