

# California Housing Legislation Report

July 2009

## Overview

The endless budget battles overshadow this year's session, as has been the case for some years now. Few major legislative measures have been put forward.

At this stage of the session, active bills must have passed their house of origin and the appropriate policy committee(s) in the second house.

The Legislature recessed following passage of the budget. Members return for one month in mid-August to close out the year.

## Bill Summaries

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## Landlord-Tenant

### Pending:

#### **AB 49 (Feuer) Water conservation.**

Description: Intent bill to require the state to achieve a 20% reduction in urban and agricultural water use by 2020. One of the reduction measures could require meters or sub-meters in multifamily dwellings, and/or to require allocation of water bills among tenants in master-metered buildings. The allocation is typically based on the square footage of the units, or the number of occupants. This practice has been contentious, with tenants complaining about paying for water they do not use, and exorbitant administrative fees.

#### **AB 413 (Fuentes) CARE program.**

Would make various improvements to the California Alternate Rates for Energy (CARE) program, which provides assistance to low-income electric and gas customers. Although the bill would lift the rate freeze imposed after the 2001 energy shortage, the bill limits low-income customer rate increases and is seen as a fair compromise.

#### **AB 473 (Blumenfied) Recycling.**

Would require buildings with five or more rental units to arrange for recycling services that are "appropriate," consistent with local requirements.

#### **AB 530 (Krekorian) Unlawful detainer: controlled substances and firearms.**

Would continue existing 5-city pilot program, allowing a city attorney or prosecutor to "step into the shoes" of a landlord and pursue an eviction action against a tenant for specified drug or weapons offenses. Many cities instead use drug nuisance ordinances to accomplish the same ends. The pilot allows a city to initiate the unlawful detainer action without the cooperation of the landlord.

#### **AB 568 (Lieu) Counterfeit goods: unlawful detainer.**

Would provide that every nonresidential building used to manufacture or knowingly sell any counterfeit goods is a nuisance. Prior version of the bill allowed evictions from residential buildings.

#### **AB 590 (Feuer) Legal aid.**

Would allow only nonprofit providing free legal services for the poor to use the name "legal aid." Prior version of the bill intended to create a pilot project to provide free legal counsel (i.e., "civil Gideon") has been placed on hold.

#### **SB 120 (Lowenthal) Utility payments.**

Would extend to single-family detached homes protections in existing law applicable to multifamily buildings that allow tenants to start utility service in their own names if a landlord stops paying the utility, where the landlord had originally agreed to pay for service. Tenants would not be responsible for the landlord's past due bill, and would be able to deduct utility payments from the rent. Other provisions of the bill, to clarify that lenders who foreclose are responsible for returning a tenant's security deposit, were rendered moot by the passage of S. 896 at the federal level, which requires lenders to honor all lease obligations following a foreclosure. Sponsored by Western Center.

**SB 290 (Leno) Permanent 60-day notice.**

Description: Would make permanent the requirement that landlords give tenants 60 days' notice to terminate a periodic (e.g., month-to-month) tenancy without fault. This requirement has been in place for 6 of the last 7 years; it is set to sunset (expire) on December 31, 2009. Tenants in place for less than one year may be evicted with 30 days' notice, and any new occupant in the unit will trigger a new one-year period with 30 days' notice. Sponsored by Western Center.

**SB 483 (Corbett) Foreclosure eviction notices.**

Would conform state law to recently-enacted (S. 896) federal law with respect to eviction notices to tenants of foreclosed residential property, by specifying that the notice generally must be delivered 90 days before eviction. Also improves the content of that notice.

**2-Year/Dead:****AB 331 (Hall) Mortgage default notification.**

Would require landlords and managers of 1 to 4-unit properties to notify prospective tenants if a Notice of Default has been filed on the property. The sponsor, California Apartment Association, dropped the bill after pressure from the Legislature to expand the bill to larger buildings.

**AB 603 (Price) Foreclosures.**

Spot bill sponsored by ACORN intended to address tenant problems in foreclosures. Bill was not moved after similar provisions were enacted into federal law by S. 896.

