

CONCURRENCE IN SENATE AMENDMENTS

AB 2596 (Gipson)

As Amended June 18, 2026

Majority vote

SUMMARY

Requires an owner, operator, or management of a mobilehome park, in the event they fail to comply with federal law or other federal regulations imposed in connection with a federally approved housing program, to ensure ongoing compliance with the Mobilehome Residency Law, the Unruh Civil Rights Act (Unruh Act), and other applicable state and local laws, including those regulating operation as senior mobilehome park.

Senate Amendments

- 1) Provide that a local agency may, in the event a mobilehome park owner, operator, or management fails or elect not to conduct the age verification requirement under the Housing for Older Persons Act of 1995 (HOPA), conduct the age verification by any means authorized by law.
- 2) Specify that a local agency shall have the right to access and inspect records of the mobilehome park owner, operator, or management to conduct the age verification.

COMMENTS

HOPA: HOPA is a federal law enacted in 1995 that amended the Fair Housing Act. Its primary purpose is to clarify when housing communities may lawfully restrict residency based on age without violating prohibitions on familial status discrimination. Under HOPA, "housing for older persons" may limit occupancy to seniors, most commonly those aged 55 and older, if certain criteria are met. These include having at least 80% of occupied units with at least one resident aged 55 or older, maintaining policies that demonstrate an intent to operate as senior housing, and complying with age-verification requirements. The law streamlined prior rules by removing the requirement to provide significant services or facilities for seniors, instead focusing on occupancy thresholds and administrative compliance.

Mobilehome parks are among the types of housing that can qualify for HOPA's exemption, and many parks actively participate by designating themselves as "55+ communities." To do so, a mobilehome park must meet the same federal standards as other housing providers, including the 80% occupancy threshold and formal policies supporting age-restricted residency. In California, mobilehome parks are a significant portion of the senior housing market, and HOPA interacts with state laws that may impose additional requirements, like registration, signage, or local enforcement mechanisms. Participation in HOPA allows these parks to legally limit residency to older adults, but failure to consistently meet the federal criteria, like falling below the 80% threshold or not properly verifying ages, can result in loss of the exemption and potential liability under fair housing laws. Federal regulations adopted by the U.S. Department of Housing and Urban Development under the HOPA law authorize cities to adopt local laws to protect senior housing in mobilehome parks.

Unruh Act: The Unruh Act broadly prohibits arbitrary discrimination by business establishments in California, guaranteeing equal access regardless of protected characteristics, including those that courts have interpreted to include age. In the housing context, Civil Code Section 51.2

specifically provides that owners of housing accommodations may not discriminate based on age, but it expressly allows exceptions "as otherwise provided by law." One such exemption is set forth in Civil Code Section 51.3, which permits certain qualifying senior housing developments to impose age restrictions without violating the Unruh Act. This exemption is narrowly tailored and applies only to housing that meets specified criteria, such as qualifying as "housing for older persons," and that complies with specific requirements regarding occupancy thresholds, policies and procedures showing intent to operate as senior housing, and age verification practices. Together, these provisions reflect a balance between the Unruh Act's general prohibition on age discrimination in housing and the Legislature's intent to preserve legally compliant housing opportunities for older adults.

Local jurisdictions can also, within reasonable exercise of their police powers, establish certain zones for mobilehome parks and establish types of uses and locations, including senior mobilehome parks.

According to the Author

"AB 2596 makes clear that failure to maintain federal documentation or failure to comply with federal age-verification requirements does not relieve a mobilehome park owner of the obligation to comply with California law and locally adopted senior-housing ordinances. Without this clarification, mobilehome park owners are attempting to use technical compliance gaps as a pretext to convert senior communities to all-ages parks, which leads to significant rent increases, the displacement of long-time residents, and the loss of critical affordable housing for older Californians. This bill restores legislative intent, reduces unnecessary litigation, preserves local land use authority, protects vulnerable seniors from economic displacement, and closes a loophole being exploited by bad actors."

Arguments in Support

According to the California Association of Code Enforcement Officers, a co-sponsor of this bill, "This narrowly tailored measure addresses an urgent and growing gap in state law that is being exploited to destabilize senior mobilehome communities and displace vulnerable residents.

Across California, cities and counties have adopted zoning protections and rent stabilization measures to preserve certain mobilehome parks as affordable housing for seniors. These policies are critical for older Californians living on fixed incomes and have long been upheld and enforced through established local compliance mechanisms. However, recent business practices by certain mobilehome park operators have exposed a loophole in the interaction between federal age-verification requirements under the Housing for Older Persons Act (HOPA) and California's senior-housing zoning protections. Some park operators now argue that if they fail to meet federal age-verification requirements, they are no longer bound by state and local senior-only zoning requirements. This interpretation turns housing policy on its head — effectively allowing noncompliance with one legal obligation to excuse compliance with another.

While most operators comply in good faith, at least one large operator managing nearly 100 properties in California has attempted to use this technical defense to strip senior designation from parks. Their financial incentive is clear: converting senior parks to all-age occupancy allows for significantly higher rents, often at the expense of long-term senior residents living on fixed incomes. For many seniors, displacement from a mobilehome park is not merely disruptive — it can mean homelessness. Residents often own their homes but cannot afford relocation costs

or market-rate housing alternatives. AB 2596 provides the clear statutory direction necessary to ensure California's senior housing protections function as intended."

Arguments in Opposition

No opposition on file.

FISCAL COMMENTS

Unknown. This bill is keyed non-fiscal by the Legislative Counsel.

VOTES:

ASM HOUSING AND COMMUNITY DEVELOPMENT: 12-0-0

YES: Haney, Patterson, Ávila Farías, Caloza, Garcia, Kalra, Lee, Quirk-Silva, Ta, Tangipa, Wicks, Wilson

ASM JUDICIARY: 12-0-0

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Johnson, Pacheco, Papan, Sanchez, Lee, Zbur

ASSEMBLY FLOOR: 73-0-7

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Zbur, Rivas

ABS, ABST OR NV: Arambula, Bennett, Caloza, Chen, Flora, Wallis, Wilson

SENATE FLOOR: 39-0-1

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Alvarado-Gil

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