



CITY OF DALY CITY

333 – 90TH STREET
DALY CITY, CA 94015-1895
(650) 991-8061

August 18, 2023

Address: P.O. Box 2291
To: FRAC; Franciscan Residents Advisory Committee
From: Mario Sigala Chief Building Official / Building Supervisor

Subject: RE: Franciscan Mobile Home Park Inspections

Dear Franciscan Residents Advisory Committee (FRAC);

Thank you for your correspondence and inquiry letter. We appreciate FRAC working with the City of Daly City Building Division to ensure our Mobilehome Park Maintenance Inspections (MPM) run smoothly and are a success. I have provided an itemized response list below. For simplification, FRAC concerns are in *Italics*.

1. Daly City has not conducted Mobile Home Maintenance (MPM) inspections in the last 30 years.

Response: In 1993, pursuant to Daly City Municipal Code Chapter 15.54, the State Department of Housing and Community Development (HCD) delegated the responsibility for the enforcement of the Mobilehome Parks Act (MPA) to the City of Daly City. (Please See attached Chapter 15.54). Since that date, the City has assumed the responsibility for the enforcement of the MPA, which includes inspections and corrective actions for code enforcement actions. Although Daly City has not fulfilled its obligations to conduct MPM inspections for the last 30 years, Daly City Building Division along with the ECD Director have made a commitment to provide MPM inspections as required.

2. Application of Grandfather Provisions. The Application and Scope of provisions of the administrative regulations make clear that the inspection standards are to apply in accordance with statutes and regulations in effect on the date of the original construction. Many residents purchased homes that were inspected at the time of purchase, including but not limited to brand new installations, and these were never previously raised by Park Management or the City of Daly City.

Response: Daly City is responsible for the regulations outlined in the Mobilehome Parks Act (MPA). The park management does not have the authority to waive or approve rules under the MPA. The park management only offers advice and guidance. You are correct installations that were code compliant at the time of construction can remain so long as they are not altered other than for minor repairs. Building construction prior to 1998 can remain so long as it does not pose a major fire and life safety risk.

3. *Are the historical inspection records available for review?*

Response: Yes, we have records that are available at the Building Division counter at 333 90th Street. Our offices are open Mon-Thrus 8am to 5pm and Fridays 8am-12pm. You may also request a records request via the city attorney's office.

4. *Is there a process for residents to request that violations be reviewed to determine if they are grandfathered in under the applicable code section?*

Response: Yes, you can email the Building Official Mario Sigala at msigala@dalycity.org OR you may ask the inspector in the field. If the element appears to be before 1998 and is NOT an immediate risk to health and safety we will remove it from the correction list, as requested.

5. *We have received reports from residents who are being required to replace their wood support posts as they are considered combustible materials. However, 25 CCR 1428(h) allows "wood awning or carport support posts four (4) inches or greater in nominal thickness" to be located "up to a lot line." The remainder of the awning or carport must be composed of noncombustible material. Who should residents direct their inquiries to if they believe the notice of violation is erroneous?*

Response: You may inform the inspector in the field during the follow-up inspection. I have met with staff and informed them of the code provision. If the inspector does not permit the installation, you may email the Building Official at msigala@dalycity.org for reconsideration.

6. *Stairways – Handrails. We have received reports from residents who are being required to replace their handrails to provide for 4 inch space of intermediate vertical members. Could you clarify the legal basis of requiring residents to replace their handrails to comply with 4-inch spacing requirements? Also, please advise when such a provision was enacted for the purposes of determining whether a particular home's existing handrails are sufficient under the applicable grandfather provisions.*

Response: Daly City Municipal Code Chapter 15.54 gives the legal authority to enforce the Mobilehome Parks Act. The applicable code sections are 1502 Porch - Guards and 1504 Stairway-Handrails. Both sections reference the current California Residential Code to determine code compliance. The Department of Housing and Community Development HCD has created a handout to demonstrate code compliance. Please see handout, included in this letter. It is important to note that handrails increase safety when used by occupants while ascending and descending stairs. Handrails are used for guidance, stabilization, pulling and to assist in arresting a fall. Guards protect occupants from falling from elevated walking surfaces. Having said that, installations before 1998 will be allowed provided they are in safe working order and do not pose an immediate fall hazard.

