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RENEE DIAMOND
Administrator

**ASSEMBLY COMMITTEE ON COMMERCE AND LABOR
TESTIMONY AB 352 ON MARCH 26, 2003**

My name is Renee Diamond, Administrator of the Division of Manufactured Housing. I have a few observations and remarks on AB352.

Section 1., subsection 1. and 2. on page 1 can be accommodated on the new Division mandated Used Home Sales Contract form that was recently adopted through Regulation by the Division. This would require a new hearing to amend the contract, with its attendant costs of printing and mailing.

Subsection 3., the disclosure of last maintenance etc. could be a problem where a home has been acquired through lien sale or repossession and the previous owner might not be available for such information.

Subsection 4., requires disclosures of elements of construction or connection of a home built before 1975, to utilities that do not meet current standards required by statute at the time of sale. If the arbitrary date of 1975 was meant to include homes constructed before the Federal HUD Code went into effect the proper date is before June 15, 1976 the correct date the HUD construction code was adopted. I doubt whether landlord/sellers could be aware of construction standard issues from the pre HUD homes which is often difficult to access and, in any case, many of the elements of construction, although not the current standard, were the approved standard at the time the home was manufactured. Disclosure of substandard utility connections should probably apply to all homes sold in a park, not just those constructed at a pre HUD date.

As a final note I must point out that private party sales of homes in manufactured home communities represents a large number of sales. We can require those we regulate to make disclosures, but cannot regulate private party sales by owner. The majority of owner sales consist merely of an exchange of money and ownership certificate with no written contract.

ASSEMBLY COMMERCE & LABOR
DATE: 3/24/03 ROOM: 4100 EXHIBIT M
SUBMITTED BY: Renee Diamond