

AMENDED IN ASSEMBLY JUNE 24, 1999

AMENDED IN ASSEMBLY JUNE 22, 1999

AMENDED IN SENATE MAY 26, 1999

SENATE BILL

No. 476

Introduced by Senator Chesbro

February 18, 1999

An act to add Section 798.44 to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 476, as amended, Chesbro. Mobilehomes: liquified petroleum gas sales.

Existing law prohibits the management of a mobilehome park from charging a fee for other than rent, utilities, and incidental reasonable charges for services actually rendered. Existing law also requires management to post in a conspicuous place the prevailing residential utilities rate schedule as published by the serving utility if management provides both master meter and submeter service of utilities to a homeowner. Existing law provides that in the absence of a rental agreement to the contrary, the park management may elect to bill a homeowner separately for utility service fees and charges assessed by the utility for services provided to or for spaces in the park. These utility fees and charges are not deemed to be included in the rent for the space.

This bill would prohibit the management of a mobilehome park from charging the mobilehome owners and tenants within a park more than 110% of the actual price paid by the

management of the park for liquified petroleum gas if the management of the park does not permit the purchase of liquified petroleum gas for use in the mobilehome park from any other source other than the mobilehome park management. The management of a mobilehome park would also be required to post the actual price paid by management for ~~liquid propane-butane~~ liquified petroleum gas sold by it.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares as
2 follows:

3 (a) Liquified petroleum gas is a source of heat for
4 mobilehome owners and tenants within a mobilehome
5 park.

6 (b) Many mobilehome park owners do not permit
7 mobilehome owners or tenants to purchase their own
8 liquified petroleum gas, thereby requiring mobilehome
9 owners or tenants to purchase liquified petroleum gas
10 from the mobilehome park owner. The park owner
11 usually monitors the mobilehome owners' or tenants' use
12 of liquified petroleum gas through a master meter and
13 submeter.

14 (c) Section 798.44 of the Civil Code shall apply only to
15 mobilehome parks regulated under the Mobilehome
16 Residency Law. That section shall not apply to
17 recreational vehicle parks, as defined in Section 18215 of
18 the Health and Safety Code, which exclusively serve
19 recreational vehicles, as defined in Section 18010 of the
20 Health and Safety Code.

21 SEC. 2. Section 798.44 is added to the Civil Code, to
22 read:

23 798.44. (a) The management of a park that does not
24 permit mobilehome owners or park tenants to purchase
25 liquified petroleum gas for use in the mobilehome park
26 from someone other than the mobilehome park
27 management shall not sell liquified petroleum gas to
28 mobilehome owners and tenants within the park at a cost

1 which exceeds 110 percent of the actual price paid by the
2 management of the park for liquified petroleum gas.

3 (b) The management of a park shall post in a visible
4 location the actual price paid by management for ~~liquid~~
5 ~~propane—butane—sold~~ *liquified petroleum gas sold*
6 *pursuant to subdivision (a).*

7 (c) Nothing in this section is intended to abrogate any
8 rights which mobilehome park owners may have under
9 Section 798.31 of the Civil Code.

