
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1808 Session of
2023

INTRODUCED BY WEBSTER, MADDEN, CIRESI, FREEMAN, HILL-EVANS,
GUENST, McANDREW, DONAHUE, KAZEEM, KHAN, DELLOSO, HANBIDGE,
HOWARD, SANCHEZ, CERRATO, KRAJEWSKI AND OBERLANDER,
NOVEMBER 2, 2023

REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
NOVEMBER 2, 2023

AN ACT

1 Amending the act of November 24, 1976 (P.L.1176, No.261),
2 entitled "An act providing for the rights and duties of
3 manufactured home owners or operators and manufactured home
4 lessees," further providing for closure of manufactured home
5 communities.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 11.2(a) and (b) of the act of November
9 24, 1976 (P.L.1176, No.261), known as the Manufactured Home
10 Community Rights Act, are amended to read:

11 Section 11.2. Closure of Manufactured Home Communities.--(a)
12 In the event of the closure of a manufactured home community, in
13 whole or part, the manufactured home community owner shall:

14 (1) Provide written notice to the residents and tenants of
15 the community, to the resident association if one exists, to the
16 Pennsylvania Housing Finance Agency and to the municipality
17 where the manufactured home community is located within 60 days
18 of deciding to close the community[.], at least 120 days prior

1 to the discontinuance of the use of the land as a manufactured
2 home community or the proposed closing upon the sale of the
3 manufactured home community, whichever is earlier. The notice
4 shall include the estimated date residents and tenants will be
5 expected to vacate the community, which shall be no less than
6 180 days from the date of the notice, and the estimated date the
7 community will be closed.

8 (2) Notify any prospective resident in writing, prior to
9 leasing a manufactured home space, and any known prospective
10 tenant, prior to leasing a manufactured home in a manufactured
11 home community, of the scheduled closing date.

12 (b) A manufactured home community owner shall consider any
13 offer to purchase the community made by a resident association
14 representing at least 25% of the manufactured home spaces or by
15 a nonprofit corporation, including a community development
16 corporation, housing authority or redevelopment authority acting
17 at the request of the residents of at least 25% of the spaces
18 and shall negotiate in good faith with the entity submitting the
19 offer. The following shall apply:

20 (1) The resident association or authority representing the
21 interests of the residents, notwithstanding if the association
22 is formally recognized, may notify the owner of the manufactured
23 home community that it is interested in purchasing the
24 manufactured home community. The notice must be made to the
25 owner of the manufactured home community within 30 days after
26 the owner of the manufactured home community notifies residents
27 of the closure of the manufactured home community. A copy of the
28 notice may be filed with the municipality in which the
29 manufactured home community is located. If notice is given, the
30 resident association shall have 30 days after the notice has

1 been given to purchase the manufactured home community through
2 negotiation to reach an agreement with the manufactured home
3 community owner for purchase of the manufactured home community
4 and to close on the sale. Upon the request of the resident
5 association, the Pennsylvania Housing Finance Agency shall
6 assist the resident association in developing financing for the
7 purchase of the manufactured home community.

8 (2) If the resident association and the manufactured home
9 community owner cannot agree upon a purchase price, the resident
10 association shall have the right to purchase the property:

11 (i) if the resident association matches the essential
12 provisions of an existing bona fide offer to purchase the
13 manufactured home community made by another potential purchaser
14 which the owner is prepared to accept; or

15 (ii) if there is no offer under subparagraph (i), the
16 manufactured home community owner shall sell the manufactured
17 home community to the resident association at a purchase price
18 to be established by an appraiser chosen by the resident
19 association and the manufactured home community owner.

20 (3) A manufactured home community owner may not unreasonably
21 refuse to enter into, or unreasonably delay the execution or
22 closing on, a purchase and sale agreement with a resident
23 association that has made a bona fide offer to meet the price
24 and substantially equivalent terms and conditions of an offer
25 for which notice is required to be given under this subsection.

26 (4) If the two parties cannot agree upon one appraiser,
27 either party may notify the other, in writing, of the
28 disagreement, and the resident association shall choose an
29 appraiser, the manufactured home community owner shall choose an
30 appraiser and the two appraisers shall choose a third appraiser.

1 The three appraisers shall establish a value of the manufactured
2 home community. If the manufactured home community owner refuses
3 to select an appraiser within 15 days of the notice, the
4 Pennsylvania Housing Finance Agency shall choose an appraiser
5 for the manufactured home community owner. The costs of
6 appraisers shall be paid equally by the resident association and
7 the manufactured home community owner.

8 (5) If, within 30 days from the mailing of the notice under
9 paragraph (1), an agreement for the sale of the manufactured
10 home community signed by the resident association and the
11 manufactured home community owner has not been filed upon the
12 land records, or if the resident association has not filed a
13 certified statement to purchase the manufactured home community
14 at the appraised value which value shall also be certified on
15 the land records by the appraiser or appraisers, the right to
16 purchase the manufactured home community shall be void and any
17 recorded notice filed under paragraph (1) shall be void.

18 (6) A resident association that has the right to purchase
19 under this subsection may, at its election, assign its purchase
20 rights to the municipality where the resident association is
21 located, the housing authority for its area, an agency of the
22 Commonwealth or a nonprofit organization for the purpose of
23 continuing the use of the property as a manufactured home
24 community.

25 (7) The requirements of paragraphs (2), (3), (4), (5) and
26 (6) shall apply separately to each substantially different offer
27 to sell or purchase a manufactured home community.

28 (8) Paragraphs (2), (3), (4), (5), (6) and (7) shall not
29 apply if:

30 (i) the sale, lease or transfer is to a family member of the

1 owner or to a trust, the beneficiaries of which are family
2 members of the owner;

3 (ii) the transfer is by gift, devise or required by
4 operation of law;

5 (iii) the sale, lease or transfer is by a partnership to one
6 or more of its partners;

7 (iv) the conveyance of an interest in the manufactured home
8 community is incidental to the financing of such manufactured
9 home community;

10 (v) the lease is the lease of a lot within the manufactured
11 home community to a person who will live in a manufactured home
12 on the lot;

13 (vi) the sale, lease or transfer is between joint tenants or
14 tenants in common; or

15 (vii) the sale is made by eminent domain.

16 (9) An owner of a manufactured home community who sells the
17 manufactured home community to residents of the manufactured
18 home community in compliance with the requirements of this act
19 shall be exempt from payment of State conveyance taxes otherwise
20 due based on the sale price of the manufactured home community,
21 provided that the entity purchasing the manufactured home
22 community is owned by at least 25% of the residents of the
23 manufactured home community or an organization exempt from
24 taxation under 26 U.S.C. § 501(c)(3) (relating to exemption from
25 tax on corporations, certain trusts, etc.), and that the sale
26 terms require the guaranteed maintenance of the property as a
27 manufactured home community.

28 * * *

29 Section 2. This act shall take effect in 60 days.