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October 20, 2017

To: GSMOL Leaders/Members, Zone A-1**Fr: Bruce Stanton, Corporate Counsel****Re: Housing Assistance for Displaced Fire Victims**

In the wake of the immense fire tragedy which occurred in Santa Rosa and the North Bay Area, many mobilehomes have been lost, and many mobilehome residents displaced. These are our friends and neighbors, and they require whatever assistance we can provide until they have found new permanent housing. GSMOL is hopeful that members will be allowed by management to open their homes to these refugees. This memo is provided to explain the law and procedure for taking a displaced resident into a mobilehome on a temporary basis, and should be provided to management in any case where the request to have a guest is denied. Note that this memo does NOT discuss subleasing, which is not allowed in most parks. We are only addressing "guests" who stay in the home without paying any rent or utilities to the homeowner/tenant(s).

There is more than way in which GSMOL members may house displaced fire victims.

1. Permanent Guest where Homeowner lives Alone (No limit on Number of Days)

Civil Code 798.34 (b) provides that a homeowner who is living alone may share their mobilehome with one person and that no "guest fee" shall be imposed. This option is only available if the homeowner is living alone. The park owner cannot deny the guest occupancy, since they are not applying to become a homeowner/tenant, but can require that they "register" with the park as a "guest" or "additional authorized occupant"; i.e. provide name, emergency contact info and make, model and license number of vehicle. The guest must follow all park rules, and must be accompanied by the homeowner when using common area facilities. There is no limit on the time the guest may stay in the home.

2. Temporary Guest (20 Consecutive Days or '30 Days within a Calendar Year' or Less)

The ability of mobilehome owners to allow temporary guests into their homes is also addressed where there is more than one homeowner tenant; i.e. a couple or a family occupy the home, and so the the above-described "Permanent Guest" procedure is not available. Civil Code 798.34 (a) addresses the issue of "guest fees", which by implication means there can be guests. A fee can only be charged when the stay exceeds 20 consecutive days or more than 30 days within a calendar year. This means that if a guest stays for a shorter period than the stated number of days, NO guest fee may be charged. Again, the park owner cannot deny the guest's ability to stay in the home. Registration is required as described above, and the guest must follow all park rules, and be accompanied by the homeowner when using common area facilities.

3. Permanent Guest where Homeowner not living Alone (Exceeds 20/30 Day Rule)

In this case, where the guest stays for more than 20 consecutive days or 30 days total, the park owner is legally allowed to charge a "guest fee", which must be reasonable. *However it is hoped that given the scope of this tragedy, park owners will agree to waive any guest fees for displaced fire victims.* If the refugee does happen to be Part of the homeowner's "immediate family", as defined in Civil Code 798.35, no fee may be charged for such persons. *Otherwise, request that your park waive its "guest fee" for the displaced refugee(s).*

NOTE: The Mobilehome Residency Law (i.e. State Law) does NOT limit the number of occupants in a given mobilehome. Local City or County Housing Codes should be consulted, but a standard rule of thumb for most jurisdictions has been to allow "2 persons per bedroom plus one other person" to occupy a mobilehome.