**AB 703 (Knight) Federal housing certificate program.**

Spot bill regarding Section 8 tenants. The author represents the Palmdale-Lancaster area, from which several local and state attempts to harass and evict Section 8 tenants have come. Bill was never moved.

**AB 771 (Torres) Public utilities: residential utility services.**

Would prohibit various utilities from demanding that a tenant pay any delinquencies owed by the landlord or a prior tenant. Also would limit that amount of any deposit or reconnection fees. Also would extend the amortization period to pay a delinquent bill when service is required to be maintained under current law (e.g., when a shut-off would be life-threatening), from 12 months to 18 months.

**AB 1170 (Calderon) Registered sex offenders: information booklet.**

Would require the Department of Justice to make available to the public a consumer information booklet explaining federal and state law relating to sex offender registration with regard to the rental of real property. There are concerns about what conclusions might be published by the Department of Justice, as so much of the law in this field is unsettled. Sponsored by the Apartment Association – Southern California Cities.

**AB 1171 (Ammiano) Ellis Act.**

Under the "Ellis Act," cities are generally prohibited from requiring a landlord to stay in business and continue to offer units for rent. If the landlord "Ellis" a building, senior or disabled tenants are entitled to 1-year's notice; all other tenants receive a 120-day notice. The bill would provide that if any tenant in the building is entitled to a 1-year notice, all tenants in the building will receive a 1-year notice. The bill addresses health and safety problems when one or a few senior tenants are left alone in an otherwise empty building.

**AB 1263 (Strickland) Unlawful detainer: service of notice.**

Description: Would allow service of 3-day and other notices required prior to filing an unlawful detainer action to be “nailed and mailed” without any attempts at personal delivery. Housing advocates strongly opposed. Bill was directed at commercial properties.

**SB 25 (Padilla) Solid waste: diversion.**

Would require the California Integrated Waste Management Board to develop a strategic and comprehensive plan to achieve a diversion rate of 75% of solid waste from landfills; the plan would include increased recycling from multifamily dwellings.

**SB 782 (Yee) Domestic violence survivors.**

Would establish procedures to allow a domestic violence survivor to remain in place when the landlord seeks to evict, including allowing a partial eviction of the alleged perpetrator. Made into a 2-year bill to address concerns where both parties allege DV and the standard of proof to maintain the eviction.

## Land Use

### Pending:

**AB 720 (Caballero) RHNA and rehabilitation.**

Would allow local governments to include rehabbed or preserved units in their annual reports to HCD if the units meet certain standards in existing law. It would also allow local governments to count units rehabbed or preserved after the RHNA number is released but before the housing element is due.

**AB 853 (Arambula) Island annexations.**

Would establish a process for how unincorporated fringe or island communities shall be annexed into a city.

**AB 1084 (Adams) Local planning: development projects: fees.**

Would clarify the Mitigation Fee Act to include adjustment of fees when land values decline.

**AB 1246 (Jones) Workforce housing cooperative trust.**

Would revise the definition of a "limited-equity housing cooperative" to also apply to two new entities, "housing cooperative trusts" and "workforce housing cooperative trusts." These new entities would be allowed several classes of ownership to facilitate employee housing.

**SB 406 (DeSaulnier) Land use planning.**

Would allow a regional council of governments to impose a \$2 vehicle fee surcharge to develop and implement regional blueprint plans.

**SB 505 (Kehoe) Local planning: fire hazard impacts.**

Would revise the general plan safety element requirements for state responsibility areas and very high fire hazard severity zones.

**SB 575 (Steinberg) Local planning: housing element.**

SB 375 clean-up measure. Makes some technical and clarifying changes. In addition, provides an adjustment to the adoption schedule for SANDAG region, to avoid requiring jurisdictions to adopt

a 2-year element. In exchange for moving the deadline for adoption, localities must meet certain rezoning deadlines.

## 2-Year/Dead:

### **AB 558 (Portantino) Housing element: foster youth placement.**

Would authorize a city, until 2016, to meet 10% of its existing share of regional housing need by creating a program to place foster youth in existing family-based households. After 2016, 2.5% of a city's need could be met in this fashion.

### **AB 596 (Evans) Form-based ordinances.**

Would require the state Office of Planning and Research to develop model urban and rural “form-based” planning ordinances, which focus on the physical appearance and relationship of buildings, rather than uses.

