

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 851 Session of  
1993

INTRODUCED BY D. R. WRIGHT, DeWEESE, VEON, ROONEY, DeLUCA,  
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MARCH 22, 1993

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
DECEMBER 8, 1993

## AN ACT

1 ~~Providing for dispute reconciliation in manufactured housing~~ <—  
2 ~~communities; establishing the Manufactured Housing Community~~  
3 ~~Commission and providing for its powers and duties;~~  
4 ~~conferring powers and duties on the Department of Community~~  
5 ~~Affairs; imposing fees on manufacturing housing communities;~~  
6 ~~establishing the Manufactured Housing Fund; and imposing~~  
7 ~~duties on the Legislative Reference Bureau.~~  
8 PROVIDING FOR THE ESTABLISHMENT OF A MANUFACTURED HOUSING <—  
9 OMBUDSMAN AND FIXING THE POWERS AND DUTIES OF THE OMBUDSMAN;  
10 ESTABLISHING THE MANUFACTURED HOUSING HEARING BOARD AND  
11 PROVIDING FOR ITS MEMBERSHIP, POWERS AND DUTIES; ESTABLISHING  
12 A RESTRICTED ACCOUNT; REQUIRING ALL PRINCIPAL OWNERS OF  
13 MANUFACTURED HOUSING COMMUNITIES LOCATED IN THIS COMMONWEALTH  
14 TO REGISTER ANNUALLY WITH THE DEPARTMENT OF COMMUNITY  
15 AFFAIRS; PROVIDING FOR PENALTIES; AND MAKING AN  
16 APPROPRIATION.

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15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 ~~Section 1. Short title.~~

<—

18 ~~This act shall be known and may be cited as the Manufactured~~  
19 ~~Housing Community Commission Act.~~

20 ~~Section 2. Legislative findings and purposes.~~

21 ~~The General Assembly finds and declares as follows:~~

22 ~~(1) The relationship between manufactured housing~~  
23 ~~communities and residents of the communities requires~~  
24 ~~conciliation and mediation.~~

25 ~~(2) Because of the unique nature of manufactured housing~~  
26 ~~and because disputes between residents and communities arise,~~  
27 ~~it is necessary to create a manufactured housing community~~  
28 ~~commission and designate an executive director to attempt to~~  
29 ~~resolve such disputes.~~

30 ~~Section 3. Definitions.~~

~~The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:~~

~~"Bureau."—The Bureau of Consumer Protection in the Office of Attorney General.~~

~~"Commission."—The Manufactured Housing Community Commission established in section 4.~~

~~"Department."—The Department of Community Affairs of the Commonwealth.~~

~~"Executive director."—The executive director of the Manufactured Housing Community Commission.~~

~~"Fund."—The Manufactured Housing Fund established in section 11.~~

~~"Manufactured home."—A structure, transportable in one or more sections, which, meets all of the following:~~

~~(1) Is built on a permanent chassis.~~

~~(2) Is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities.~~

~~(3) Either:~~

~~(i) is, in the traveling mode, eight body feet or more in width and 40 body feet or more in length and is, when erected on site, is 320 or more square feet; or~~

~~(ii) has on file a certification required by the United States Department of Housing and Urban Development and complies with the act of November 17, 1982 (P.L.676, No.192), known as the Manufactured Housing Construction and Safety Standards Authorization Act.~~

~~The term includes the plumbing, heating, air conditioning and electrical systems contained in the structure.~~

1       ~~"Manufactured housing community." A site, lot, field or~~  
2 ~~tract of land upon which ten or more manufactured homes are or~~  
3 ~~are intended to be located, regardless of whether or not a~~  
4 ~~charge is made for the accommodation.~~

5       ~~"Manufactured housing resident." An owner of a manufactured~~  
6 ~~home who leases or rents a manufactured housing site. The term~~  
7 ~~does not include a person who rents or leases a manufactured~~  
8 ~~home.~~

9       ~~"Manufactured housing site." A plot of ground within a~~  
10 ~~manufactured housing community designed for the accommodation of~~  
11 ~~one manufactured home.~~

12 ~~Section 4. Commission.~~

13       ~~(a) Establishment. There is created the Manufactured~~  
14 ~~Housing Community Commission as a departmental administrative~~  
15 ~~board in the department. The commission shall consist of ten~~  
16 ~~members, one of whom shall be the director of the bureau, and~~  
17 ~~one of whom shall be the Secretary of Community Affairs. The~~  
18 ~~remaining members must be residents of this Commonwealth for a~~  
19 ~~five year period immediately prior to appointment. Four members~~  
20 ~~must be professional members who are owners, operators or~~  
21 ~~managers of manufactured housing communities and who have been~~  
22 ~~actively engaged in that business for a period of at least five~~  
23 ~~years immediately preceding the appointment. Four members must~~  
24 ~~be public members who are owners of manufactured homes and who~~  
25 ~~have been residents of manufactured housing communities for a~~  
26 ~~period of at least five years immediately preceding the~~  
27 ~~appointment. No two professional or public members may be from~~  
28 ~~the same community or from communities under common control. The~~  
29 ~~commission shall be appointed by the Governor subject to the~~  
30 ~~consent of a majority of the members elected to the Senate. One~~

~~public and one professional member shall be recommended by the President pro tempore of the Senate, one professional and one public member shall be recommended by the Minority Leader of the Senate, one professional and one public member shall be recommended by the Speaker of the House of Representatives and one professional and one public member shall be recommended by the Minority Leader of the House of Representatives.~~

~~(b) Term of office. The professional and public members shall serve four year terms except as provided in subsection (c).~~

~~(c) Initial appointments. Within 90 days of the effective date of this act, from the recommendations submitted under subsection (a), the Governor shall nominate one professional and one public member to serve four year terms, one professional and one public member to serve three year terms, one professional and one public member to serve two year terms and one professional and one public member to serve one year terms.~~

~~(d) Continuation in office. Each professional and public member shall continue in office until a successor is appointed and qualified but not longer than six months after the expiration of the term. If a member dies, resigns or becomes disqualified during the term of office, a successor shall be appointed in the same way and with the same qualifications as set forth in this section and shall hold office for the unexpired portion of the term.~~

~~(e) Limit on terms. No professional or public member shall be eligible for appointment to serve more than two consecutive four year terms.~~

~~(f) Forfeiture of membership. A professional or public member who fails to attend three consecutive meetings shall~~

1 ~~forfeit membership unless the chairperson, upon written request~~  
2 ~~from the member, finds that the member should be excused from a~~  
3 ~~meeting because of illness or the death of a family member.~~

