



Kearney Lodge

# BULLETIN

## RESIDENT YEARLY NOTICES 2016

### MOBILEHOME RESIDENCY LAW (MRL) & HEALTH AND SAFETY CODE: NEW LAWS



For the 2016 edition, there are several new amendments to the Mobilehome Residency Law. Also, the FAQs section has been expanded to include information regarding annual distribution of the MRL to tenants; the Resources section has been updated; and the Index has been revised to reflect repagination caused by shrinking of the text throughout the handbook.

*CHANGES 1& 2: This bill (AB 999) amended the Mobilehome Residency Law to authorize Park Management to enforce a warehouse lien and to designate a mobilehome for disposal without requiring the management or other person enforcing the lien to pay past or current vehicle license fees or obtain a tax clearance certificate. It also clarifies the procedures for dealing with an abandoned mobilehome and its disposal.*

*CHANGE 3, 4 & 5: This bill (SB 419) changed the Mobilehome Residency Law to amend, repeal, and add Sections 798.70, 798.71, and 798.74 of the Civil Code, relating to mobilehomes. After July 1<sup>st</sup>, 2016, the MRL no longer conditions the display of an open house sign on the lack of prohibition in park rules, but would allow a park to establish reasonable rules or regulations governing the conduct of open houses, as specified; would additionally authorize a seller to display one sign of an L-frame or a generally accepted yard-arm type design; would authorize management to require the use of a step-in L-frame sign; and would define a "listing." The bill would require the management, upon written request, to provide in writing the information and standards the management will use to review a prospective homeowner to the prospective homeowner or seller and make technical changes. The bill would additionally condition the liability for damages resulting from withholding approval of a prospective homeowner for reasons based upon fraud, deceit, or concealment of material facts by the prospective purchaser.*

*CHANGE 6: This bill (SB 244) amended the Mobilehome Residency Law to authorize the management of a mobilehome park to, until January 1, 2016, file a petition for an order to enjoin a continuing or recurring violation of a reasonable rule or regulation of the mobilehome park within the limited jurisdiction of the superior court of the county in which the*

*mobilehome community is located. Existing law, until January 1, 2016, treats these actions for injunctive relief as a limited civil case.*

*CHANGE 7: This bill (AB 682) added Section 18029.1 to the Health and Safety Codes. The CA Public Utilities Commission (CPUC) has established a 3-year pilot program to upgrade service in mobilehome parks. This bill created a narrow exemption whereby parks participating in the program will not be required to obtain an HCD permit for utility upgrades prior to participating in the pilot.*

You may obtain a copy of the 2016 laws from Management at no charge. Once we have received your request, we will provide you with a copy within 7 days.

You may also view it online at : [http://mobilehomes.senate.ca.gov/sites/mobilehomes.senate.ca.gov/files/2016\\_mrl\\_-\\_cover\\_intro\\_statutes.pdf](http://mobilehomes.senate.ca.gov/sites/mobilehomes.senate.ca.gov/files/2016_mrl_-_cover_intro_statutes.pdf)

### **NOTICE OF RIGHTS AND RESPONSIBILITIES RESIDENT (BILL OF RIGHTS)**

The Mobilehome Residency Law (MRL), found in Section 798 et seq. of the Civil Code, establishes the rights and responsibilities of homeowners and park management. The MRL is deemed a part of the terms of any park rental agreement or lease. This notice is intended to provide you with a general awareness of selected parts of the MRL. It does not serve as a legal explanation or interpretation. For authoritative information, you must read and understand the laws. These laws change from time to time. In any year in which the law has changed, you may obtain one copy of the full text of the law from management at no charge. This notice is required by Civil Code Section 798.15(i) and the information provided may not be current.



Homeowners and park management have certain rights and responsibilities under the MRL. These include, but are not limited to:

- (1) Management must give a homeowner written notice of any increase in his or her rent at least 90 days before the date of the increase. (Civil Code Section 798.30)
- (2) No rental or sales agreement may contain a provision by which a purchaser or a homeowner waives any of his or her rights under the MRL. (Civil Code Sections 798.19, 798.77)
- (3) Management may not terminate or refuse to renew a homeowner's tenancy except for one or more of the authorized reasons set forth in the MRL. (Civil Code Sections 798.55, 798.56)
- (4) A homeowner must give written notice to the management of not less than 60 days before vacating his or her tenancy. (Civil Code Section 798.59)
- (5) Homeowners, residents, and their guests must comply with the rental agreement or lease, including the reasonable rules and regulations of the park and all applicable local ordinances and state laws and regulations relating to mobilehomes. Failure to comply could be grounds for eviction from the park. (Civil Code Section 798.56)
- (6) Homeowners must pay rent, utility charges, and reasonable incidental service charges in a timely manner. Failure to comply could be grounds for eviction from the park. (Civil Code Section 798.56)
- (7) Homeowners have a right to peacefully assemble and freely communicate with respect to mobilehome living and for social or educational purposes. Homeowners have a right to meet in the park, at reasonable hours and in a

reasonable manner, for any lawful purpose. Homeowners may not be charged a cleaning deposit in order to use the park clubhouse for meetings of resident organizations or for other lawful purposes, such as to hear from political candidates, so long as a homeowner of the park is hosting the meeting and all park residents are allowed to attend. Homeowners may not be required to obtain liability insurance in order to use common facilities unless alcohol is served. (Civil Code Sections 798.50, 798.51)