### **AB 610 (Caballero) Local infrastructure.**

Would require the state Office of Planning and Research to advise local agencies and other interested stakeholders about the role that public-private partnerships can play in local infrastructure projects.

### **AB 1331 (Duvall) Subdivision map approval: validity of map.**

Would provide that the filing of a final or parcel map by the county recorder constitutes the final act in obtaining the right to subdivide according to the terms of the final or parcel map. Housing advocates expressed concerns; the bill grew out of a rent control case in West Hollywood.

### **SB 326 (Strickland) Land use: housing element.**

Would suspend indefinitely housing needs assessment until after the 2010 census. Would also require housing elements to analyze the effects of foreclosures on housing need.

### **SB 763 (Walters) Land use: subdivision maps.**

Would extend the expiration date to 24 months for any vesting tentative map.

### **SB 705 (Lowenthal) Traffic congestion: infill housing.**

Prior version would eliminate the December 31, 2009, deadline for a city or county to designate an infill opportunity zone.

## Homeownership/Foreclosures

### Pending:

#### **AB 33 (Nava) Financial services.**

Would merge the Department of Financial Institutions, the Department of Corporations, the Department of Real Estate, and the Office of Real Estate Appraisers into a new Department of Financial Services.

#### **AB 34 (Nava) Residential mortgage lending.**

Would conform state law with the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (the SAFE Act) by requiring persons originating home loans to obtain a license from Department of Corporations, or, if a real estate licensee, obtain a license endorsement.

**AB 260 (Lieu) Lending.**

Would prohibit various sub-prime loan provisions and practices, including negative amortization, steering a borrower to accept a high-cost loan, and excessive pre-payment penalties.

**AB 329 (Feuer) Reverse mortgages.**

Would strengthen existing reverse mortgage counseling and cross-selling provisions and require lenders to provide borrowers with a checklist prior to counseling that highlights the risks and alternatives to reverse mortgages.

**AB 764 (Nava) Real estate brokers.**

Would regulate and limit the practices of loan modification consultants, a burgeoning (and questionable) industry, where consultants promise to help troubled borrowers get modified loan terms in exchange for an upfront fee. Bans advanced fees and prohibits any fees unless the company obtains a modification for the borrower.

**AB 919 (Nava) Loan disclosures.**

Would require a rider to be attached to a mortgage or deed of trust that provides information on the broker, lender, originator, and appraiser.

**AB 957 (Galgiani) Foreclosures: title insurance.**

Would prohibit a lender or other beneficiary under a deed of trust, who acquired residential real property at a foreclosure sale, from requiring a buyer to purchase title insurance or use escrow services from a company chosen by the seller.

**AB 1160 (Fong) Contracts: translation.**

Would expand the scope of current law that requires written translations of contracts and agreements (including leases) negotiated in Spanish, Chinese, Tagalog, Vietnamese, or Korean to include real property loans.

**SB 36 (Calderon) Mortgage loan originators.**

Would require a real estate license endorsement to originate home loans.

**SB 94 (Calderon) Mortgage loans.**

Similar to AB 764 (Nava) (see above). Would ban advanced fees and but allow payment of fee where the company has performed each service contracted for.

**SB 237 (Calderon) Real estate appraisers.**

Would tighten requirements on appraisers.

**SB 239 (Pavley) Mortgage fraud.**

Would establish mortgage fraud committed by brokers, lenders, agents, and others a separate crime.

**SB 306 (Calderon) Real property transactions.**

Would clean up foreclosure procedures enacted last year in SB 1137.

**SB 491 (Maldonado) Nationwide Mortgage Licensing System and Registry.**

Would provide for state compliance with the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008, and would require state registration of mortgage loan originators.

**SB 660 (Wolk) Reverse mortgages.**

Description: Would tighten regulations on reverse mortgages.

**2-Year/Dead:**

**AB 724 (DeVore) Revocable transfer upon death deeds.**

Would create a simplified, revocable deed allowing real property to be transferred upon death without probate or a trust.

