

February 9, 1999

MEMORANDUM

TO: Members, Committee on Economic Development, Housing & Trade

FROM: Kenny Pittman, Research Analyst (786-7392)

RE: **HB 1712 - Changing notice requirements in mobile home park landlord-tenant relations.**

Brief Summary of Bill

- Requires the mobile home park landlord to notify the tenant, in writing, 24 months prior to expiration of rental agreement of their intent not to renew the lease.

BACKGROUND:

The Mobile Home Landlord-tenant Act (Act) regulates the relationship between the owner of a mobile home park (landlord) and the owner of the mobile home (tenant). Key provisions of the Act require that the tenant is offered a written agreement for a term of at least one year, prohibits certain actions by the landlord, and specifies the duties and responsibilities of the landlord and tenant.

The Mobile Home Landlord-Tenant Act (Act) also prohibits a landlord from terminating tenancy in a mobile home park without cause. The Just Cause– termination of tenancy provisions include, but are not limited to: (1) substantial violation, or repeated or violations of the mobile home park rules; (2) nonpayment of rent or other charges specified in the rental agreement; (3) conviction of the tenant of a crime; (4) failure of the tenant to comply with local ordinances and state laws relating to mobile homes; (5) change of land use of the mobile home park, provided the tenant is given a 12 month written notice prior to the closure

of the park; tenant engaging in criminal activity; (6) tenant misrepresented information on their application to enter the park; (7) tenant engages in disorderly or substantially annoying conduct upon the park premises; and (8) tenant creates a nuisance that materially affects the health, safety, and welfare of other park residents.

SUMMARY:

The Mobile Home Landlord-Tenant Act (Act) is revised to require a mobile home park landlord to provide the tenant with a written notice 24 months prior to expiration of the lease of their intent not to renew the lease. The 24 month notice requirement would not apply to evictions under the Act's Just Cause– eviction provisions.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.