4 ~~(g) Compensation. Each professional and public member shall~~  
5 ~~receive per diem compensation at the rate of \$60 when actually~~  
6 ~~attending to the work of the commission. Members shall also~~  
7 ~~receive reasonable travel, hotel and other necessary expenses~~  
8 ~~incurred in the performance of their duties in accordance with~~  
9 ~~management directives on travel and subsistence.~~

10 ~~(h) Quorum. A majority of the members of the commission~~  
11 ~~constitutes a quorum. A member may not be counted as part of a~~  
12 ~~quorum or vote on any issue unless the member is physically in~~  
13 ~~attendance at the meeting.~~

14 ~~(i) Meeting. The commission shall meet at least four times~~  
15 ~~a year in Harrisburg. It may meet more often either in~~  
16 ~~Harrisburg or at other locations in this Commonwealth.~~

17 ~~(j) Operating procedures. The commission shall meet within~~  
18 ~~30 days after the appointment of its initial members and set up~~  
19 ~~operating procedures and forms for carrying out the purposes of~~  
20 ~~the act. It shall be the responsibility of the commission to~~  
21 ~~circulate these forms and educate the public on the requirements~~  
22 ~~of this act.~~

23 ~~(k) Election of officers. The commission shall elect~~  
24 ~~annually from its membership a chairperson, a vice chairperson~~  
25 ~~and a secretary.~~

26 ~~Section 5. Powers and duties of commission.~~

27 ~~The commission has the following powers and duties:~~

28 ~~(1) Appoint the executive director and supervise the~~  
29 ~~executive director's responsibilities.~~

30 ~~(2) Ensure that manufactured housing communities defray~~

~~the expenses of the commission and biennially renew payment of fees under section 10.~~

~~(3) Ensure that the executive director investigates, complaints by the bureau, the department or any other person.~~

~~(4) Administer and enforce and regulations promulgated under this act.~~

~~(5) Keep records of all proceedings in connection with the resolution of disputes under this act.~~

~~(6) Promulgate regulations to implement this act.~~

~~(7) Adopt forms.~~

~~Section 6. Executive director.~~

~~(a) Establishment. The executive director must be an attorney admitted to the bar of the Supreme Court of Pennsylvania. The executive director may not engage in any business, vocation or other employment involving manufactured housing; be a manufactured housing resident; have other interests involving manufactured housing; be a representative of a manufactured housing community or manufactured housing resident; or have any other interest inconsistent with official responsibilities.~~

~~(b) Appointment. The position of executive director shall be a full time position. The executive director shall be appointed by the commission under section 5(1).~~

~~(c) Compensation. The compensation of the executive director shall be fixed by the commission.~~

~~(d) Powers and duties. The executive director has the power and duty to investigate and resolve complaints and disputes among manufactured housing residents and owners or operators of manufactured housing communities concerning the following:~~

~~(1) Disputes over interpretation of the substantive~~

~~statutory provisions contained in the act of November 24,  
1976 (P.L.1176, No.261), known as the Mobile Home Park Rights  
Act.~~

~~(2) Disputes over the approval of a prospective  
purchaser of an existing manufactured home owned by a  
manufactured housing resident if the purchaser desires to  
have the home remain in the community.~~

~~(3) The reasonableness of rules and regulations adopted  
by the manufactured housing community under the Mobile Home  
Park Rights Act.~~

~~(4) Disputes over whether or not manufactured housing  
residents or manufactured housing communities are complying  
with this act or the Mobile Home Park Rights Act.~~

~~(c) Staff. The executive director shall work closely and  
cooperatively with the bureau and the department. In addition to  
staff support from one or both of these agencies, the commission  
may appoint attorneys as assistants and additional clerical,  
technical and professional staff as appropriate and may contract  
for additional services necessary to implement this act. The  
compensation of assistants and clerical, technical and  
professional staff shall be set by the commission. An assistant  
or other staff employee may not engage in any business, vocation  
or other employment involving manufactured housing; be a  
manufactured housing resident in a manufactured housing  
community; or have other interests involving manufactured  
housing inconsistent with official responsibilities.~~

~~Section 7. Disputes.~~

~~(a) Standing.~~

~~(1) A manufactured housing community which is aggrieved  
by an action of a manufactured housing resident alleged to be~~



1 ~~in violation of this act or the act of November 24, 1976~~  
2 ~~(P.L.1176, No.261), known as the Mobile Home Park Rights Act,~~  
3 ~~or regulations promulgated under either act may file an~~  
4 ~~administrative complaint in accordance with this section.~~

5 ~~(2) A manufactured housing resident who is aggrieved by~~  
6 ~~an action of a manufactured housing community or a~~  
7 ~~manufactured housing resident alleged to be in violation of~~  
8 ~~this act or the Mobile Home Park Rights Act, or regulations~~  
9 ~~promulgated under either act may file an administrative~~  
10 ~~complaint in accordance with this section.~~

11 ~~(b) Informal resolution. Prior to filing a complaint under~~  
12 ~~subsection (c), a prospective complainant must notify the~~  
13 ~~prospective respondent of the problem in writing. Proof of~~  
14 ~~receipt is required. If the problem is not resolved within 30~~  
15 ~~days of receipt of the notice, an action may proceed under~~  
16 ~~subsection (c).~~

17 ~~(c) Complaint. A complainant may file a complaint on a form~~  
18 ~~prescribed by the commission. The complaint must be accompanied~~  
19 ~~by a \$25 filing fee. The complaint shall contain all of the~~  
20 ~~following information:~~

21 ~~(1) The action of the respondent which is the subject of~~  
22 ~~the complaint.~~

23 ~~(2) The notarized signature of the complainant.~~

24 ~~(3) The address and telephone number of the complainant.~~

25 ~~(4) The name, address and telephone number of the~~  
26 ~~respondent.~~

27 ~~(5) A copy of the notice under subsection (b), with~~  
28 ~~proof of receipt.~~

29 ~~(d) Response. On receipt of the complaint, the executive~~  
30 ~~director shall review it for completeness and to determine~~

~~whether or not the dispute is subject to this act. If it is determined that the dispute is subject to this act, the executive director shall send to the respondent, by certified mail, return receipt requested, a copy of the complaint and a notice that a response is required within 30 days showing cause, if any, why the complaint should be dismissed. If the executive director determines that the dispute is not subject to this act, the executive director shall dismiss the complaint.~~

~~(e) Resolution. After reviewing the complaint and the response, the executive director shall within 30 days of receipt of the response, mediate the dispute to the satisfaction of the complainant and the respondent. If the dispute is not resolved, the executive director shall make a recommendation to the commission.~~

