

## SENATE THIRD READING

SB 610 (Pérez, et al.)

As Amended September 02, 2025

Majority vote

**SUMMARY**

Imposes new requirements on a mobilehome park owner or a landlord of residential property if a property is damaged or destroyed by a declared emergency or disaster.

**Major Provisions**

- 1) Requires mobilehome park management to return to a mobilehome owner any advance rental payments received from the mobilehome owner that cover any period of time after the date of termination when a mobilehome tenancy is terminated due to the damage or destruction of the mobilehome park or any space as a result of a disaster. Requires that any such payment be made within 21 days of the date of termination.
- 2) Specifies that, for any period that a mobilehome owner was unable to occupy their mobilehome or mobilehome space due to a mandatory evacuation order pursuant to a disaster, the mobilehome owner's obligation to pay rent is discharged for the period during which the mobilehome owner was required to be evacuated. If the mobilehome owner had paid rent in advance, either requires park management to return within 10 days any portion of the rent that covered the time period of the evacuation order, or allows the mobilehome owner to deduct that amount from the next month's rent.
- 3) Declares it to be the duty of a landlord to undertake one or both of the following actions as may be necessary to remediate any dilapidations to a structure intended for human habitation that arise as a result of a disaster:
  - a) Removal of debris caused by the disaster; and
  - b) Mitigation of hazards arising from the disaster, including, but not limited to, the presence of mold, smoke, smoke residue, smoke odor, ash, asbestos, or water damage.
- 4) Provides that the presence of debris from a disaster, including ash, sludge, or runoff, is presumed to render a rental unit untenable until a determination has been made by a local public health agency or official that the debris does not contain toxic substances.
- 5) Requires a landlord to comply with 3) above within a reasonable time after the property sustains damage, and to follow any and all cleaning protocols issued by government officials, including contracting with licensed remediation companies where required.
- 6) Requires a landlord to notify a tenant in writing that the landlord has complied with 3) above and that the tenant may view or obtain copies of any environmental studies, testing, or reports conducted, if the tenant has provided the landlord with a postal or email address.
- 7) Provides that tenancy for a unit subject to 3) to 6) above shall remain in effect unless lawfully terminated by either party, and the tenant shall have the right to return to the rental unit at the same rental rate in effect immediately prior to the disaster as soon as it is safe and practicable.

- 8) Provides that nothing in 3) to 7) above shall require a landlord to rebuild a residential rental property or any portion thereof that has sustained damage as a result of a disaster.
- 9) Requires a landlord to return any advance rental payments made by a tenant that cover any period after a tenancy is terminated due to the destruction of a rental property. A landlord must return this payment within 21 days of the date of the termination of the tenancy, and the date of termination must be either the date that the tenant informs the landlord or landlord's agent of the tenant's intent to terminate the lease, or the date that the residential real property was destroyed, if the termination occurred as specified.
- 10) Specifies that, during any period during which a tenant is unable to occupy their rental unit due to a mandatory evacuation order pursuant to a disaster, the tenant's obligation to pay rent is discharged for that period. If the tenant has already paid rent for the period of evacuation, either the landlord must return the rent within 10 days, or the tenant may deduct the amount from the next month's rent.
- 11) Requires the Commissioner of the Department of Financial Protection and Innovation (DFPI), upon a declaration of a state of emergency due to a wildfire, to coordinate with mortgage lenders and servicers subject to the Commissioner's jurisdiction, including those that lend money related to the purchase of a mobilehome, to facilitate and monitor the implementation and promotion of mortgage forbearance, foreclosure prevention, and loss mitigation programs for borrowers who experience a material decrease in household income or a material increase in household expenses due to the wildfire emergency.
- 12) Applies existing requirements governing the closure, cessation, or conversion of a mobilehome park to another use to situations where the closure or change of use is a result of damage or destruction of the mobilehome park by a disaster, including provisions requiring the entity proposing the change to file impact reports with specified entities and residents, create replacement and relocation plans for displaced residents, and restricting the local government's ability to approve a change of use unless certain requirements are met.
- 13) Exempts a parkowner from obligations to pay the in-place market value of a displaced resident's mobilehome if the proposed closure, cessation, or change of use is related to damage or destruction by a disaster.
- 14) Specifies that, before a mobilehome park's conversion to another use, closure, or cessation of use related to damage or destruction by a disaster, the required impact report to be filed with the local legislative body must include a technical service inspection report from the Department of Housing and Community Development (HCD) that identifies the observed conditions within the park, as specified. Requires the mobilehome park management to be the person or entity required to take steps to mitigate the adverse impact of the change of use of the park.
- 15) Defines "disaster" to mean a natural or manmade emergency resulting from an earthquake, flood, fire, riot, storm, drought, plant or animal infestation or disease, pandemic or epidemic disease outbreak, or other natural or manmade disaster for which a state of emergency has been declared by the President of the United States or the Governor.