**AB 902 (Torres) Personal income tax: credits: foreclosed homes.**

Would create a tax credit for moderate-income families and below who purchase a foreclosed home.

**AB 1346 (Hall) Foreclosure consultants.**

Spot bill regarding foreclosure consultants.

**AB 1534 (V. Manuel Perez) Contractors: mortgage loans.**

Would prohibit a general building contractor from originating a loan to be used for the purchase of a home owned by the contractor.

**SB 97 (Calderon) Taxation: cancellation of indebtedness: mortgage debt forgiveness.**

Would extend the operation of special provisions that disregard for income tax purposes mortgage debt that is discharged or forgiven after January 1, 2007, and before January 1, 2010.

**SB 127 (Calderon) Mortgages.**

Would require further disclosures by foreclosing trustees, including internet postings of impending sales.

**SB 479 (Calderon) Mortgage foreclosure consultants.**

Would regulate mortgage foreclosure consultants.

**Housing Programs/Financial Assistance/Prop. 1C**

**Pending:**

**AB 338 (Ma) Transit village developments: infrastructure financing.**

Would allow localities to use the infrastructure financing district mechanism to fund transit-oriented development, via tax increment financing. Twenty percent of the revenue would have been set aside for housing in a manner similar to redevelopment law.

**AB 765 (Caballero) New construction tax credit.**

Would expand and extend the current \$10,000 tax credit for purchasers of newly-constructed homes enacted in February.

**AB 767 (Ammiano) Prop 1C set-aside extensions.**

Would extend the set-aside of Proposition 1C funds for the Homeless Youth and Building Equity and Growth in Neighborhoods (BEGIN) Programs by two years.

**AB 1177 (Fong) Interagency Council on Homelessness.**

Would create a state Interagency Council on Homelessness for the purposes of reducing the duplication of efforts and redirecting resources to more effective approaches.

**AB 1330 (Salas) Veterans: pilot project: cooperative housing.**

Would authorize the Department of Veterans Affairs to establish a pilot project cooperative veterans' housing.

**AB 1459 (Davis) Multifamily Housing Program: veterans.**

Would allow developments geared toward veterans to apply for supportive housing Multifamily Family Program funding, provided that if any units remain vacant after initial rent-up for 120 days, non-veterans otherwise meeting residency requirements shall be placed in the housing.

**ACA 9 (Huffman) Local government bonds: voter approval.**

Description: Would lower the threshold to approve local bonds for affordable housing and certain public facilities from 2/3rds to 55 percent.

**SB 450 (Lowenthal) Federal Housing Trust Fund.**

Would designate the Department of Housing and Community Development as the state agency responsible for administering provisions of the federal Housing Trust Fund. The bill would require the department to administer the federal funds through the Multifamily Housing Program, except that up to 10% of the funds may be appropriated by the Legislature to the CalHOME Program.

**2-Year/Dead:**

**Budget: EHAP**

A proposal to re-instate the \$4M in Emergency Housing and Assistance Program (EHAP) shelter operating grants was approved by the Assembly but removed again by the 2-house budget conference committee.

**AB 113 (Portantino) Highways: Route 710: sale of property.**

Would require CalTrans to sell surplus residential properties along the rescinded Route 710 corridor in the Pasadena area. The sales would be subject to the "Roberti Act," which requires below-market sales to low-income current residents and others. CalTrans currently rents many of these properties, and there have been many and extreme resident complaints. Caltrans opposed the bill.

**AB 280 (Blakeslee) Earthquake retrofit grants.**

Would authorize the California Earthquake Authority to create a program to access and dispense potential federal stimulus dollars for seismic safety to retrofit multifamily soft-story buildings. There are currently no federal dollars earmarked for seismic safety; hence the bill was shelved.

**AB 290 (Davis) Neighborhood Stabilization Program funding priorities.** Spot bill to direct a portion of the federal Neighborhood Stabilization Program funding for specified objectives relating to the building and green-collar trades, the provision of affordable, energy-efficient housing, and the revitalization of low/moderate-income areas.



**AB 498 (Hayashi) Affordable housing: veterans.**

Would require the California Department of Veterans Affairs to facilitate the development of multifamily housing for military veterans and their families.

