



2021 WMA Annual Quick List

This list provides some general information regarding annual requirements and best business practice considerations to help prepare your calendar for the upcoming year. A check list is provided on the last page; this is just a list of suggested items to be considered in your preparations for the upcoming year and may not include all considerations for your community.

WMA members can order forms, notices, statements, booklets and manuals referenced in this list. To order, send your completed WMA order form with payment to the WMA office, or login on wma.org and go to wma.org/shop-wma to place your order online. WMA Forms Online subscribers also have access to these referenced forms.

Update of New Laws

Be sure to attend WMA's 2020 Update of New Laws webinar in January for more information and discussion on the items outlined. The seminar will focus on changes in state law and regulations, and how these changes may affect community operations in 2021. This will be a pre-recorded event.

Distribution of the Mobilehome Residency Law (MRL) Booklet

From § 798.15(c) of the MRL:

Management shall do one of the following prior to February 1 of each year, if a significant change was made in the chapter by legislation enacted in the prior year: Provide all homeowners with a copy of this chapter; OR Provide written notice to all homeowners that there has been a change to this chapter and that they may obtain one copy of this chapter from management at no charge. Management must provide a copy within a reasonable time, not to exceed seven days upon request.

Methods of distribution from § 798.14

Unless otherwise provided, all notices required by this chapter shall be either delivered personally to the homeowner or deposited in the United States mail, postage prepaid, addressed to the homeowner at his or her site within the manufactured housing community. You may either hand a copy of the notice/booklet personally to the homeowner, or mail a copy of the notice/booklet to the homeowner at their space address. You may NOT post the notice/booklet on the homeowner's door, or clip the notice/booklet on the mailbox or newspaper tube. Maintain proof of delivery. Prepare and maintain a proof of service and keep any notice/booklet that is returned by the Post Office as undeliverable.

Have there been "significant changes" to the MRL for 2021?

Yes, there have been quite a number of changes to the MRL that will become effective in 2021. While it's at the discretion of each community to provide either a copy of the new law or a notice that there has been a change(s), we do recommend that all community owners and managers have sufficient 2021 Civil Codes ready for the coming year so that they can be attached to and made part of all new rental agreements entered into in the coming year.

Notice of Rights and Responsibilities

§ 798.15(i) of the MRL requires a notice of the Rights & Responsibilities must be included with any new rental agreement in a manufactured housing community and **be provided to all homeowners prior to February 1 of each year**. The notice lists the "top ten" key rights and responsibilities of residents under the MRL and other code sections. This notice is available for purchase from WMA and is available to WMA Forms Online subscribers.

Distribute Privacy Statement (available from WMA)

16 Code of Federal Regulations Part 313:

Landlords must safeguard resident (and employee) personal information and properly dispose of records. The requirements are based on the type of business; however, anyone who gathers personal information, including but not limited to, a driver's license or a social security number, is likely subject to the rule. The notice should be delivered at the inception of the relationship and annually thereafter, for the duration of the relationship. The statement should:

- A. Describe the categories of nonpublic personal information you collect;
- B. State the fact that you do not share nonpublic personal information about your customers or former customers to affiliates or nonaffiliated third parties, except as authorized by law; and
- C. Describe your policies and practices for protecting the confidentiality and security of consumer's nonpublic personal information.

Update Residency Applications, Rental Agreements, Notices and Other Forms, and Manuals

Review your residency application procedure and forms to ensure compliance with the Mobilehome Residency Law and fair housing laws. WMA updates their residency and landlord-tenant forms anytime there is a change in Mobilehome Residency Law, fair housing laws, and general landlord-tenant forms. Also be sure to order updated forms and manuals every year from WMA, including the California Mobilehome Laws (CML) and WMA Guide to Mobilehome Park Residency Forms & Documents and California Civil Codes. Members can find these forms at wma.org/shop-wma.

