

HOUSE BILL No. 5432

December 10, 1997, Introduced by Rep. Law and referred to the Committee on Commerce.

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 28 (MCL 125.2328), as amended by 1993 PA 241.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 28. (1) An owner or operator of a mobile home park or
2 seasonal mobile home park shall not engage, or permit an employee
3 or agent to engage, in ~~any~~ 1 OR MORE of the following unfair or
4 deceptive methods, acts, or practices:
- 5 (a) Directly or indirectly charging or collecting from a
6 person an entrance fee.
- 7 (b) Requiring a person to directly or indirectly purchase a
8 mobile home from another person as a condition of entrance to, or
9 lease or rental of, a mobile home park or seasonal mobile home
10 park space.

1 (c) Directly or indirectly charging or collecting from a
2 person a refundable or nonrefundable exit fee.

3 (d) Requiring or coercing a person to purchase, rent, or
4 lease goods or services from another person as a condition of
5 ~~any~~ 1 OR MORE of the following:

6 (i) Entering into a park or lease.

7 (ii) Selling a mobile home through the park owner or opera-
8 tor, or his or her agent or designee upon leaving a mobile home
9 park or seasonal mobile home park.

10 (iii) Renting space in a mobile home park or seasonal mobile
11 home park.

12 (e) Directly or indirectly charging or collecting from a
13 person money or other ~~thing of value~~ VALUABLE CONSIDERATION for
14 electric SERVICE, GAS OR OTHER fuel SERVICE, ~~or~~ water service,
15 SEWER SERVICE, TRASH PICKUP SERVICE, RECYCLING SERVICE, SNOW
16 REMOVAL SERVICE, OR ROAD MAINTENANCE SERVICE without FIRST ACCU-
17 RATELY AND CONSISTENTLY MEASURING the use of that service by a
18 resident or tenant, ~~being first accurately and consistently~~
19 ~~measured,~~ unless that service is included in the rental charge
20 as an incident of tenancy, OR CHARGING A PERSON MORE THAN THE
21 ACTUAL COST OF THAT PERSON'S USE OF THE SERVICE. AS USED IN THIS
22 SUBDIVISION, "ACTUAL COST" MEANS THE AMOUNT CHARGED BY A MUNICI-
23 PALITY, A PUBLIC UTILITY, OR A BUSINESS ENTITY FOR PROVIDING
24 ELECTRIC SERVICE, GAS OR OTHER FUEL SERVICE, WATER SERVICE, SEWER
25 SERVICE, TRASH PICKUP SERVICE, RECYCLING SERVICE, SNOW REMOVAL
26 SERVICE, OR ROAD MAINTENANCE SERVICE.

1 (f) Conspiring, combining, agreeing, aiding, or abetting in
2 the employment of a method, act, or practice that violates this
3 act.

4 (g) Renting or leasing a mobile home or site in a mobile
5 home park or seasonal mobile home park without offering a written
6 lease.

7 (h) Subject to section 28a, prohibiting a resident from
8 selling his or her mobile home on-site for a price determined by
9 that resident, if the purchaser qualifies for tenancy and the
10 mobile home meets the conditions of written park rules or
11 regulations. This subdivision does not apply to seasonal mobile
12 home parks.

13 (i) Subject to reasonable mobile home park or seasonal
14 mobile home park rules governing the location, size, and style of
15 exterior television antenna, prohibiting a person from installing
16 or maintaining an exterior television antenna on a mobile home
17 within the park unless the mobile home park or seasonal mobile
18 home park provides park residents, without charge, a central
19 television antenna for UHF-VHF reception.

20 (2) A tenant of a mobile home park or seasonal mobile home
21 park may bring an action on his or her own behalf for a violation
22 of this section.

23 (3) If the commission has reason to suspect that the owner
24 of a mobile home park or seasonal mobile home park is engaged in
25 conduct that violates existing water utility tariffs or qualifies
26 the owner of a mobile home park or seasonal mobile home park for
27 regulation as a water utility, the commission shall promptly send

1 a written report of the alleged violation to the Michigan public
2 service commission.