



# HOUSE COMMITTEE ON APPROPRIATIONS

## 2009-10 Legislative Session

### FISCAL NOTE

HOUSE BILL: 2212

PRINTER'S NO: 3691

PRIME SPONSOR: R. Taylor

FISCAL IMPACT SUMMARY	FY 2009/10	FY 2010/11
<b>Expenditure Increase/(Decrease):</b>		
General Fund	\$0	\$0

#### OVERVIEW:

House Bill 2212 amends the Mobile Home Park Rights Act (Act 261 of 1976) by renaming the act the "Manufactured Home Community Owner Disclosure and Tenant Rights Act" and replaces all references to "mobile home" with the term "manufactured home." This bill also provides a number of definitions related to the act.

Under House Bill 2212, eviction provisions are expanded by allowing a manufactured home community owner to terminate or refuse renewal of a resident's lease for reasons provided for in the act and the termination of non-renewal of a lease is prohibited when there is proof that the violated manufactured home community rules were not enforced.

This bill requires a written lease for each manufactured home space. The lease must be for a minimum of one year unless a longer time frame is mutually agreed upon. Also, a renewal lease that entails the same term and same provisions of the original agreement must be offered to a manufactured home resident 60 days prior to the expiration of a lease.

Additionally, disclosure of all rent, fees, service charges, and assessments prior to the execution of a rental agreement must be provided. Current residents must receive the same written disclosure prior to the execution of a mandatory lease of at least one year. If the community owner fails to provide the required disclosure prior to execution of the rental agreement or initial occupancy of a manufactured home, the rental agreement can be voided by the lessee until 15 days after receipt of the disclosure. In this case, the community owner must pay relocation for prospective lessees.

The manufactured home community owner or operator may not collect rent from the resident until the owner or operator and the resident have entered into the new, renewed, or extended rental agreement. The manufactured home resident shall have 30 days to either accept the new, renewed, or extended agreement or to notify the owner or operator of intent to vacate.

A manufactured home resident who chooses not to enter into a new, renewed, or extended rental agreement shall have 60 days from the date of notification of intent to vacate the manufactured home community, to enter into a contract to sell or relocate the manufactured home.

So long as the manufactured home community owner or operator complied with disclosure as provided for in House Bill 2212, the resident not entering into a new, extended, or renewed rental agreement shall not be entitled to relocation costs.

This act shall apply to:

- New sales and leases of manufactured home community spaces entered into after November 30, 2010.
- Extensions and renewals of leases of manufactured home community spaces entered into after November 30, 2010.

This act takes effect in 60 days.

**ANALYSIS:**

Enforcement of the Manufactured Home Community Owner Disclosure and Tenant Rights Act is by county district attorneys and the Office of the Attorney General. According to the Office of the Attorney General, they do not anticipate any significant costs. The enactment of House Bill 2212 is not expected to have an adverse impact on Commonwealth funds.

**PREPARED BY:** Rayko Pacana, Budget Analyst  
House Appropriations Committee, (D)

**DATE:** May 24, 2010

**General Note and Disclaimer:** *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*