~~(f) Recommendation of executive director.~~

~~(1) The executive director may determine that there is no factual basis to support the complaint.~~

~~(2) If a complaint is substantiated, the executive director may recommend to the commission as to how to resolve the dispute. The executive director shall issue an order setting forth the appropriate action to be taken.~~

~~(g) Decision by commission. A decision by the executive director under subsection (f) shall be reviewed by the commission. The commission may, and upon motion of either party, shall, order a hearing. This subsection is subject to 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).~~

~~(h) Costs. If the complainant prevails, the complainant may recover the filing fee under subsection (c).~~

1 ~~Section 8. Public access.~~

2 ~~There shall be a toll free telephone number established by~~  
3 ~~the commission for public use regarding inquiries on the~~  
4 ~~services available from the commission.~~

5 ~~Section 9. Resident notification.~~

6 ~~Any manufactured housing community, within 30 days of the~~  
7 ~~effective date of this section, shall make available to its~~  
8 ~~manufactured housing residents a copy of this act and shall~~  
9 ~~maintain a copy of this act at a convenient location within the~~  
10 ~~manufactured housing community. A new manufactured housing~~  
11 ~~resident shall be provided with a copy of this act by the~~  
12 ~~manufactured housing community at the time the residence begins.~~

13 ~~Section 10. Fees.~~

14 ~~(a) Imposition and increase. All fees established under~~  
15 ~~this act shall be fixed by the commission by regulation. The~~  
16 ~~fees for each manufactured housing community shall be \$1 per~~  
17 ~~site, with a minimum fee of \$50 per manufactured housing~~  
18 ~~community and a maximum of \$300 per manufactured housing~~  
19 ~~community. If the revenues raised by fees imposed under this act~~  
20 ~~are not sufficient to meet expenditures over a two year period,~~  
21 ~~the commission shall increase those fees so that the projected~~  
22 ~~revenues will meet or exceed projected expenditures.~~

23 ~~(b) Additional increases. If the department determines that~~  
24 ~~the fees established by the commission under subsection (a) are~~  
25 ~~inadequate to meet the minimum enforcement efforts required by~~  
26 ~~this act, then the department, after consultation with the~~  
27 ~~commission shall increase the fees by regulation in an amount to~~  
28 ~~insure that adequate revenues are raised to meet the required~~  
29 ~~enforcement effort.~~

30 ~~(c) Enforcement of fees. If a manufactured housing~~

~~community does not pay a fee under this section, the commission shall send by certified mail an order to pay the fee within 30 days of the date of the order. Upon failure to respond to the order, the commission shall order the manufactured housing residents of that community to pay their rent directly to the commission. Rents so paid shall be placed in a separate escrow account. Within 30 days of the date when fees required by this act are paid, the money in escrow shall be released and paid over to the manufactured housing community.~~

~~Section 11. Fund.~~

~~(a) Establishment. The Manufactured Housing Fund is established as a special fund in the State Treasury.~~

~~(b) Source. The source of the fund shall be fees under sections 7(c) and 10.~~

~~(c) Administration. The commission shall administer the fund to implement this act. When the commission determines that the fund contains sufficient money to begin complete implementation of this act, it shall transmit notice of that fact to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.~~

~~Section 12. Effective date.~~

~~This act shall take effect as follows:~~

~~(1) Sections 7 through 9 of this act shall take effect upon publication of the notice under section 11(c).~~

~~(2) The remainder of this act shall take effect in 60 days.~~

SECTION 1. SHORT TITLE.

THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE MANUFACTURED HOUSING OMBUDSMAN AND HEARING BOARD ACT.

SECTION 2. LEGISLATIVE PURPOSE.

1       AN INCREASING NUMBER OF CITIZENS OF THIS COMMONWEALTH LIVE IN  
2 MANUFACTURED HOMES, AND MANY OF THESE CITIZENS RESIDE IN  
3 MANUFACTURED HOUSING COMMUNITIES. BECAUSE OF THE GROWING NUMBER  
4 OF PROBLEMS AND COMPLAINTS DEALING WITH VARIOUS ASPECTS OF  
5 LIVING IN MANUFACTURED HOUSING COMMUNITIES AND BECAUSE OF THE  
6 UNIQUE NATURE OF MANUFACTURED HOUSING AND THE DIFFICULTY IN  
7 RELOCATING MANUFACTURED HOUSING, IT IS NECESSARY TO DESIGNATE A  
8 MANUFACTURED HOUSING OMBUDSMAN AND MANUFACTURED HOUSING HEARING  
9 BOARD TO RESOLVE THE PROBLEMS AND COMPLAINTS INVOLVING RESIDENTS  
10 AND OWNERS OF MANUFACTURED HOUSING COMMUNITIES. IN ADDITION, THE  
11 CREATION OF THE MANUFACTURED HOUSING OMBUDSMAN WILL ASSIST IN A  
12 MORE EQUITABLE AND EXPEDITIOUS IMPLEMENTATION OF THE ACT OF  
13 NOVEMBER 24, 1976 (P.L.1176, NO.261), KNOWN AS THE MOBILE HOME  
14 PARK RIGHTS ACT.

15       SECTION 3.   DEFINITIONS.

16       THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
17 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
18 CONTEXT CLEARLY INDICATES OTHERWISE:

19       "BOARD."   THE MANUFACTURED HOUSING HEARING BOARD ESTABLISHED  
20 UNDER SECTION 4.

21       "COMPARABLE MANUFACTURED HOUSING COMMUNITY."   A MANUFACTURED  
22 HOUSING COMMUNITY WITH SIMILAR FACILITIES, SERVICES, AMENITIES  
23 AND MANAGEMENT.

24       "DEPARTMENT."   THE DEPARTMENT OF COMMUNITY AFFAIRS OF THE  
25 COMMONWEALTH.

26       "MANUFACTURED HOME."   A TRANSPORTABLE SINGLE-FAMILY DWELLING  
27 UNIT CONTAINING PLUMBING, HEATING AND/OR COOLING AND ELECTRICAL  
28 SYSTEMS INTENDED FOR PERMANENT OCCUPANCY CONSTRUCTED AS A SINGLE  
29 UNIT OR AS TWO OR MORE UNITS DESIGNED TO BE JOINED INTO ONE  
30 INTEGRAL UNIT WHICH IS BUILT ON A PERMANENT CHASSIS AND DESIGNED

1 TO BE USED AS A DWELLING WITH OR WITHOUT A PERMANENT FOUNDATION  
2 WHEN CONNECTED TO THE REQUIRED UTILITIES.

3 "MANUFACTURED HOUSING." A TRANSPORTABLE, SINGLE-FAMILY  
4 DWELLING UNIT WHICH CONTAINS PLUMBING, HEATING AND/OR COOLING  
5 AND ELECTRICAL SYSTEMS INTENDED FOR PERMANENT OCCUPANCY, IS  
6 CONSTRUCTED AS A SINGLE UNIT OR AS TWO OR MORE UNITS DESIGNED TO  
7 BE JOINED INTO ONE INTEGRAL UNIT, IS BUILT ON A PERMANENT  
8 CHASSIS AND IS DESIGNED TO BE USED AS A DWELLING WITH OR WITHOUT  
9 A PERMANENT FOUNDATION WHEN CONNECTED TO THE REQUIRED UTILITIES.

