



Manufactured Homeowners Coalition of Michigan, Inc

P.O. BOX 180101 UTICA, MICHIGAN 48318-0101

REINTRODUCE BILLS

"Manufactured Home Owners' Residency Act"

House Bills #4868 - #4869 - & Senate Bill #799

(Summary of items/information that Associations and Residents want passed.)

Bill #4868. "A bill to establish and protect the rights of manufactured homeowners living in parks (tenants), to prescribe the powers and duties of certain agencies and departments, and to provide remedies and penalties."

- (1) "The park owner shall not make or enforce a rule, regulation, policy, or rental agreement provision that does any of the following:
 - A. Denies a park resident the right to sell the home within the manufactured park.
 - B. Force the resident to remove the manufactured home from the park on the basis of the sale or proposed sale of the home.
 - C. Require a park resident to remove a manufactured home from the park for purpose to renovation or modernization."
 - D. Not to interfere with a park resident's right to sell the home within the community.
 - E. Not prohibit "for sale" signs in the park. (simple regulations)
 - F. A fine of \$5,000.00 for interference with the display of two political signs on the lawn.
Penalty: "A civil fine be imposed under this subsection is in addition to, but not limited by, a criminal penalty prescribed by this act."
 - G. A home owner may park a small vehicle (commercial pickup) in his driveway, that is used in his/her occupation.
 - H. "A park owner **shall not** threaten a park resident with an **unlawful eviction*** in violation of Section 5775 of the revised judicature act of 1961m 1961 PA 236, MCL 600.5775. A park owner shall not initiate an unlawful eviction against a park resident."
Penalty: "A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$10,000.00, or both."
 - I. "If park residents have established a homeowners' association within the manufactured home park, an increase in home lot rentals does not take effect until the park owner and the homeowners' association agree on the amount of increase. If the park owner and the homeowners association cannot reach an agreement, the parties shall submit the dispute to binding arbitration for resolution of the matter. The arbitration fees shall be shared equally by the park owner and the homeowners' association."
 - J. "Park shall give a 90 days' notice before implementing an increase in a fee, charge, or other type of assessment relating to a manufactured home park residency."
 - K. The park owner shall not establish a rule or regulation that is unreasonable, arbitrary, or capricious.

Penalty: The attorney general or an affected individual may bring an action to enforce this act in a court of competent jurisdiction in the county where defendant resides or does business.

*Many cases taken to court were found to be retaliatory, unjust, or petty evictions. Judges dismissed many cases or asked parties concerned to come to an amicable resolution.

M.O.C.O.M. (Manufactured Homeowners Coalition of Michigan, Inc.)

BILL #4869. "A bill to allow and protect the rights of manufactured home park tenants to organize a manufactured home owners' association."

- (1) A park resident may organize a manufactured home owners association.
 "...the manufactured home owner is allowed to do both of, but is not limited to, the following:
 A. A park resident may organize a manufactured home owners association.
 B. Distribute fliers regarding the organization of a manufactured home owners association.
 C. Knock on doors within the manufactured home park in which he or she is a park resident.

'A park owner shall not **harass** or **evict** a park resident because the park resident organized, is organizing, or **became a member of a manufactured home owners association.**"

"The attorney general or an affected individual may bring an action to enforce this act in a court of competent jurisdiction in the county where the defendant resides or does business."

SENATE BILL No. 799

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- A. "A park owner shall not offer a monetary incentive to a potential purchase of a manufactured home within the manufactured home park."
1. "A Park owner shall not make or enforce a rule, regulation, or rental agreement provision that does either of the following:
 - (a) Denies a park resident the right to sell the park resident's manufactured home within the manufactured home park.
 - (b) Requires a park resident to remove the manufactured home from the manufactured home park solely on the basis of a sale or proposed sale of that resident's manufactured home.
 - (c) Requires a park resident to remove a manufactured home from a manufactured home park for the purpose of manufactured home park renovation or modernization."
 2. "...directly or indirectly prohibit the use of a "for sale" sign etc."
 3. "A park owner shall not threaten a park resident with an unlawful eviction in violation of section 5775 of the revised judicature act of 1961, 1961 PA 236, MCL 600.5775. A park owner shall not initiate an unlawful eviction against a park resident."

Penalty: "A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more that 90 days or a fine of not more than \$10,000.00 or both."

"A park owner shall not charge a park resident for installing a utility meternor charge a park resident a surcharge for the purpose of billing the utility services to the resident."

- B. "If park residents have established a homeowners association...."

Same information as Bill #4868 & 4869.

Most existing Manufactured Park Associations have By Laws, Officers and are licensed by the State.