

Senate Bill No. 476

CHAPTER 326

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

[Approved by Governor September 3, 1999. Filed
with Secretary of State September 3, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

SB 476, 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 liquified petroleum gas sold by it.

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

SECTION 1. The Legislature finds and declares as follows:

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

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

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

798.44. (a) The management of a park that does not permit mobilehome owners or park tenants to purchase liquified petroleum gas for use in the mobilehome park from someone other than the mobilehome park management shall not sell liquified petroleum gas to mobilehome owners and tenants within the park at a cost which exceeds 110 percent of the actual price paid by the management of the park for liquified petroleum gas.

(b) The management of a park shall post in a visible location the actual price paid by management for liquified petroleum gas sold pursuant to subdivision (a).

(c) This section shall apply only to mobilehome parks regulated under the Mobilehome Residency Law. This section shall not apply to recreational vehicle parks, as defined in Section 18215 of the Health and Safety Code, which exclusively serve recreational vehicles, as defined in Section 18010 of the Health and Safety Code.

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