10 "MANUFACTURED HOUSING COMMUNITY." A SITE, LOT, FIELD OR  
11 TRACT OF LAND, PRIVATELY OR PUBLICLY OWNED OR OPERATED, UPON  
12 WHICH THREE OR MORE MANUFACTURED HOMES, OCCUPIED FOR DWELLING OR  
13 SLEEPING PURPOSES, ARE OR ARE INTENDED TO BE LOCATED, REGARDLESS  
14 OF WHETHER OR NOT A CHARGE IS MADE FOR SUCH ACCOMMODATION.

15 "MANUFACTURED HOUSING RESIDENT." AN OWNER OF A MANUFACTURED  
16 HOME WHO LEASES OR RENTS SPACE IN A MANUFACTURED HOUSING  
17 COMMUNITY. THE TERM DOES NOT INCLUDE A PERSON WHO RENTS OR  
18 LEASES A MANUFACTURED HOME.

19 "OMBUDSMAN." THE MANUFACTURED HOUSING OMBUDSMAN ESTABLISHED  
20 UNDER SECTION 5.

21 "PRINCIPAL OWNER." A PERSON HAVING MAJORITY OR CONTROLLING  
22 INTEREST IN ANY SITE, LOT, FIELD OR TRACT OF LAND UPON WHICH A  
23 MANUFACTURED HOUSING COMMUNITY IS ESTABLISHED OR IS INTENDED TO  
24 BE LOCATED.

25 "RESPONDENT." THE PERSON AGAINST WHOM THE ORIGINAL COMPLAINT  
26 IS DIRECTED.

27 "SECRETARY." THE SECRETARY OF COMMUNITY AFFAIRS OF THE  
28 COMMONWEALTH.

29 "UNREASONABLE." NOT FAIR, PROPER, JUST, MODERATE OR SUITABLE  
30 UNDER THE CIRCUMSTANCES OR FIT OR APPROPRIATE TO THE END IN

1 VIEW.

2 SECTION 4. MANUFACTURED HOUSING HEARING BOARD.

3 (A) ESTABLISHMENT.--THE MANUFACTURED HOUSING HEARING BOARD  
4 IS ESTABLISHED AS AN INDEPENDENT QUASI-JUDICIAL AGENCY.

5 (B) MEMBERS.--THE BOARD SHALL CONSIST OF SEVEN MEMBERS. TWO  
6 MEMBERS SHALL BE MEMBERS OF THE PENNSYLVANIA MANUFACTURED  
7 HOUSING ASSOCIATION; TWO MEMBERS SHALL BE MEMBERS OF THE  
8 PENNSYLVANIA MANUFACTURED HOME OWNERS OF AMERICA, INC.; ONE  
9 MEMBER SHALL BE THE ATTORNEY GENERAL OR HIS OR HER DESIGNEE; ONE  
10 MEMBER SHALL BE THE SECRETARY OF THE DEPARTMENT OF COMMUNITY  
11 AFFAIRS OR HIS OR HER DESIGNEE; AND ONE MEMBER SHALL BE THE  
12 SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES OR HIS OR  
13 HER DESIGNEE. THE GOVERNOR SHALL APPOINT TWO MEMBERS OF THE  
14 PENNSYLVANIA MANUFACTURED HOUSING ASSOCIATION AND TWO MEMBERS OF  
15 THE PENNSYLVANIA MANUFACTURED HOME OWNERS OF AMERICA, INC. FROM  
16 A LIST OF THREE NAMES SUBMITTED BY EACH ORGANIZATION TO THE  
17 GOVERNOR.

18 (C) CHAIRMAN.--THE BOARD SHALL DESIGNATE ONE MEMBER OF THE  
19 BOARD TO SERVE AS CHAIRMAN.

20 (D) TERMS.--A MEMBER OF THE BOARD SHALL SERVE FOR A TERM OF  
21 FIVE YEARS OR UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIED  
22 WITHIN SIX MONTHS OF THE EXPIRATION OF THE ORIGINAL TERM. BOARD  
23 MEMBERS MAY BE REAPPOINTED TO ONE ADDITIONAL TERM.

24 (E) COMPENSATION.--BOARD MEMBERS SHALL RECEIVE A DAILY PER  
25 DIEM OF \$60. IN ADDITION, ALL MEMBERS SHALL BE REIMBURSED FOR  
26 ACTUAL AND REASONABLE EXPENSES FOR TRAVEL, LODGING AND MEALS  
27 INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

28 (F) MEETINGS.--THE BOARD SHALL MEET EVERY 60 DAYS OR AS  
29 OFTEN AS IS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ACT,  
30 AND THE MEETINGS MAY BE ROTATED BETWEEN PITTSBURGH,

1 PHILADELPHIA, SCRANTON AND HARRISBURG AS FEASIBLE TO FACILITATE  
2 THE ATTENDANCE OF THOSE HAVING APPEALS PENDING BEFORE THE BOARD.

3 (G) ADMINISTRATIVE DECISIONS.--THE BOARD SHALL ASSIST THE  
4 MANUFACTURED HOUSING OMBUDSMAN WITH RESPECT TO DECIDING THE NEED  
5 FOR AND LOCATION OF FIELD OFFICES, WHICH MAY INCLUDE, IF SPACE  
6 IS AVAILABLE, LOCATION WITHIN THE CURRENT REGIONAL OFFICES OF  
7 THE ATTORNEY GENERAL'S OFFICE OR STATE HUMAN RELATIONS  
8 COMMISSION.

9 SECTION 5. MANUFACTURED HOUSING OMBUDSMAN.

10 (A) ESTABLISHMENT.--THERE IS HEREBY ESTABLISHED, UNDER THE  
11 GOVERNOR'S OFFICE, THE MANUFACTURED HOUSING OMBUDSMAN TO  
12 INVESTIGATE AND RESOLVE COMPLAINTS AND DISPUTES INVOLVING  
13 MANUFACTURED HOUSING.

