

CONCURRENCE IN SENATE AMENDMENTS

CSA1 Bill Id:AB 806 Author:(Connolly)

As Amended Ver:August 29, 2025

Majority vote

SUMMARY

Prohibits management or ownership of mobilehome parks from restricting a homeowner's ability to install a cooling system in their mobilehome, with some exceptions.

Senate Amendments

- 1) Delete the requirement for mobilehome parks to provide cooling to at least one indoor common area during Extreme Heat Warnings.
- 2) Allow management to prohibit a homeowner or resident from installing, upgrading, replacing, or using a cooling system if a permit from a designated permitting authority is required, and that permit is not granted.

COMMENTS

Background: More than one million people live in California's approximately 4,500 mobilehome parks. Mobilehomes are not truly mobile, in that it is often cost prohibitive to relocate them. The cost to move a mobilehome ranges from thousands to tens of thousands of dollars depending on the size of the home and the distance traveled. A mobilehome owner whose home is located in a mobilehome park does not own the land the unit sits on, and must pay rent and fees for the land and any community spaces.

The MRL extensively regulates the relationship between landlords and homeowners who occupy a mobilehome park. A limited number of provisions also apply to residents who rent, as opposed to own, their mobilehome. The MRL has two parts: Articles 1 through 8 apply to most mobilehome parks and Article 9 applies to resident-owned parks or parks which are established as a subdivision, cooperative or condominium. The provisions cover many issues, including, but not limited to: 1) the rental and lease contract terms and specific conditions of receipt and delivery of written leases, park rules and regulations, and other mandatory notices; 2) mandatory notice and amendment procedures for mobilehome park rules and regulations; 3) mandatory notice of fees and charges, and increases or changes in them; and 4) specified conditions governing mobilehome park evictions. A dispute that arises pursuant to the application of the MRL generally must be resolved in a civil court of competent jurisdiction.

The Department of Housing and Community Development (HCD) oversees several areas of mobilehome law, including health and safety standards, registration and titling of mobilehomes and parks, and, through the Mobilehome Ombudsman, assists the public with questions or problems associated with various aspects of mobilehome law. The Mobilehome Ombudsman provides assistance by taking complaints and helping to resolve and coordinate the resolution of those complaints. However, the Ombudsman does not have enforcement authority for the MRL, and cannot arbitrate, mediate, negotiate, or provide legal advice on mobilehome park rent disputes, lease or rental agreements, but may provide general information on these issues. HCD also inspects parks and mobilehomes for health and safety issues. HCD annually inspects 5% of parks for compliance with health and safety requirements under the MPA and Title 25. The

program is funded through a \$4 fee, of which the property owner may charge half (\$2) to the homeowners. HCD also responds to health and safety complaints under the MPA.

Generally a mobilehome owner may not make improvements or alterations to their space or home without following the rules and regulations of the park, and all applicable local ordinances and state laws and regulations relating to the improvement or construction, including any that require obtaining a permit. If the park rules require it, a mobilehome owner may have to obtain prior written approval from the park management for any alterations or improvements.

Extreme Heat and Residential Indoor Temperature Challenges: While current housing law generally provides for the right to heat during times of extreme cold, it does not guarantee cooling during heat events. Heat exposure can cause a variety of health impacts including heat cramps, heat exhaustion, heat stroke, exacerbation of respiratory illnesses, and can even lead to death. In fact, heat causes more reported deaths per year on average in the US than any other weather hazard. A heat wave in 2006 led to 140 deaths as well as 16,000 more emergency room visits and 1,100 more hospitalizations as compared to similar time periods without a heat wave. The California Department of Public Health in 2023 reported 395 excess deaths in California during a 10-day heat wave in September 2022. Due to climate change, this extreme weather will become more common – the California Fourth Climate Change Assessment estimates that by 2050, urban heat-related deaths could double or triple due to rising temperatures. In addition, lower income communities are hotter than wealthier communities, and California metro areas have a larger temperature disparity between their poorest and wealthiest areas than any other state in the southwest.

Recent Efforts to Create a Cooling Standard: In 2022, AB 2597 (Bloom) would have required HCD to develop, propose, and submit mandatory building standards for adequate residential cooling for both new and existing units. AB 2597 was parked by the author in the Senate Housing Committee, due to concerns about placing onerous requirements on housing providers, circumventing the state regulatory process for building code adoption, and placing significant challenges on the electric grid due to more air conditioners running during peak energy demand times and during hot weather in general.