- (8) If a home complies with certain standards, the homeowner is entitled to sell it in place in the park. Management may require certain upgrades. Management may not require a homeowner to sell his or her home to the park, may not charge a transfer or selling fee, and may not require a homeowner to use a broker or dealer approved by the park. A homeowner has a right to advertise his or her home for sale. Management may deny approval of a buyer, but only for certain reasons listed in the law. (Civil Code Sections 798.70-798.74)
- (9) Management has the right to enter the space upon which a mobilehome is situated for maintenance of utilities, trees, and driveways; for inspection and maintenance of the space in accordance with the rules and regulations of the park when the homeowner or resident fails to maintain the space; and for protection and maintenance of the mobilehome park at any reasonable time, but not in a manner or at a time that would interfere with the resident's quiet enjoyment of his or her home. (Civil Code Section 798.26)
- (10) A homeowner may not make any improvements or alterations to his or her space or home without following the rules and regulations of the park and all applicable local ordinances and state laws and regulations, which may include obtaining a permit to construct, and, if required by park rules or the rental agreement, without prior written approval of management. Failure to comply could be grounds for eviction from the park. (Civil Code Section 798.56)

### **PRIVACY STATEMENT**

Your privacy is very important to us. Accordingly, we have developed this Policy in order for you to understand how we collect, use, communicate and disclose and make use of personal information. The following outlines our privacy policy.

1. Before or at the time of collecting personal information, we will identify the purposes for which information is being collected.
2. We will collect and use of personal information solely with the objective of fulfilling those purposes specified by us and for other compatible purposes, unless we obtain the consent of the individual concerned or as required by law.
3. We will only retain personal information as long as necessary for the fulfillment of those purposes.
4. We will collect personal information by lawful and fair means and, where appropriate, with the knowledge or consent of the individual concerned.
5. Personal data should be relevant to the purposes for which it is to be used, and, to the extent necessary for those purposes, should be accurate, complete, and up-to-date.
6. We will protect personal information by reasonable security safeguards against loss or theft, as well as unauthorized access, disclosure, copying, use or modification.
7. We will make readily available to customers information about our policies and practices relating to the management of personal information.



8. We are committed to conducting our business in accordance with these principles in order to ensure that the confidentiality of personal information is protected and maintained.

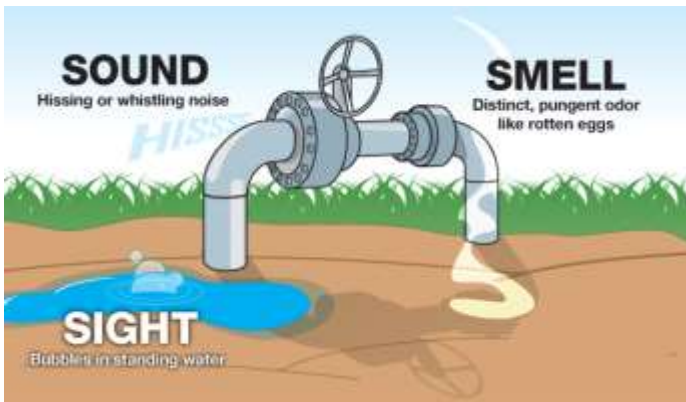
### **NATURAL GAS PUBLIC AWARENESS STATEMENT**

Description of the purpose and reliability of the pipeline:

The natural gas pipeline system in the community is owned, operated and maintained by the owner of the community. The pipeline system is designed to distribute gas to the residents, which is commonly used for heating and cooking. In addition, the system is used for the following common area facilities: the clubhouse, laundry rooms, and office.

The gas pipeline system is operated and maintained by qualified individuals in accordance with the community's Operations and Maintenance Plan, which contains procedures for safely operating, maintaining, and monitoring the system. The California Public Utilities Commission inspects the gas pipeline system for compliance with the Federal rules and regulations.

Overview of hazards of, and preventative measures used, for the pipeline:



Gas can leak from pipeline facilities damaged due to corrosion, outside force, natural events, or equipment failure, etc. Because natural gas is a flammable commodity, gas leaks, under certain circumstances, have the potential to cause harm.

The gas system is leak surveyed annually. All hazardous leaks are repaired. All main valves are inspected to ensure that they

are operable. The gas system is patrolled on a routine basis to ensure that hazardous conditions such as atmospheric corrosion, improper care of discontinued services and customer lines, inadequate support of meters and pipeline components, etc., are noted and corrected.

If applicable, the gas pipeline system is cathodically protected in the following way: Kearney Lodge currently has a sacrificial cathodic protection system (corrosion prevention system) installed on the underground gas lines in our Park. Pacific States Utility Company conducts an inspection for recertification annually and has found us to be in compliance.