14 (B) APPOINTMENT.--THE POSITION OF OMBUDSMAN SHALL BE A FULL-  
15 TIME POSITION. THE OMBUDSMAN SHALL BE APPOINTED BY THE BOARD.

16 (C) COMPENSATION.--THE COMPENSATION OF THE OMBUDSMAN SHALL  
17 BE FIXED BY THE BOARD BUT IN NO CASE SHALL IT EXCEED THE AVERAGE  
18 ANNUAL COMPENSATION PAID TO ALL CABINET SECRETARIES.

19 (D) POWERS AND DUTIES.--THE OMBUDSMAN SHALL HAVE THE  
20 FOLLOWING POWERS AND DUTIES:

21 (1) (I) TO INVESTIGATE AND RESOLVE COMPLAINTS AND  
22 DISPUTES BETWEEN RESIDENTS AND COMMUNITY OWNERS RELATED  
23 TO MANUFACTURED HOUSING CONCERNING THE FOLLOWING:

24 (A) DISPUTES OVER THE INTERPRETATION OF  
25 PROVISIONS CONTAINED IN THE ACT OF NOVEMBER 24, 1976  
26 (P.L.1176, NO.261), KNOWN AS THE MOBILE HOME PARK  
27 RIGHTS ACT.

28 (B) DISPUTES OVER THE APPROVAL OF A PROSPECTIVE  
29 PURCHASER OF AN EXISTING MANUFACTURED HOME OWNED BY A  
30 RESIDENT.



1 (C) THE REASONABLENESS OF RULES AND REGULATIONS  
2 PROMULGATED BY MANUFACTURED HOUSING COMMUNITY OWNERS  
3 PURSUANT TO THE MOBILE HOME PARK RIGHTS ACT.

4 (D) ENVIRONMENTAL CONCERNS, INCLUDING, BUT NOT  
5 LIMITED TO, THE PROVISION OF SAFE DRINKING WATER AND  
6 PROPER SEWAGE DISPOSAL.

7 (E) INTERPRETATION OF PROVISIONS OF LEASE  
8 AGREEMENTS.

9 (F) THE REASONABLENESS OF PENDING EVICTION  
10 PROCEDURES.

11 (II) THE DECISION OF THE OMBUDSMAN SHALL BE FINAL  
12 AND BINDING ON ALL PARTIES UNLESS APPEALED TO THE BOARD  
13 AS PROVIDED FOR IN SECTION 7. ONCE AN INVESTIGATION HAS  
14 BEEN INITIATED BY THE OMBUDSMAN CONCERNING A COMPLAINT  
15 FILED, RULE OR REGULATION OR EVICTION PROCEEDING SHALL BE  
16 STAYED PENDING A FINAL DECISION BY THE OMBUDSMAN. IF THE  
17 OMBUDSMAN DETERMINES THAT AN EXISTING OR PROPOSED RULE OR  
18 REGULATION PROMULGATED BY THE OWNER OR MANAGER OF A  
19 MANUFACTURED HOUSING COMMUNITY IS UNREASONABLE, THE RULE  
20 OR REGULATION SHALL BE RESCINDED. COPIES OF ALL DECISIONS  
21 OF THE OMBUDSMAN SHALL BE FORWARDED TO THE OFFICE OF  
22 ATTORNEY GENERAL.

23 (2) TO INITIATE ANY LEGAL PROCEEDING BEFORE ANY FEDERAL,  
24 STATE OR COUNTY COURT NECESSARY TO PROTECT THE RIGHTS OF  
25 MANUFACTURED HOUSING RESIDENTS OR COMMUNITY OWNERS AND TO  
26 REPRESENT THE RESIDENTS AND OR COMMUNITY OWNERS BEFORE THE  
27 COURT IN ANY SUCH PROCEEDING.

28 (3) TO INITIATE ANY PROCEEDING BEFORE ANY FEDERAL, STATE  
29 OR LOCAL AGENCY NECESSARY TO PROTECT THE RIGHTS OF  
30 MANUFACTURED HOUSING RESIDENTS OR COMMUNITY OWNERS AND TO

1 REPRESENT THE RESIDENTS AND/OR COMMUNITY OWNERS IN ANY SUCH  
2 PROCEEDINGS.

3 (4) (I) TO DISSEMINATE NECESSARY INFORMATION TO THE  
4 PUBLIC CONCERNING INFORMATION THEY SHOULD REVIEW PRIOR TO  
5 THE PURCHASE OF MANUFACTURED HOUSING OR LEASING SPACE IN  
6 A MANUFACTURED COMMUNITY. THIS SHALL INCLUDE, BUT SHALL  
7 NOT BE LIMITED TO, THE PREPARATION OF A BRIEF STATEMENT  
8 TITLED "IMPORTANT INFORMATION FOR A PROSPECTIVE PURCHASER  
9 OF MANUFACTURED HOUSING OR LESSEE IN MANUFACTURED HOUSING  
10 COMMUNITY." FOLLOWING THE TITLE SHALL APPEAR A BRIEF  
11 SUMMARY OF THE KEY FACTS OF WHICH ANYONE CONTEMPLATING  
12 PURCHASING A MANUFACTURED HOME OR LEASING SPACE IN A  
13 MANUFACTURED HOUSING COMMUNITY SHOULD BE AWARE. THE  
14 NOTICE, INCLUDING THE TITLE, SHALL BE IN TEN-POINT  
15 BOLDFACE PRINT AND SIGNS AND VISUAL SYMBOLS SHALL BE USED  
16 AS APPROPRIATE TO FACILITATE THE UNDERSTANDING OF THE  
17 INFORMATION BY READERS. A COPY OF THE STATEMENT SHALL BE  
18 PROVIDED BY:

19 (A) MANUFACTURED HOUSING DEALERS OR OTHERS  
20 LICENSED IN THIS COMMONWEALTH UNDER THE ACT OF  
21 DECEMBER 22, 1983 (P.L.306, NO.84), KNOWN AS THE  
22 BOARD OF VEHICLES ACT, TO A PROSPECTIVE PURCHASER OF  
23 A NEW MANUFACTURED HOME AT LEAST 48 HOURS BEFORE THE  
24 PURCHASER SIGNS AN AGREEMENT OF SALE.