**AB 702 (Salas) Homeless veterans.**

Would require the Department of Housing and Community Development each year to set aside a portion of Emergency Housing and Assistance Program (EHAP) operating grant funds, equal to the percentage of veterans within the homeless population, for veterans-only projects. Prior version of the bill contained a \$4M appropriation for EHAP.

**AB 841 (Fuentes) Low-income housing tax credits.**

Description: Spot bill to require the California Tax Credit Allocation Committee to allocate a portion of specified insurance, income, and corporation tax credits to the City of Los Angeles.

**AB 1432 (Mendoza) CalHFA loans.**

Would allow CalHFA to make loans for refinancing acquisition, or for development loans.

**AB 1522 (V. Manuel Perez) Prop. 1C: priority consideration.**

Would require the Department of Housing and Community Development to give Prop. 1C priority funding consideration to developers who work with organizations that provide training for at-risk youth.

**AB 1529 (Salas) Community stabilization.**

Would authorize continuation of the California Housing Finance Agency's Community Stabilization Home Loan Program.

**SB 13 (Hollingsworth) Personal income taxes.**

Description: Would reduce tax rates and eliminate the "millionaire's tax" created by Prop. 63 that funds services for mentally ill persons, including housing.

**SB 16 (Lowenthal) Low-income housing tax credits.**

Would make the state low income housing tax credit refundable for projects receiving preliminary tax credit reservations between July 1, 2008 and December 31, 2010.

**SB 194 (Florez) Community development: disadvantaged communities.**

Would enact the Community Equity Investment Act which would provide specified incentives to local governments to encourage planning decisions that account for disadvantaged unincorporated communities.

**SB 500 (Steinberg) Affordable housing: permanent revenue source.**

Spot bill which will be used to establish a dedicated revenue source for the state's housing trust fund. Due to the current budget crisis, the author elected not to move the bill forward this year.

**SB 595 (Cedillo) Homeless Veterans Housing and Supportive Services Act.**

Would place a \$1.5 billion bond measure on the November 2010 ballot. Proceeds would fund supportive housing for extremely-low-income homeless veterans, administered through the Department of Housing and Community Development's Multifamily Housing Program. Funds could be capitalized upfront to provide for ongoing operating and services costs.

**SB 812 (Ashburn) Developmental services: housing.**

Would require the housing element to include an analysis of the special housing needs of persons with autism spectrum disorders.

**SB 813 (Kehoe) Loans.**

Would direct the Department of Housing & Community Development to implement a special grant and loan securitization program to make financial assistance provided for self-help housing as a deferred payment grant or loan to be paid through an increase in the equity of the home. Bill is intended to address concerns that self-help housing cannot obtain financing because the land was acquired when prices were high and has since declined in value.

## Fair Housing/Group Homes

### Pending:

**AB 985 (De La Torre) Discriminatory restrictions.**

Would require a title insurance company involved in any transfer of real property once burdened with a racially-restricted or other illegal covenant, to strike the illegal covenant from the deed or other instrument before the property is transferred. This is the latest in a series of bills over the years that has attempted to deal with this thorny problem.

### 2-Year/Dead:

**SB 214 (Benoit) Sober living homes.**

Description: Would provide that a residence housing those recovering from drug and alcohol abuse would be presumed to be a sober living home if it has been certified, registered, or approved by a recognized nonprofit organization; similar bill last year was intended to allow local control of group homes with 6 or fewer residents.

**SB 268 (Harman): Facility licensing.**

Would require applicants seeking licensure as a residential alcoholism or drug abuse recovery treatment facility to certify that the proposed facility complies with local zoning, and to submit an approved fire clearance. The bill was another attempt to erode the 6 or fewer rule.

## Farmworker/Rural

### Pending:

**AB 494 (Caballero) Local planning: farmworker housing.**

Would remove barriers to the siting of farmworker housing, particularly housing for unaccompanied migrant farmworkers. Would create a Subdivision Map Act exception to allow a lease of agricultural land for the provision of farmworker housing. The bill is sponsored by CRLAF Foundation.

**AB 570 (Arambula) Local trust fund matching.**

Would make several changes in the state Local Housing Trust Fund Matching Grant Program, thereby making it more feasible for smaller rural counties to apply.