7. *Inspection Process – Inconsistent Inspection Process, the inspectors are finding new violations. Is there legal authority for the reinspection to cite the resident for a completely new violation? Residents would like access to the legal authority for each code violation.*

Response: Daly City Municipal code Chapter 15.54 gives the legal authority to enforce the Mobilehome Parks Act. Inspections by Daly City Building inspectors shall not be construed to be an approval of a violation of the provisions of the Mobile Home Parks Act or of other ordinances of Daly City. All building inspectors act in good faith to discover all violations on their first inspection but in some cases limited access makes it difficult to complete their inspections. If an item is missed on the first inspection the inspector has the right to include that item on the follow-up inspection. If you believe that the inspector is not acting in good faith, contact the Building Official via email at msigala@dalycity.org or telephone at 650-991-8061.

8. *Please advise regarding the process for residents to submit hardship requests. Many elderly, low-income residents of older homes have received burdensome violation notices for which they need additional time and/or financial assistance. For instance, one of our elderly residents was informed she needed to replace the siding on her home. To whom in the City of Daly City should we direct our residents who seek hardship requests or financial assistance for required repairs/upgrades? Will extension requests be granted – particularly for repairs the Park Management has agreed to perform?*

Response: Daly City is closely working with the park management to address numerous correction items. If the only remaining items are those related to the Park Management, Daly City will pass the MPM inspection. As it relates to financing we encourage everyone to visit our dedicated mobilehome parks resource page at <https://www.dalycity.org/1093/Mobilehome-Parks-Program> . The homeowner may write a formal letter directed to the Building Official Mario Sigala to request **temporary** forgiveness of violations based on financial hardship.

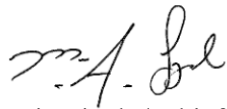
Should you have any additional questions please feel free to contact me.

Daly City Economic and Community Development may have housing and financial services available to you to assist. I have listed important contacts for you below:

Building Division: **650.991.8061**

Housing Assistance CORE Agency: **650-991-8077** or Dial **211**.

Thank You,



Mario Sigala | Chief Building Official / Building Supervisor



Tatum Mothershead | Economic and Community Director / Department Head

Attachments

1. Attachment 1: Daly City Municipal Code Chapter 15.54-Mobilehome Park Inspections
2. Attachment 2: HCD-Mobilehome EXT stairway details

[END]

ATTACHMENT 1

Chapter 15.54 - MOBILEHOME PARK INSPECTIONS

15.54.010 - Assumption of responsibilities.

Upon receiving authorization from the Department of Housing and Community Development of the state (hereinafter referred to as "HCD") and subject to the acceptance of reasonable conditions of approval, the city (hereinafter referred to as "city") shall assume responsibility for the enforcement of Division 13, Part 2.1 of the California Health and Safety Code and related administrative regulations (hereinafter collectively referred to as "Mobilehome Parks Act").

(Ord. 1171 § 2 (part), 1993)

15.54.020 - Delegation of authority.

Responsibility for enforcing the Mobilehome Parks Act upon its assumption from HCD, is delegated to the city's department of economic and community development.

(Ord. 1171 § 2 (part), 1993)

15.54.030 - Statement of qualifications.

In discharging its responsibilities, the city's department of economic and community development shall provide qualified personnel in the enforcement of the Mobilehome Parks Act. In this regard, the chief building inspector and at least one additional designated building inspector are designated as the department of economic and community development's authorized representatives for the purpose of enforcing the Mobilehome Parks Act.

(Ord. 1171 § 2 (part), 1993)

15.54.040 - Schedule of fees.

The schedule of fees applicable to the local enforcement and administration of the Mobilehome Parks Act is authorized for adoption, amendment and/or modification by resolution.

(Ord. 1171 § 2 (part), 1993)

15.54.050 - Statement of objectives.