25 (B) ANYONE LICENSED UNDER THE BOARD OF VEHICLES  
26 ACT, OR ANY REAL ESTATE SALESPERSON OR BROKER  
27 LICENSED UNDER THE ACT OF FEBRUARY 19, 1980 (P.L.15,  
28 NO.9), KNOWN AS THE REAL ESTATE LICENSING AND  
29 REGISTRATION ACT, TO A PROSPECTIVE PURCHASER OF A  
30 PRE-OWNED MANUFACTURED HOME AT LEAST 48 HOURS BEFORE

1 THE PURCHASER SIGNS AN AGREEMENT OF SALE.

2 (C) MANUFACTURED HOUSING COMMUNITY OWNERS OR  
3 MANAGERS, TO A PROSPECTIVE LESSEE AT LEAST 48 HOURS  
4 BEFORE THE LESSEE SIGNS A LEASE FOR SPACE IN A  
5 MANUFACTURED HOUSING COMMUNITY OPERATED IN THIS  
6 COMMONWEALTH.

7 (II) THE OMBUDSMAN SHALL, WITHIN 90 DAYS OF THE  
8 EFFECTIVE DATE OF THIS ACT, FORWARD A COPY OF THE  
9 STATEMENT UNDER SUBPARAGRAPH (I) TO ANYONE LICENSED TO  
10 SELL MANUFACTURED HOUSING IN THIS COMMONWEALTH, AS WELL  
11 AS TO ALL OWNERS OR MANAGERS OF MANUFACTURED HOUSING  
12 COMMUNITIES, ALONG WITH A COPY OF THIS ACT AND A NOTICE  
13 OF THEIR RESPONSIBILITIES PURSUANT TO THIS SECTION.

14 FAILURE TO RECEIVE A COPY OF THIS ACT AND NOTIFICATION  
15 FROM THE OMBUDSMAN, AS REQUIRED BY THIS SECTION, SHALL  
16 NOT RELIEVE ANYONE OF HIS RESPONSIBILITIES UNDER THIS  
17 SECTION.

18 (5) TO EDUCATE THE PUBLIC CONCERNING THE POWERS AND  
19 DUTIES OF THE OMBUDSMAN AND THE SERVICES AVAILABLE.

20 (E) STAFF.--THE OMBUDSMAN SHALL WORK CLOSELY AND  
21 COOPERATIVELY WITH THE OFFICE OF ATTORNEY GENERAL, AND, IN  
22 ADDITION TO STAFF SUPPORT FROM THE OFFICE OF GENERAL COUNSEL,  
23 THE HUMAN RELATIONS COMMISSION AND OTHER APPROPRIATE STATE  
24 AGENCIES, INCLUDING THE OFFICE OF ATTORNEY GENERAL, THE BOARD  
25 MAY APPOINT ATTORNEYS AS ASSISTANTS AND SUCH ADDITIONAL  
26 CLERICAL, TECHNICAL AND PROFESSIONAL STAFF AS MAY BE APPROPRIATE  
27 AND MAY CONTRACT FOR SUCH ADDITIONAL SERVICES AS ARE NECESSARY  
28 TO IMPLEMENT THE PROVISIONS OF THIS ACT. THE COMPENSATION OF  
29 ASSISTANTS AND CLERICAL, TECHNICAL AND PROFESSIONAL STAFF SHALL  
30 BE SET BY THE BOARD. AN ASSISTANT OR OTHER STAFF EMPLOYEE SHALL

1 NOT, WHILE SERVING IN SUCH POSITION, ENGAGE IN ANY BUSINESS,  
2 VOCATION OR OTHER EMPLOYMENT INVOLVING MANUFACTURED HOUSING OR  
3 HAVE OTHER INTERESTS INVOLVING MANUFACTURED HOUSING INCONSISTENT  
4 WITH HIS OFFICIAL RESPONSIBILITIES.

5 SECTION 6. INFORMAL DISPOSITION BEFORE OMBUDSMAN.

6 (A) GENERAL RULE.--A PERSON WHO RENTS OR OWNS MANUFACTURED  
7 HOUSING WHICH IS LOCATED ON LAND IN A MANUFACTURED HOUSING  
8 COMMUNITY FOR WHICH A GROUND RENTAL FEE IS PAID, OR ANY OWNER OR  
9 MANAGER OF A MANUFACTURED HOUSING COMMUNITY, MAY CONTACT THE  
10 OMBUDSMAN TO INVESTIGATE HIS COMPLAINT.

11 (B) COMPLAINT FORM.--THE OMBUDSMAN SHALL PREPARE A  
12 STANDARDIZED COMPLAINT FORM TO BE USED BY AN INDIVIDUAL OR GROUP  
13 OF INDIVIDUALS FILING A COMPLAINT. THERE SHALL BE NO CHARGE TO  
14 FILE A COMPLAINT WITH THE OMBUDSMAN. THE FORM SHALL INCLUDE, BUT  
15 SHALL NOT BE LIMITED TO:

16 (1) A LIST OF THE COMPLAINTS.

17 (2) THE NOTARIZED SIGNATURE OF THE INDIVIDUAL OR  
18 INDIVIDUALS FILING THE COMPLAINT.

19 (3) THE ADDRESS AND TELEPHONE NUMBER OF THE INDIVIDUAL  
20 OR INDIVIDUALS FILING THE COMPLAINT.

21 (4) THE NAME, ADDRESS AND TELEPHONE NUMBER OF ALL  
22 PARTIES INVOLVED IN THE COMPLAINT.

23 (C) RESPONSE.--ON RECEIPT OF THE COMPLAINT FORM, THE  
24 OMBUDSMAN SHALL SEND TO THE NAMED RESPONDENT, BY CERTIFIED MAIL,  
25 A COPY OF THE COMPLAINT, ALONG WITH A NOTICE THAT A RESPONSE IS  
26 REQUIRED SHOWING CAUSE, IF ANY, WHY THE COMPLAINT SHOULD BE  
27 DISMISSED.

28 (D) REVIEW.--AFTER REVIEWING THE COMPLAINT AND RESPONSE, THE  
29 OMBUDSMAN OR HIS STAFF SHALL PROMPTLY INVESTIGATE THE COMPLAINT  
30 AND TRY TO MEDIATE THE DISPUTE. THE OMBUDSMAN SHALL RENDER A

1 DECISION ON ALL COMPLAINTS FILED WITHIN 30 DAYS OF RECEIPT OF  
2 THE COMPLAINT.

3 (E) DECISION OF OMBUDSMAN.--

4 (1) THE OMBUDSMAN, AFTER THE INVESTIGATION OF A  
5 COMPLAINT, MAY DETERMINE THAT THERE IS NO FACTUAL BASIS TO  
6 SUPPORT THE COMPLAINT AND SHALL SO NOTIFY ALL PARTIES.