Update Information for Prospective Homeowner Form

Review your annual forms to ensure compliance and accuracy of current rates and charges. In addition to monthly rent, residents may be obligated to pay the park monthly fees and charges. Fees may increase or decrease at a future time and it is prudent to keep the form updated at all times. These fees and charges may apply depending on specific requests; metered utility charges are typically based on use. Examples may be: Trash fee billed monthly and based on total trash bill. Natural Gas and Electricity are a metered utility based on usage, Storage Fee \$___ per month (if applicable), Annual Meter Fees as permitted by law - Water \$2 per meter (if applicable), Electric \$3 per meter, Gas \$4 per meter, etc.

Update Rental Agreement Disclosure Form

From § 798.75.5 of the MRL:

The management shall provide a prospective homeowner with a completed written disclosure form concerning the community at least three days prior to execution of a rental agreement or statement signed by the community management and the prospective homeowner that the parties have agreed to the terms and conditions of the rental agreement. Management shall update the information on the disclosure form annually, or, in the event of a material change in the condition of the manufactured housing community, at the time of the material change in that condition.

Order and Display Required Labor Law Posters

No matter how many employees you have in California, your business must post and distribute required employment notices. This includes displaying posters in every company location, somewhere employees can easily read them such as a break room or common hallway. WMA members can purchase Labor Posters and other compliance products at CalChamber. Go to www.calchamber.com for more information.

Update Employment Application

If you have employees, you should update your hiring practices, including the application, annually taking into consideration changes in employment law. There are several sources for information relating to employment law, including but not limited to, Employment Development Department (www.edd.ca.gov), California Chamber of Commerce (www.calchamber.com/hrcalifornia) and the U.S. Department of Labor (<http://www.dol.gov/elaws/>).

Update Holiday Schedule

Create a holiday calendar to notify residents of the scheduled days the community office will be closed.

Mandatory Sick Leave

Update your employment manuals to provide for 3 days of sick leave for all employees including part-time employees.

HOPA Survey

This survey is taken in 55+ communities once every two years to comply with the Housing for Older Persons Act of 1995 (HOPA) and the 1999 rules for implementing that act provided by the Department of Housing and Urban Development. WMA has a HOPA survey form available free on our website and available to WMA Forms Online subscribers. To access the form on wma.org, login and go to wma.org/hopa.

Distribute CARE Information

From § 798.43.1 of the MRL:

The management of a master-meter park shall give written notice to homeowner and residents on or before February 1 of each year in their utility billing statements about assistance to low-income persons for utility costs available under the California Alternate Rates for Energy (CARE) program. The notice must:

- A. Disclose that CARE offers a discount on monthly gas or electric bills for qualifying low-income residents; and
- B. Includes the phone number of the serving utility which provides the CARE information and applications.
- C. The park shall also post the notice in a conspicuous place in the clubhouse, or if there is no clubhouse, in a conspicuous public place in the park.

WMA's *Notice of Utility Assistance to Low Income Persons* form covers these requirements.

Distribute Natural Gas Public Awareness Information

49 Code of Federal Regulations Part 192.616: Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's Recommended Practice 1162. If you operate your community's gas system, along with other responsibilities, you must provide a Public Awareness Message (PAM) to your residents. The initial PAM should include information relating to:

- A. General pipeline description and reliability information;
- B. Operation and maintenance of the system;
- C. Physical indications that a leak has occurred;
- D. What to do in the event of a leak;
- E. Emergency plan information;
- F. Accident prevention information; and
- G. On-call center information

WMA's **Master Meter System Public Awareness Message** form includes these requirements.

Post Utility Rates

From § 798.40 of the MRL:

The management of a master-meter park shall post, in a conspicuous place, the specific current residential utility rate schedule as published by the serving utility or the website address of the specific current residential utility rate schedule. If the management elects to post the Internet website address where the schedule may be accessed, the management shall also: (1) provide a copy of the specific current residential utility rate schedule, upon request, at no cost; and (2) state in the posting that a homeowner may request a copy of the rate schedule from management. Utility rate information is posted on the WMA website under Utilities and is accessible for WMA members. This rate information is updated monthly and contains all the tariffs and the links to the tariffs for the master-metered submetered electric and gas rates for the investor owned utilities.