- A. The statutory program and objectives set forth in the Mobilehome Parks Act are hereby adopted by the city. It is the purpose of the city to:
 1. Assure protection of the health, safety and general welfare of all park residents; and
 2. Allow modifications in regulations so adopted in a manner consistent with the Mobilehome Parks Act and companion administrative regulations.
- B. The only mobilehome park presently existing within the corporate limits of the city is "The Franciscan Country Club" located at 700 Hoffman Street, Daly City, California 94014, and encompasses five hundred one trailer spaces and several accessory structures. The Franciscan Country Club's occupancy and condition cannot be substantiated until after the city has been granted approval by HCD to assume responsibility for enforcing the Mobilehome Parks Act.

- C. The city's specific objectives in assuming statutory authority from HCD are to provide for timely and reliable enforcement of the Mobilehome Parks Act; to enforce state and local municipal code provisions regarding use, maintenance, occupancy and condition of property governed by the Act; and to protect public health, safety and welfare.
- D. Not later than thirty days from the effective date of assumption of enforcement as defined in Section 15.54.060 the city shall commence and thereafter diligently enforce the Mobilehome Parks Act as follows:
1. Review relevant files maintained by HCD and compare same with records on file with the city;
 2. Assimilate pertinent building standards of the state relevant to mobilehomes;
 3. Ascertain the status of all operating permits and their relationship to governing statutes;
 4. Obtain information on the status of trailer ownership and occupancy within the Franciscan Mobilehome Park;
 5. Set up a time for initial inspection of all mobilehome units in the Franciscan Country Club;
 6. Contact responsible parties and begin inspection of all mobilehome and recreational vehicle parks within the city;
 7. Issue notice of violation and, where appropriate, obtain compliance under operative statutes and local ordinances;
 8. Set up a time schedule for five-year reinspection and operating permit program;
 9. Investigate and resolve complaints as the need arises;
 10. Take all other actions as are deemed appropriate in furtherance of state and local regulations.

(Ord. 1171 § 2 (part), 1993)

15.54.060 - Effective date of assumption.

The effective date of assumption of enforcement responsibilities from HCD to the city shall be the earliest date upon which all of the following has transpired:

- A. Thirty days following the adoption of the ordinance codified in this chapter by the city council; and
- B. Thirty days following the city's transmittal of the ordinance codified in this chapter to HCD as provided in Section 15.54.070 below.
- C. When HCD approves the city's assumption of enforcement responsibilities and the city notifies HCD in writing of its acceptance of all conditions of approval, if any. In the event that written approval from HCD is not received by the city within forty-five days from the date which the ordinance codified in this chapter is transmitted to the state as provided in Section 15.54.070 below, the city's assumption of enforcement responsibilities shall be deemed to be unconditionally approved.

(Ord. 1171 § 2 (part), 1993)

15.54.070 - Transmittal of ordinance.

The city's director of economic and community development is instructed to transmit two certified copies of the ordinance codified in this chapter to the director of HCD and to the administrative office of the division of codes and standards within the ten days of the date of adoption which, in any event, shall not be later than thirty days before the effective date of assumption of enforcement responsibilities as defined in Section 15.54.060 above.

(Ord. 1171 § 2 (part), 1993)

15.54.080 - Inspection capability.

The city's capability to undertake mobilehome installation inspections to the satisfaction of HCD is demonstrated as follows:

- A. The city's building division of the department of economic and community development has established and thereafter operated concerted code enforcement programs for eighteen years encompassing systematic enforcement of state building regulations, Uniform Housing Code, Abatement of Dangerous Buildings Code, and the Daly City Municipal Code.
- B. The city's chief building inspector has over twenty years of construction experience, six of which entailed building inspection experience for county and municipal government in supervisory capacity, and is certified by the International Conference of Building Officials as a building and mechanical inspector and plans examiner, and by the Council of American Building Officials as a certified building official.
- C. The city's presently designated building inspector has over thirty-five years of construction experience, seven of which entailed building inspection experience as a peace officer for a county government.

(Ord. 1171 § 2 (part), 1993)

15.54.090 - Use of forms.

Daly City adopts and agrees to use all forms furnished by HCD for the purpose of enforcing the Mobilehome Parks Act, and companion administrative regulations, including the application for permit to operate, the permit to operate, and the statement of installation acceptance.

