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Mobilehome Residency Law and Attorney's Fees

Canyon View v. Lakeview Loan Servicing [December 4, 2019] is a case of interest for all mobilehome park owners throughout the state of California. This case holds that a park owner's enforcement of a warehouse lien under the MRL not only provides for good title to the home, but that a legal dispute about title is an action that arises under the MRL that allows for the recovery of attorney's fees pursuant to Civil Code section 798.85. The court stated:

"The MRL not only regulates the mobilehome park management-resident relationship, but also creates rights and duties for mobilehome owners, mobilehome management, lienholders, and third-party purchasers, beyond those related to landlord – tenant issues."

The appellate court noted that the Mobilehome Residency Law creates the right of a purchaser at an abandonment or warehouse lien sale to take title free of any prior interest, including any security interest or lien and that the buyer may, thereafter, enforce that right judicially. Since that right to take judicial action to enforce title arises under the MRL attorney's fees are to be awarded. This case is welcome news for park owners throughout the state seeking or needing to enforce their warehouse lien rights.

For any questions related to your Park's warehouse lien rights and the MRL, please contact one of the Hart King attorneys below. *Experience matters. We can help.*

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