## COMMENTS

*Mobilehomes in California:* 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 Mobilehome Residency Law (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. A dispute that arises pursuant to the application of the MRL generally must be resolved in a civil court of competent jurisdiction. 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. In 2018, the Mobilehome Residency Law Protection Program was created to help mobilehome park residents better resolve issues and violations of the MRL. HCD also inspects parks and mobilehomes for health and safety issues.

*Closure, Cessation, or Change of Use for Destroyed Parks:* When a mobilehome park is closed or proposed to be converted to a different use, current law requires the person proposing the change in use to file a report on the impact of the conversion or closure, which must include a replacement and relocation plan to mitigate the impact of the conversion or closure on the ability of displaced residents to find adequate housing in a mobilehome park. The law requires the entity proposing the change or closure to provide a copy of the report to the resident of each mobilehome affected. It also requires the local legislative body or advisory agency to review the report before any change of use or closure can take place and make findings related to whether the conversion or closure will result in or materially contribute to a shortage of housing opportunities and choices for low- and moderate-income households within the jurisdiction.

If the conversion or closure is related to damage or destruction by a disaster, SB 610 requires the impact report to also include a technical service inspection report from HCD on the observed conditions in the park. This bill further applies the existing requirements described above to situations where the proposed closure, cessation, or change of use is related to damage or destruction by a disaster.

*Rent Obligations During an Emergency:* SB 610 creates protections for mobilehome owners and tenants to collect what they paid for their leases when a disaster makes them unable to reside in the space. If a mobilehome park tenancy is terminated due to damage or destruction of the mobilehome park as a result of disaster, the bill requires park management to return to the mobilehome owner any advance rental payments paid for any period after the date of the termination. Mobilehome park management must return this payment within 21 days of the termination. SB 610 also requires park management to return any rent, or discharge a mobilehome owner from rent obligations, for any period during which a mobilehome owner is unable to occupy their mobilehome space due to a mandatory evacuation order because of a disaster. If a mobilehome owner has made a rent payment already, SB 610 requires that the portion of the rent related when the evacuation order was in place to be returned within 10 days.

For tenants, SB 610 provides a similar protection. It specifies that, when a residential lease is terminated because the property was destroyed, the landlord must return any advance rental payments to the tenant that cover any periods after the termination of the lease. Like with mobilehomes, this payment must be made back to the tenant within 21 days of the termination of the lease. A tenant is also discharged from paying rent for any period in which they are unable to occupy their unit due to a mandatory evacuation order, and SB 610 requires a landlord to return any amount of rent paid for a period in which the tenant could not live in the unit due to an evacuation order. This amount must be returned within 10 days.

*Tenantability and Debris Removal:* Current law provides that a landlord is responsible for making rental housing units habitable and tenantable for tenants, and identifies conditions that render a property substandard and untenable. The accumulation of "debris" or "combustible materials" as well as "similar materials or conditions which constitute fire, health, or safety hazards" (Health and Safety Code Section 17920.3(j)) is a condition that renders a building substandard, and similarly the tenantability statute requires "buildings, grounds, and appurtenances at the time of the commencement of the lease or rental agreement, and all areas under control of the landlord, [to be] kept in every part clean, sanitary, and free from all accumulations of debris, filth, rubbish, garbage, rodents, and vermin" (Civil Code Section 1941.1(a)(6)). However, whether these statutes apply to ash or debris from a wildfire is not clear. Thus, tenants have been without clarity, and according to the author, city officials have provided tenants with conflicting information regarding whether they or their landlord must clean up ash. When a landlord does not clean up the ash, a tenant's options are limited. Federal FEMA funds may be available that can help a homeowner or renter cover the costs of cleaning their homes, but these funds are likely insufficient for the potentially thousands of dollars that clean up may cost, and can take significant time to receive.