Complete and File Form MHP-1

If you operate the natural gas system in your community, you must complete and file with the California Public Utilities Commission, form MHP-1. It is the Mobilehome Park Operator's Annual Report. Generally, the company that conducts your gas leak surveys will prepare and file this report.

MP 532 Fire Hydrant Test

See Title 25 § 1300 Fire Protection Standards for Parks: Parks built after September 1, 1968¹ are required to meet NFPA Standard 24, 1977 Edition. Below is a summary from §1317 of Title 25. Be sure to review this section in its entirety for more specific requirements and definitions.

Annual Test and Certification of Operation. Private fire hydrants shall be tested annually in order to determine that they are operational. Verification shall be submitted to the enforcement agency and to the fire agency responsible for fire suppression in the park. The annual hydrant operational test may be performed and verified by a park operator for the years between the five-year water flow tests. However, the five-year test and certification of water flow and the operational test performed at that time shall not be certified by the park operator.

Five-Year Test and Certification of Water Flow and Operational Test.

Private fire hydrants shall be tested and certified at least once every five years for minimum water. Certification shall be submitted to the enforcement agency and to the fire agency responsible for fire suppression in the park. The test results reported on the designated form shall only be certified by one of the following:

- A. The fire agency responsible for fire suppression in the park
- B. The local water supplier
- C. Licensed C-16 Fire Protection Contractor, or
- D. Licensed Fire Protection Engineer.

Schedule Backflow Prevention Device Test

The backflow prevention device is usually tested annually at the direction of the city or county cross-connection control department or health department. Failure to comply with testing requirements may result in the discontinuance of water service.

¹Parks with a permit to construct dated on or after July 7, 2004 are required to meet NFPA Standard 24, 1995 Edition.

Schedule Gas Leak Survey

If you operate the natural gas system in your community, you must conduct a leak survey frequently (we recommend annually). There are specialized contractors who possess the expertise and equipment required to perform the testing. A listing of the contractors are available on WMA's website under Service Providers.

Notice of Pesticide Use

Section 1940.5 of the Civil Code requires landlords who apply pesticide products to their properties, without the use of a licensed pest control operator, to provide tenants with 24 hour advanced written notification of the pests being treated, the product being used and basic health and safety information including symptoms to look for and phone numbers to local poison control centers. This notification applies to a dwelling unit, so rental mobilehomes would be covered, as well as the common area, unless the pest poses an immediate threat to health and safety. In such a case the notice would be required to be posted as soon as practicable, but not later than one hour after the pesticide is applied. WMA has prepared Notification Forms for the dwelling unit as well as the common area. Login and shop online at wma.org/shop-wma. They are also available to WMA Forms Online subscribers.

Notice of Flood Hazard Area or Area of Potential Flooding (July 2018)

For every lease or rental agreement for residential property entered into on or after July 1, 2018, the owner or person offering the property for rent must disclose to the tenant specified information pertaining to the risk of flooding.

COVID-19 Compliance

Comply with any federal, state and local requirements mandated due to Covid-19. Check covid19.ca.gov and your local government websites for updated mandates and restrictions.

2021 Checklist

This list is just suggestion of items to be considered in your preparations for the upcoming year and may not include all considerations for your community.

- Update of New Laws
- Distribute MRL OR Notice of Change to MRL
- Distribute Notice of Rights and Responsibilities
- Distribute Privacy Statement
- Distribute CARE Information
- Distribute Natural Gas Public Awareness Information
- Mandatory Sick Leave
- Order and Display Required Labor Law Posters

- HOPA Survey
- Post Utility Rates
- Complete and File Form MHP-1
- MP 532 Fire Hydrant Test
- Schedule Backflow Prevention Device Test
- Schedule Gas Leak Survey
- Notice of Pesticide Use
- Notice of Flood Hazard Area or Area of Potential Flooding (July 2018)

UPDATE:

- Residency Applications
- Rental Agreements
- Notices, Forms, and Manuals
- Information for Prospective Homeowner Form
- Rental Agreement Disclosure Form
- Update Employment Application
- Holiday Schedule