7 (2) IF A COMPLAINT IS SUBSTANTIATED, THE OMBUDSMAN MAY  
8 MAKE A RECOMMENDATION, WITH RESPECT TO RESOLVING THE DISPUTE,  
9 TO WHICH ALL PARTIES MAY VOLUNTARILY AGREE.

10 (3) IN THE ABSENCE OF THE VOLUNTARY ACCEPTANCE OF THE  
11 RECOMMENDATIONS OF THE OMBUDSMAN BY ALL PARTIES TO RESOLVE A  
12 DISPUTE WHEN A COMPLAINT IS SUBSTANTIATED, THE OMBUDSMAN  
13 SHALL ISSUE AN ORDER SETTING FORTH THE APPROPRIATE ACTIONS TO  
14 BE TAKEN BY ALL PARTIES TO THE DISPUTE. THIS ORDER SHALL HAVE  
15 THE EFFECT OF LAW, AND THE OMBUDSMAN MAY GO TO COURT TO  
16 ENFORCE THE ORDER, PROVIDED THE ORDER IS NOT OVERTURNED BY  
17 THE BOARD ON APPEAL.

18 (F) APPEAL TO BOARD.--IF AGGRIEVED BY THE DECISION OF THE  
19 OMBUDSMAN, THE INDIVIDUAL OR INDIVIDUALS FILING THE COMPLAINT,  
20 OR THE RESPONDENT, MAY APPEAL THE ORDER OF THE OMBUDSMAN TO THE  
21 BOARD.

22 SECTION 7. PETITION FOR HEARING.

23 (A) FORM.--THE OMBUDSMAN SHALL PREPARE A STANDARDIZED  
24 PETITION FORM TO BE USED BY AN INDIVIDUAL OR INDIVIDUALS WHO  
25 WISH TO APPEAL AN ORDER OF THE OMBUDSMAN TO THE BOARD.

26 (B) FEE.--A FILING FEE OF \$200 SHALL ACCOMPANY EACH PETITION  
27 FILED WITH THE OMBUDSMAN FOR A HEARING BEFORE THE BOARD. IF THE  
28 BOARD FINDS IN FAVOR OF THE ORIGINAL PARTY OR PARTIES FILING THE  
29 COMPLAINT, THE RESPONDENT SHALL BE RESPONSIBLE FOR THE PAYMENT  
30 OF THE REQUIRED \$200 FILING FEE.

1 SECTION 8. HEARING PROCEDURE BEFORE BOARD.

2 (A) GENERAL RULE.--UPON RECEIVING A PETITION FOR A HEARING  
3 AND THE ACCOMPANYING FILING FEE, THE CHAIRMAN OF THE BOARD SHALL  
4 SET A TIME AND PLACE FOR A HEARING AND SHALL GIVE THE PARTIES  
5 REASONABLE NOTICE OF THE DATE, TIME AND LOCATION OF THE HEARING.  
6 A NOTICE OF EACH HEARING SHALL ALSO BE PROVIDED TO THE OFFICE OF  
7 ATTORNEY GENERAL.

8 (B) PROCEEDINGS.--ALL HEARINGS SHALL BE CONDUCTED UNDER 2  
9 PA.C.S. CH. 5 (RELATING TO PRACTICE AND PROCEDURE). EITHER PARTY  
10 TO A HEARING MAY PRESENT WITNESSES ON HIS BEHALF, IN PERSON OR  
11 BY DEPOSITION, ON MAKING A REQUEST TO THE BOARD AND DESIGNATING  
12 THE PERSON OR PERSONS, AS WELL AS RECORDS AND PAPERS, REQUESTED  
13 TO BE SUBPOENAED, AND MAY REQUEST THAT A WRITTEN TRANSCRIPT OF  
14 THE HEARING BE TAKEN AND MADE UPON PAYMENT OF THE COST OF THE  
15 TRANSCRIPT. SUBPOENAS MAY BE ENFORCED IN COMMONWEALTH COURT,  
16 WHICH, AFTER A HEARING, MAY JUDGE IN CONTEMPT OR MAKE ANOTHER  
17 APPROPRIATE ORDER. FOR THE PURPOSE OF THE HEARING, THE BOARD HAS  
18 THE POWERS VESTED IN THE OFFICERS BY SECTION 502 OF THE ACT OF  
19 APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE  
20 CODE OF 1929, WHICH SECURES THE POWER TO INSPECT, EXAMINE,  
21 SECURE DATA OR INFORMATION OR PROCURE ASSISTANCE FROM ANY  
22 DEPARTMENT, BOARD OR COMMITTEE. THE BOARD MAY CAUSE THE  
23 DEPOSITION OF WITNESSES IN OR OUTSIDE OF THIS COMMONWEALTH TO BE  
24 TAKEN AS PRESCRIBED BY LAW FOR DEPOSITIONS IN CIVIL CASES.

25 (C) INSPECTION.--EITHER PARTY OR HIS AUTHORIZED AGENT MAY  
26 INSPECT ANY FILE THAT PERTAINS TO THE HEARING IF SUCH  
27 AUTHORIZATION IS FILED IN WRITING WITH THE OMBUDSMAN.

28 (D) DECISION.--THE BOARD SHALL RENDER A DECISION BASED ON  
29 EVIDENCE GIVEN WITHIN SEVEN CALENDAR DAYS OF THE HEARING, AND  
30 THE DECISION OF THE BOARD SHALL BE FINAL AND BINDING ON ALL

1 PARTIES UNLESS APPEALED TO THE COMMONWEALTH COURT AS PROVIDED  
2 FOR BY SECTION 9. A COPY OF EACH DECISION SHALL BE FORWARDED TO  
3 THE OFFICE OF ATTORNEY GENERAL.

4 SECTION 9. APPEAL.

5 WITHIN 20 DAYS AFTER SERVICE OF NOTICE OF THE DECISION OF THE  
6 BOARD, A PERSON AGGRIEVED BY A DECISION OF THE BOARD MAY APPLY  
7 FOR AN APPEAL IN COMMONWEALTH COURT.

8 SECTION 10. PUBLIC ACCESS.

9 THERE SHALL BE A TOLL-FREE TELEPHONE NUMBER ESTABLISHED BY  
10 THE OMBUDSMAN FOR PUBLIC USE REGARDING INQUIRIES ON THE SERVICES  
11 AVAILABLE FROM THE OMBUDSMAN, INCLUDING, BUT NOT LIMITED TO, THE  
12 PROCEDURES FOR FILING A COMPLAINT AND MAKING AN APPEAL TO THE  
13 BOARD.