SB 610 clarifies that landlords are responsible for undertaking certain actions to remediate any dilapidations as a result of a disaster, including removing debris caused by the disaster and mitigating hazards, including, but not limited to, mold, smoke, smoke residue, smoke odor, ash, asbestos, or water damage. The landlord must comply with this obligation within a reasonable time after the property sustained damage, must follow any government-ordered cleaning protocols, and must notify the tenant of their ability to review any testing or reports on the property's cleanup. SB 610 provides that the presence of disaster-related debris is presumed to render the property untenable until a local public health agency or official has determined that the debris does not contain toxic substances. Under SB 610, unless a tenancy is lawfully terminated by either party, the tenancy is considered to remain in effect and the tenant has a right to return to their unit at the same rental rate as before the disaster, as soon as it is safe and practicable. These provisions do not require a landlord to rebuild a residential rental property or any portion thereof that has sustained damage as a result of a disaster.

*Mortgage Assistance:* SB 610 requires the Commissioner of DFPI to coordinate with mortgage lenders and servicers for facilitating various relief efforts when a state of emergency has been declared due to a wildfire. This coordination must facilitate and monitor the implementation and promotion of mortgage forbearance, foreclosure prevention, and loss mitigation programs available to borrowers affected by the wildfire. When many homeowners lose their homes to wildfires, they seek mortgage forbearance from the servicer of their mortgage since they must find new housing in the interim and pay to rebuild their home.

**According to the Author**

"The Eaton fire devastated my community, burning more than 14,201 acres, destroying 9,000 structures, and claiming 18 lives. Renters and mobile home owners experienced significant uncertainties regarding their rights and obligations immediately after the fires, from the right to return to where their destroyed home was to difficulty in identifying responsibility for damage remediation in surviving homes. In my district, nearly 770 rent-stabilized units in the Palisades were burned down within the two mobilehome parks that provided some of the only affordable homeownership opportunities in the area. In the aftermath of the fires, our communities have been left vulnerable and at risk of displacement. [This bill] provides essential protections for the health and livelihood of renters and mobilehome owners."

**Arguments in Support**

According to a coalition of supporters, including the California Rural Legal Assistance Foundation, Public Counsel, the Altadena Tenants Union, and Tenants Together, "There is a clear need for uniform rules to ensure that units are brought back to habitable conditions as quickly as possible and that tenants are not displaced for attempting to assert their rights. SB 610 will address this by establishing a presumption that if a unit contains debris from a disaster, like ash or sludge, the unit is uninhabitable until a public health official determines otherwise. The bill also clarifies that a landlord must repair and remediate damage and debris from disasters within a reasonable time and give tenants detailed information about the repairs and remediation. There is a limited exception for when a landlord decides not to rebuild at all. These changes will ensure tenants are not forced to return to unsafe units and enable them to make informed choices about whether their homes are sufficiently free of disaster-related toxins before choosing to return. In addition, the bill ensures that tenants can return home post-remediation at their prior rental rate."

**Arguments in Opposition**

None on file for the current version of the bill.

**FISCAL COMMENTS**

According to the Assembly Committee on Appropriations:

- 1) HCD estimates minor and absorbable costs to provide technical service inspections reports.
- 2) Estimated General Fund cost pressures of an unknown amount to the Department of Financial Protection and Innovation to coordinate with mortgage lenders to facilitate and monitor the implementation and promotion of mortgage forbearance, foreclosure prevention, and loss mitigation programs for borrowers.
- 3) Although this bill is keyed as a reimbursable mandate by Legislative Counsel, any costs to a local legislative body to review an impact report that also contains a technical service inspection report are not reimbursable by the state. The impact report is required as part of an application for a mobilehome park change of use permit. Because local agencies have general authority to charge and adjust planning and permitting fees to cover their administrative expenses associated with new planning mandates, these costs are not reimbursable.

**VOTES**

**SENATE FLOOR: 28-10-2**

**YES:** Allen, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener  
**NO:** Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

**ABS, ABST OR NV:** Archuleta, Reyes

**ASM HOUSING AND COMMUNITY DEVELOPMENT: 8-1-3**

**YES:** Haney, Ávila Farías, Ward, Garcia, Kalra, Lee, Quirk-Silva, Wicks

**NO:** Ta

**ABS, ABST OR NV:** Patterson, Tangipa, Wilson

**ASM JUDICIARY: 9-1-2**

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

**NO:** Macedo

**ABS, ABST OR NV:** Dixon, Sanchez

**ASM APPROPRIATIONS: 11-1-3**

**YES:** Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

**NO:** Ta

**ABS, ABST OR NV:** Sanchez, Dixon, Tangipa

**UPDATED**

VERSION: September 02, 2025

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