(Ord. 1171 § 2 (part), 1993)

15.54.100 - Permits to operate.

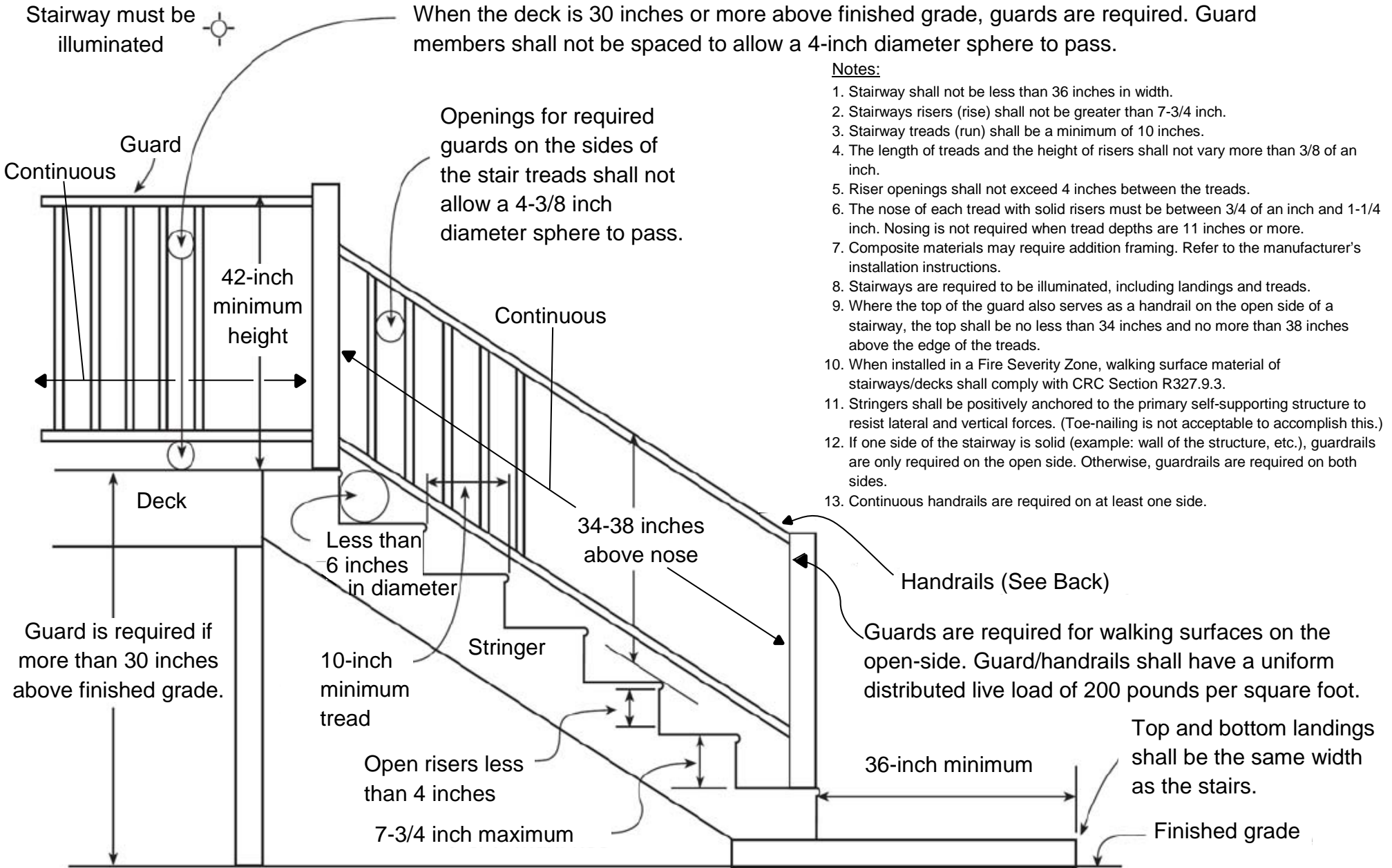
The city agrees to send a copy of all permits to operate to the Administrative Office of the Division of Codes and standards not later than the fifteenth of the month following the city's issuance of such permits.