14 SECTION 11. RESIDENT NOTIFICATION.

15 IT SHALL BE THE RESPONSIBILITY OF EVERY OWNER OF A  
16 MANUFACTURED HOUSING COMMUNITY, WITHIN 30 DAYS OF THE EFFECTIVE  
17 DATE OF THIS ACT, TO PROVIDE EACH RESIDENT OF THE MANUFACTURED  
18 HOUSING COMMUNITY WITH A COPY OF THIS ACT AND TO MAINTAIN ONE  
19 COPY OF THIS ACT AT A CONVENIENT LOCATION WITHIN THE COMMUNITY  
20 FOR REVIEW BY RESIDENTS. IN ADDITION, ALL LESSEES IN THE  
21 COMMUNITY SHALL BE PROVIDED WITH A COPY OF THIS ACT BY THE  
22 OWNERS OF THE MANUFACTURED HOUSING COMMUNITY AT LEAST 48 HOURS  
23 BEFORE A LESSEE SIGNS A LEASE.

24 SECTION 12. MANUFACTURED HOUSING COMMUNITY REGISTRATION FORM.

25 A PRINCIPAL OWNER OF A MANUFACTURED HOUSING COMMUNITY IN THIS  
26 COMMONWEALTH SHALL BE REQUIRED TO FILL OUT A MANUFACTURED  
27 HOUSING COMMUNITY REGISTRATION FORM PREPARED BY THE DEPARTMENT.

28 SECTION 13. CONTENTS OF FORM.

29 THE MANUFACTURED HOUSING COMMUNITY REGISTRATION FORM SHALL  
30 INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING INFORMATION:

1 (1) THE NAME OF THE MANUFACTURED HOUSING COMMUNITY AND  
2 THE COUNTY AND MUNICIPALITY IN WHICH IT IS LOCATED.

3 (2) THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE  
4 PRINCIPAL OWNER OF THE MANUFACTURED HOUSING COMMUNITY.

5 (3) THE NAMES AND ADDRESSES OF ANYONE HAVING A FINANCIAL  
6 INTEREST IN THE MANUFACTURED HOUSING COMMUNITY.

7 (4) THE NUMBER OF ACRES IN THE MANUFACTURED HOUSING  
8 COMMUNITY.

9 (5) THE NUMBER OF DEVELOPED HOMESITES IN THE  
10 MANUFACTURED HOUSING COMMUNITY, INCLUDING THE NUMBER  
11 CURRENTLY OCCUPIED AND CURRENTLY VACANT.

12 (6) THE MONTHLY RENT CHARGED.

13 (7) A LIST OF ANY ADDITIONAL CHARGES AND FEES AND THE  
14 AMOUNT OF SAME.

15 SECTION 14. FILING.

16 THE REGISTRATION FORM SHALL BE FILED WITH THE DEPARTMENT  
17 ANNUALLY AND SHALL INCLUDE A FILING FEE OF \$3 FOR EACH DEVELOPED  
18 HOMESITE LOCATED IN THE MANUFACTURED HOUSING COMMUNITY.

19 SECTION 15. TRANSFER OF FUNDS.

20 ALL FUNDS RECEIVED BY THE DEPARTMENT FROM MANUFACTURED  
21 HOUSING COMMUNITIES FILING THE ANNUAL REGISTRATION FORM AND THE  
22 ANNUAL FILING FEE PER HOMESITE SHALL BE SUBMITTED BY THE  
23 DEPARTMENT TO THE STATE TREASURER TO BE PLACED IN THE RESTRICTED  
24 ACCOUNT ESTABLISHED FOR THE OPERATION OF THE OFFICE OF THE  
25 MANUFACTURED HOUSING OMBUDSMAN AND THE MANUFACTURED HOUSING  
26 HEARING BOARD.

27 SECTION 16. REGULATIONS.

28 THE DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS TO  
29 CARRY OUT THE PROVISIONS OF THIS ACT.

30 SECTION 17. ENFORCEMENT.



1 (A) CIVIL PENALTY.--A CIVIL PENALTY OF \$500 SHALL BE  
2 ASSESSED ON A PRINCIPAL OWNER FOR FAILURE TO COMPLY WITH THE  
3 PROVISIONS OF THIS ACT.

4 (B) RENTAL CHARGES.--NO MANUFACTURED HOME COMMUNITY SHALL BE  
5 ENTITLED TO LEVY RENTAL CHARGES FOR ANY SPACE LOCATED IN THE  
6 COMMUNITY UNLESS THEY HAVE COMPLIED WITH THE PROVISIONS OF THIS  
7 ACT.

8 (C) ATTORNEY GENERAL.--THE ATTORNEY GENERAL SHALL ENFORCE  
9 THE PROVISIONS OF THIS SECTION.

10 SECTION 18. RESTRICTED ACCOUNT.

11 THERE IS HEREBY ESTABLISHED WITHIN THE STATE TREASURY A  
12 RESTRICTED ACCOUNT, INTO WHICH SHALL BE DEPOSITED ALL ANNUAL  
13 MANUFACTURED HOUSING COMMUNITY REGISTRATION FEES COLLECTED BY  
14 THE DEPARTMENT OF COMMUNITY AFFAIRS, ANY APPROPRIATION AND ALL  
15 FEES PAID TO THE BOARD. THE MONEYS IN THIS ACCOUNT ARE  
16 APPROPRIATED FOR THE OPERATION OF THE OMBUDSMAN AND THE BOARD IN  
17 SUCH AMOUNTS AS THE GENERAL ASSEMBLY MAY DESIGNATE.

18 SECTION 19. CONSTRUCTION OF ACT.

19 NOTHING IN THIS ACT SHALL BE CONSTRUED TO CONTRADICT OR  
20 INTERFERE WITH THE RIGHTS OF CONSUMERS AS PROVIDED FOR BY THE  
21 ACT OF DECEMBER 17, 1968 (P.L.1224, NO.387), KNOWN AS THE UNFAIR  
22 TRADE PRACTICES AND CONSUMER PROTECTION LAW.

23 SECTION 20. FUNDING.

24 THE FUNDING OF THE OPERATION OF THE OFFICE OF THE  
25 MANUFACTURED HOUSING OMBUDSMAN AND THE MANUFACTURED HOUSING  
26 HEARING BOARD PROVIDED FOR BY THIS ACT SHALL BE PROVIDED BY THE  
27 ANNUAL FILING FEES REQUIRED TO ACCOMPANY THE ANNUAL REGISTRATION  
28 OF MANUFACTURED HOUSING COMMUNITIES IN THIS COMMONWEALTH.

29 SECTION 21. EFFECTIVE DATE.

30 THIS ACT SHALL TAKE EFFECT IN 30 DAYS.