**2-Year/Dead:****AB 1065 (Gilmore) Taxation: farmworker housing.**

Would, for purposes of existing farmworker housing tax credits, increase the maximum aggregate dollar amount of credits allowed in each calendar year to \$1,000,000 (current law is \$500,000).

**Redevelopment****Enacted:****Budget: Major Diversion**

ABx4 26 will take \$1.7 billion in FY 2009-10 and \$350 million in FY 2010-11 statewide from redevelopment agencies (RDAs). By November 15, the Department of Finance will determine the apportionment among the 396 RDAs, based on a formula in the bill. If an agency is unable to transfer its apportionment because of existing indebtedness, it is not excused from payment, and the legislative body of the RDA's city or county must report on how they intend to make the payment, which must be made by May, 10, 2010. Agencies who do not make the payment are subject to the "death penalty" and will not be able to continue their 80% activities.

The fund transfer in ABx4 26 is drafted differently from last year's similar bill, in response to the successful challenge at the trial court level earlier this year of the constitutionality of transferring funds out of the project area where the tax increment was raised. ABx4 26 deposits money from RDAs into a Supplemental ERAF (SERAF). Money distributed from the SERAF must be used to serve students in project area, or living in housing supported by redevelopment funds. In order to make the payments to SERAF for 2009-10, the agency may suspend the 20% housing set-aside, and repay these housing funds by June 30, 2015. If the agency fails to repay the funds, then they must deposit 25% of tax increment into the housing fund for the remaining life of the project. The shift could well derail housing construction throughout the state; many developments were depending on 20-60% RDA funding in their deals, which also included Prop. 1C funding.

**Pending:****Budget: "City of Industry"**

ABx4 27 was part of the package of the last flurry of budget bills. It passed the Senate but the Assembly did not take up the bill before it adjourned. It would allow RDAs to extend the life of a project an additional 40 years, in exchange for transferring 10% of the tax increment each year to the state. RDAs that are due to expire soon after some 40 years in business would not be required to meet any of the conditions of existing law -- a new "substantial" finding of remaining blight, an increase of the housing set-aside from 20% to 30%, and the requirement that the 30% be used only for housing for low, very-low and extremely-low income. The bill was named the "City of Industry" bill, as that city has been pushing the idea for some time in order to finance a football stadium.

**AB 1422 (Bass) Foreclosure mitigation using non-housing funds.**

Would authorize a redevelopment agency, until January 1, 2013, to expend any money that is *not* held in its Low and Moderate Income Housing Fund (LMIHF) to: (1) Make loans to households anywhere in the agency's jurisdiction (i.e., outside project areas) earning less than 150% of the area median income who are in default of a subprime loan, as defined. (2) Purchase, assume, or refinance, or assist lenders or nonprofit or for-profit developers in purchasing, assuming, or refinancing, loans to households as described above. (3) Purchase, or assist lenders or nonprofit or for-profit developers in purchasing, homes within its jurisdiction that have been foreclosed and are vacant and sell those homes, without regard to income. Housing advocates have objected to similar proposals in the past that sought to use LMIHFs for these purposes, primarily because the proposals increased or eliminated income limits and did not create new housing.

**SB 93 (Kehoe) Redevelopment.**

Would modify provisions relating to public works projects. Housing advocates have expressed concerns over a link to affordable housing production in the bill, which could be interpreted to reduce existing case law protections.

**SB 477 (Flores) Low- and moderate-income housing: agency powers.**

Would permit a redevelopment agency to loan, grant, contribute, or pledge funds to an authorized purchaser for low-income housing tax credits.

**SB 530 (Dutton) Redevelopment: payments to taxing entities.**

Would apply the redevelopment pass-through reporting and repayment requirements enacted by last year's State Budget to redevelopment project areas that were formed before January 1, 1994 and amended after January 1, 1994, as specified.

## Mobilehomes

### Pending:

**AB 566 (Nava) Mobilehome parks conversions.**

Would clarify that local governments can consider that the currently-mandated survey of residents of a park slated for conversion in determining whether to approve or deny the map.