(Ord. 1171 § 2 (part), 1993)

ATTACHMENT 2

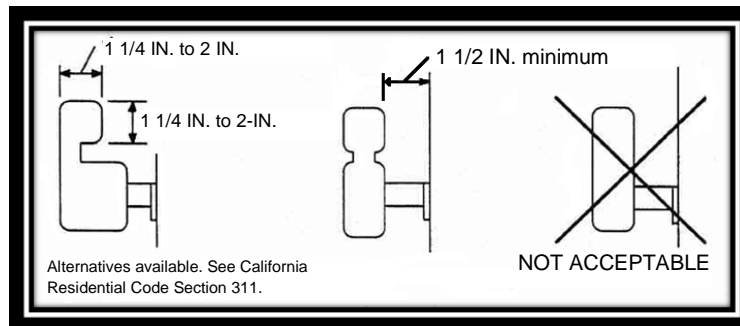


Department of Housing and Community Development
 Division of Codes and Standards
MOBILEHOME PARK – NEW EXTERIOR SELF-SUPPORTING STAIRWAY
 2013 CALIFORNIA RESIDENTIAL CODE (CRC)

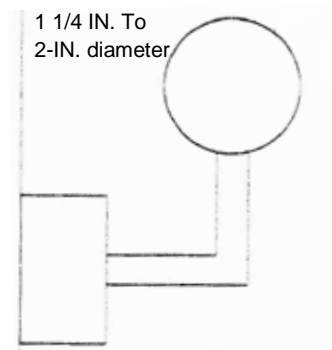


HANDRAILS

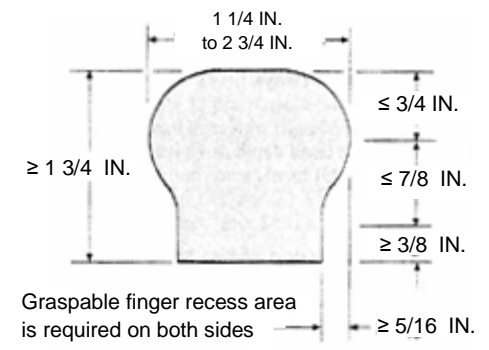
HANDRAIL GRIP EXAMPLES



Handrails are required on at least one side when stairways have four or more risers.



Type I (Circular)



Type II (Perimeter > 6 1/4 IN.)

CALIFORNIA RESIDENTIAL CODE – QUICK CODE REFERENCES

Exterior Stairway Illumination Requirements

Exterior stairway illumination* - Section R303.7

Glazing Adjacent to Stairways

Glazing adjacent to stairs* - Section R308.4.6

Glazing adjacent to the bottom stair landing* - Section R308.4.7

Guardrails

Guard requirements - Section R312.1

Where guards are required - Section R312.1.1

Guard height requirements* - Section R312.1.2

Opening limitations* - Section R312.1.3

Loads - Table R301.5

Handrails

Handrails - Section R311.7.8

Height* - Section R311.7.8.1

Continuity* - Section R311.7.8.2

Grip-size - Section R311.7.8.3

Loads - Table R301.5

Landings and Walking Surface

Landings for stairways* - Section R311.7.6

Stairway walking surface - Sections R311.7.7

Stairway Widths and Headroom

Stairway Width* - Section R311.7.1

Stairway Headroom* - Section R311.7.2

Stairway Treads, Risers and Nosing

Stair treads and risers - Section R311.7.5

Stair risers (rise)* - Section R311.7.5.1

Stair treads (run) - Section R311.7.5.2

Tread nosing* - Section R311.7.5.3

Attachment - Section R311.5.1

Wildland–Urban Interface (WUI) Area - Section R327.9.2

*Section includes exceptions.

A permit ([form HCD 50](#)) is required from HCD when a deck's landing exceeds 12 square feet and is in an HCD Mobilehome Park. [T25 CCR Section 1018\(d\)\(5\)](#).

Always refer to the actual and current text of applicable laws and regulations. The California Residential Code is available at www.bsc.ca.gov/codes. This document is not intended to be all-inclusive.

Unaltered existing stairways are subject to the requirements that were in effect during the original approval/installation.