Information about damage prevention:

The gas pipeline system is susceptible to damage due to outside forces such as those caused by excavation, vehicular traffic, or excessive loads placed on meter set assemblies. In addition, restricted access to main valves and meter set assemblies could result in severe consequences in the event of emergency. The greatest risk to underground gas pipelines is damage caused during excavation. Even a minor impact with the pipeline could cause a dent or damage to its coating, resulting in a leak. Notify the community owner/manager before you dig. Do not park vehicles near gas meters or pipelines that are not protected by barriers. Do not remove meter supports or place heavy items on top of meter set assemblies. Do not restrict access to main valves or meter set assemblies. Inform the community owner/manager immediately of gas meters that are vulnerable to vehicular damage or need supports or of other potential hazards that are noticed.

How to recognize, and respond to, a leak:

Odor: Natural gas is colorless, odorless, tasteless and non-toxic. An additive (Mercaptan) in the gas gives it a distinctive odor (similar to rotting eggs or sulfur). Vegetation: Natural gas leaking from an underground pipeline can destroy vegetation by starving the roots of air and water. An unusual dry patch of vegetation, within an otherwise green area, could indicate a below ground gas leak. Sound: a blowing or hissing sound could indicate the presence of a gas leak. Bubbling water : Gas leaks on underground pipelines in flooded areas may cause bubbles in the water as the gas rises to the surface. Fungus-like growth : Gas leaks in valve boxes, manholes, etc., may develop a fungus-like growth that is

generally white in color. Do not light items such as matches or cigarettes, or use any device that may generate a spark such as electrical switches, telephones (cell and land line phones), doorbells, automobiles or other engines. etc. when or if leak is detected. Extinguish all flames, evacuate the building to a safe distance, and turn off gas, if feasible.

To report a gas leak, call 858.277.6060 and inform community personnel of the situation and the location of the leak. Do not make the phone call from the area where the gas leak is present.

For additional information, contact the Kearney Lodge Office. Also, visit the websites of the US Department of Transportation, Pipeline and Hazardous Materials Safety Administration (<http://www.phmsa.dot.gov> ) or the California Public Utilities Commission (<http://www.cpuc.ca.gov/puc/> ) .



**CARE/FERA INFORMATION NOTICE**

The California Alternative Rates for Energy (CARE) Program offers a discount on monthly gas or electric bills for qualifying low-income residents.

It's easy to apply for SDG&E bill assistance. There are two programs that can help you save money on your monthly bill. If you qualify, you will be enrolled in only one of the following programs:

CARE Program - Enrolled customers receive At least a 35% discount on their bill. CARE customers also receive a lower rate for their electric usage. In order to qualify, your household's income cannot exceed the income levels designated for the CARE Program. If you or a member of your household meets the CARE guidelines and participates in a certain public assistance program, you may simply indicate which program(s) in part 2A of the application.

FERA Program - Enrolled customers are eligible for a lower rate (12% discount) on electricity charges within a certain usage level. In order to qualify, your household size must be 3 or more and your total household income must be within the income range for the FERA Program.

You may request a copy of the application from Management. See the Income Qualification for CARE & FERA Programs Chart below to see if your household is eligible. This information is also available on our website: <http://www.kearneylodge.com>.

Household Size	CARE	Household Size	FERA
1-2	\$31,860	1-2	Not Eligible
3	\$40,180	3	\$40,181 - \$50,225
4	\$48,500	4	\$48,501 - \$60,625
5	\$56,820	5	\$56,821 - \$71,025
6	\$65,140	6	\$65,140 - \$81,425
7	\$73,460	7	\$73,461 - \$91,825
8	\$81,780	8	\$81,781 - \$102,225

\*Total household income is all taxable and non-taxable revenues, from all household members, from whatever sources derived, including but not limited to: wages, salaries, interest, dividends, spousal and child support payments; public assistance payments, Social Security and pensions, housing and military subsidies, rental income, income from self-employment, and all employment-related non-cash income.

Effective June 1, 2015 - May 31, 2016

**THE FOLLOWING PROGRAMS MAY OFFER FURTHER ASSISTANCE**

SDG&E's Energy Savings Assistance Program: Free energy-saving home improvements for homeowners. Visit <http://www.sdge.com/energy-savings-assistance-program> or call 1-866-597-0597 to schedule an appointment.

SDG&E's Medical Baseline: More energy at the lowest rates for customers with medical conditions. Visit <http://www.sdge.com/residential/save-medical-baseline/medical-baseline-program> or call 1-800-411-7343 for more information.

Low-Income Home Energy Assistance Program (LIHEAP): State funded bill payment assistance and weatherization services. Call the Department of Community Services and Development 1-866-675-6623 or go online: <http://www.csd.ca.gov/Services/HelpPayingUtilityBills.aspx>

California Lifeline / ULTS: Discounted telephone access to customers meeting similar income guidelines as CARE. For more information on this service please contact your local telephone service provider.

**Please sign this page and return it to the Office. Thank-you!**

**Acknowledged receipt by resident:**

**SPACE #:** \_\_\_\_\_ **SIGNATURE:** \_\_\_\_\_