
CONSENT

Bill No: AB 661
Author: Joe Patterson (R)
Amended: 5/24/24 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 11-0, 6/4/24

AYES: Umberg, Wilk, Ashby, Caballero, Durazo, Laird, Niello, Roth, Stern,
Wahab, Wiener

ASSEMBLY FLOOR: 70-0, 1/16/24 (Consent) - See last page for vote

SUBJECT: Utility services: electronic communication

SOURCE: Western Manufactured Housing Communities Association

DIGEST: This bill provides that mobilehome park management provide affected mobilehome owners or residents a 72-hour notice required for any interruption of utilities not due to an emergency, as specified, by electronic communication with the voluntary, written consent of the mobilehome owner or resident.

ANALYSIS:

Existing law:

- 1) Creates the Mobilehome Residency Law (MRL) to regulate the relationship between mobilehome park management and park residents, and establishes various rights, responsibilities, and limits of both groups. (Civ. Code § 798 et seq.).
- 2) Requires mobilehome park management to provide 72 hours' advance written notice, by posting on the mobilehomes of all affected homeowners and residents, of an interruption in utility service of more than two hours that is required for the maintenance, repair, or replacement of facilities of utility

systems over which the management has control within the park, if the interruption is not due to an emergency. (Civ. Code § 798.42.)

- a) Defines an “emergency” as an interruption of utility service resulting from an accident or act of nature, or cessation of service caused by reason other than the management’s regular or planned maintenance, repair, or replacement of utility facilities.
- 3) Specifies that mobilehome park management is only liable for actual damages to a mobilehome owner or resident arising out of management’s violation of the notice requirement in (2), above. (Civ. Code § 798.42.)
- 4) Establishes the Mobilehome Residency Law Protection Program (MRLPP) within the Department of Housing and Community Development (HCD) to receive complaints from mobilehome park residents regarding violations of the MRL and refer certain, meritorious valid complaints to a Legal Service Provider or appropriate enforcement agency. (Health & Saf. Code § 18800 et seq.).

This bill:

- 1) Provides that, upon voluntary, written consent of the homeowner or resident, mobilehome park management may provide the above-described 72-hour notice by the form of electronic communication to which the homeowner or resident consents.
- 2) Specifies that, when a mobilehome owner or resident is not provided the 72-hour notice by electronic communication, mobilehome park management must notify the homeowner or resident by posting written notice on the mobilehome of the affected homeowner or resident.
- 3) Defines “electronic communication” as email, text, or an automated telephone call.
- 4) Defines “voluntary, written consent” as written consent obtained separately from, and not contained in, a lease or rental agreement, which can be revoked by the homeowner or resident in writing at any time.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 6/4/24)

Western Manufactured Housing Communities Association (source)

OPPOSITION: (Verified 6/4/24)

None received

ARGUMENTS IN SUPPORT:

According to the Western Manufactured Housing Communities Association, which is the sponsor of AB 661:

Current law requires delivery of paper notices to residents of mobilehome parks 72 hours in advance of a planned interruption in utility service, which includes unplanned emergency events like the wind, floods, and rain events of this past winter. AB 661 will permit residents to voluntarily agree to receive these notices by email, text messages or automated phone call. The practical effect of this is that park management will save time and paper informing residents about repairs that may require a utility disruption lasting more than two hours and will help residents prepare for any potential emergency situations associated with those disruptions.

Residents and homeowners in mobilehome parks who still want to receive paper notices will not be affected as they would continue receiving notices as they do under current law. This legislation simply allows residents and homeowners to voluntarily avail themselves of technology that saves the valuable time park management must spend physically placing paper notices on all homes in mobilehome parks. Again, homeowners and residents who wish to receive paper notices will still be able to do so under AB 661.

Utilities under the regulatory authority of the California Public Utilities Commission (CPUC) already inform customers about possible disruption under the Public Safety Power Shutoff (PSPS) program (by electronic communication), including unplanned emergency events, like floods, fire, rain or wind events. AB 661 will allow residents and homeowners in mobilehome parks to receive notices electronically in line with PSPS delivery methods currently used by investor-owned utilities in California by amending Section 798.42 of the Civil Code.

ARGUMENTS IN OPPOSITION: None received.

ASSEMBLY FLOOR: 70-0, 1/16/24

AYES: Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Davies, Dixon, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Jim Patterson, Joe Patterson, Pellerin, Quirk-Silva, Ramos, Rendon, Reyes, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Villapudua, Waldron, Wallis, Ward, Weber, Wilson, Wood, Zbur, Robert Rivas

NO VOTE RECORDED: Addis, Boerner, Megan Dahle, Essayli, Hart, Papan, Petrie-Norris, Luz Rivas, Valencia, Wicks

Prepared by: Ian Dougherty / JUD. / (916) 651-4113
6/5/24 12:36:45

***** **END** *****