**AB 1108 (Fuentes) Electric and gas utility service.**

Would require mobilehome park owners of submetered utility systems to transfer ownership of their gas or electric systems to the gas or electric corporation providing service in that area by 2016. If the California Public Utilities Commission finds that the mobilehome park owner has failed to maintain or repair its facilities, the CPUC may order the repairs. The CPUC may also order that the utility discount be held in trust to pay for the maintenance and repair.

**SB 23 (Padilla) Manufactured housing: emergency and fire safety plan.**

Would require mobilehome parks to develop, implement, and post an emergency and fire safety plan.

**SB 111 (Correa) Mobilehome residency law.**

Would reorganize the Mobilehome Residency Law by revising and recasting various provisions.

**SB 224 (Correa) CalHome Program: homeowner grants.**

Would explicitly permit CalHome rehab loans to be used to retrofit mobilehomes with fire-resistant exterior roofs and walls.

**SB 804 (Leno) Mobilehomes: sales and replacements.**

Would prohibit a park from requiring a homeowner, who is replacing a mobilehome or manufactured home on a space in the park, to use a specific broker, dealer, or other person as an agent in the purchase or installation of the replacement home.

**2-Year/Dead:**

**AB 481 (Ma) Mobilehome parks: rent control: principal residence.**

Would provide that a mobilehome that is not owner-occupied would not be subject to local rent controls, even if the owner is currently renting the mobilehome to a tenant.

**AB 761 (Calderon) Rent control limitation.**

Would impose “Costa-Hawkins”-style restrictions on local mobilehome rent stabilization ordinances. Local ordinances would only control rents while a resident was in place. Upon a sale or vacancy of a mobilehome, the space rent would be set by the park at market rate (i.e., “vacancy decontrol”). Vacancy decontrol would destroy a large portion of homeowner equity. About 100 localities currently have some form of vacancy control.

**AB 869 (Mendoza) Certified park managers.**

Would create a program of certification for, and continuing education of, mobilehome park managers.

**AB 1474 (Cook) Mobilehomes: standards.**

Would exempt new mobilehomes from the recently enacted 1% sales and use tax increase under specified conditions.

**Codes/Building Standards**

**Pending:**

**AB 210 (Hayashi) Green building standards.**

Would clarify that cities and counties may adopt green building standards more stringent than those adopted by the state.

**AB 828 (Lieu) Green building standards.**

Would require state agencies, including the Building Standards Commission the State Energy Resources Conservation and Development Commission, to consult and coordinate when developing green building standards.

**SB 183 (Lowenthal) Carbon monoxide alarms.**

Would require a carbon monoxide alarm in every dwelling with a fossil fuel burning heater or appliance, fireplace, or attached garage. A similar bill was vetoed by the Governor last year.

## 2-Year/Dead:

### **AB 212 (Saldaña) Energy: building standards: zero net energy buildings.**

Would require the State Energy Resources Conservation and Development Commission to adopt to standards to require that new residential buildings consume no net energy. The standards would take effect in 2020, or on a date by which the commission determines that the use of photovoltaic technology is cost effective.

### **AB 433 (Ammiano) Ventilation systems.**

Would require the California Building Standards Commission to adopt a building standard requiring new buildings containing 10 or more dwelling units located near major highways to have a ventilation system.

### **SB 181 (Wright) Code enforcement: definitions.**

Would define the terms "code enforcement" and "code enforcement officer" as used in the Health and Safety Code. Housing advocates were concerned that the bill might have been amended to restrict non-complaint driven inspection programs.

## General

## Pending:

### **SB 113 (Local Government Comm) Local Government Omnibus.**

Would make various technical corrections and noncontroversial changes to local government statutes, including housing.

### **SB 251 (Transportation and Housing Comm) Housing omnibus bill.**

Would make technical corrections and noncontroversial changes to housing statutes.

### **SB 324 (Cedillo) Distribution of counterfeit clothing.**

Would clarify that counterfeit clothing seized by law enforcement may, with the permission of the trademark owner, be distributed to nonprofit organizations for distribution to homeless or other persons in need. The clothing would be stamped or marked as such to prevent resales. Distributions were being made until recently, when some local officials questioned the legality of the practice.