Stemming from that conversation, legislation enacted as part of the budget agreement that year (AB 209, Committee on Budget) included a provision requiring HCD to provide recommendations to the Legislature by January 1, 2025 to help ensure that residential dwelling units can maintain a safe indoor temperature. As required by AB 209, HCD recently released its report, "Policy Recommendations: Recommended Maximum Safe Indoor Temperature." The report recommends that the state consider a general maximum safe indoor air temperature of 82 degrees Fahrenheit for residential dwelling units, to be implemented by methods including building standards for newly constructed residential dwelling units, and/or incentive programs for retrofitting existing residential dwelling units, manufactured homes, and mobilehomes.

This Bill: With the incidence of extreme heat events on the rise in California, the author and sponsors argue it is more important than ever to take steps to ensure our most vulnerable populations are better protected during the next extreme heat event. To make matters worse, the summer of 2024 was the hottest summer on record in North America in the past two thousand years. Increased heat events pose specific and significant threats to mobilehome park communities, because many elderly and lower-income Californians reside in mobilehome parks and are particularly vulnerable to health complications during extreme heat events.

Mobilehome park leases, like apartment leases, often contain limitations on the ability of residents to install cooling systems within their homes, sometimes even restricting less energy-intensive and cheaper options like evaporative "swamp" coolers or portable window AC units. This bill would declare any such restrictions in mobilehome park rental agreements or resident-owned park rules as void and unenforceable and would prohibit management or ownership in such parks from restricting the ability of a homeowner or resident to install a cooling system in their mobilehome, unless management demonstrates that the installation or use would violate building standards, require power to the system that the park's power service cannot accommodate, or the homeowner failed to acquire a needed permit for the installation. AB 806 also prohibits management from terminating the tenancy of a resident for installing or using a cooling system that conforms to the requirements in the bill.

This bill is modeled after legislation from 2024, SB 1190 (Laird), Chapter 162, that recently prohibited management or ownership in parks from restricting homeowners' ability to install solar panels on their homes. It is also similar to a recently passed law in Arizona, HB 2146, which prohibits park management from restricting a mobilehome resident from installing "reasonably necessary cooling methods to reduce energy costs and prevent heat-related illness and death, including temporary window-mounted ventilation or air conditioning, wall-mounted mini-split air conditioners, commercial window coverings, shutters, window film, shade awnings, skirting, or other commercial cooling methods." Oregon also recently enacted SB 1536 which allows tenants to install and use portable cooling devices with some restrictions, as have a number of other local jurisdictions.

This bill's definition of a "cooling system" includes a number of options, but specifies that any system must meet applicable health and safety standards and any state or local permitting requirements, in order to ensure residents do not install unpermitted or otherwise unsafe systems. This bill also prohibits management or ownership from charging a fee to a homeowner who is installing or using a cooling system, and from intercepting any rebate or credit for a system like an energy-efficient heat pump, which may be eligible for rebates from governmental or utility climate resilience programs.

According to the Author

"AB 806 would allow mobilehome park residents to install cooling devices in their homes. This legislation will assist vulnerable residents, including seniors, and ensure that mobilehome park residents are afforded an avenue to stay healthy and safe during heat events. Mobilehome parks are a key source of housing in our communities, and residents deserve a safe avenue to live comfortably."

Arguments in Support

According to Legal Aid of Sonoma County, the bill's sponsor, "Even with the knowledge that extreme heat events continue to increase throughout our state and with a clear understanding of the impact on our vulnerable community members, we continue to see mobilehome park residents reside in parks that explicitly prohibit the installation of cooling systems within the residents own home and do not provide alternative locations for residents to access cooler temperatures. AB 806 will take the necessary steps to help protect the health and safety of our mobilehome park residents by providing a commonsense solution to the extreme heat crisis. This bill will ensure that residents have access to reasonable temperatures within their homes and their parks when possible."

Arguments in Opposition

None on file for the current version of the bill.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil actions. Creating a new private cause of action that allows for the recovery of attorney's fees and statutory damages may lead to additional case filings that otherwise would not have been commenced and could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

VOTES:**ASM HOUSING AND COMMUNITY DEVELOPMENT: 9-0-3**

YES: Haney, Ávila Fariás, Caloza, Garcia, Kalra, Lee, Quirk-Silva, Ta, Wicks

ABS, ABST OR NV: Patterson, Tangipa, Wilson

ASM JUDICIARY: 9-0-3

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

ABS, ABST OR NV: Dixon, Macedo, Sanchez

ASSEMBLY FLOOR: 61-0-18

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Ta, Valencia, Wallis, Ward, Wicks, Zbur, Rivas

ABS, ABST OR NV: Alanis, Arambula, Ávila Fariás, Castillo, DeMaio, Dixon, Gallagher, Jeff Gonzalez, Hadwick, Lackey, Macedo, Patterson, Quirk-Silva, Ramos, Sanchez, Stefani, Tangipa, Wilson

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, 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

UPDATED

VERSION: August 29, 2025

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FN: 0001576