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BILL ANALYSIS

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House Bill 4868 (Substitute S-5 as reported by the Committee of the Whole)

Sponsor: Representative Ruth Ann Jamnick

House Committee: Local Government and Urban Policy

Senate Committee: Local, Urban and State Affairs

CONTENT

The bill would create the "Manufactured Home Owners' Residency Act" to prohibit the owners and operators of manufactured home parks from taking certain actions, including the following:

- Denying a park resident the right to sell a manufactured home within the park at a price determined by the resident if the purchaser qualified for tenancy and the home complied with park rules and regulations.
- Requiring a park resident to remove the home from the park solely on the basis of its sale or remodeling.
- Prohibiting the placement of up to two "for sale" signs on a manufactured home or in its windows if the home were inspected and approved for sale.
- Prohibiting the display of up to two political yard signs per manufactured home site.
- Restricting the right of a resident to hear from public officials and political candidates on the park premises.
- Prohibiting commercial pickup trucks, if the park owner were regulating the size and weight of trucks allowed in the park.
- Threatening or initiating the eviction of a park resident in violation of Section 5775 of the Revised Judicature Act (requiring just cause for an eviction), or other applicable law.
- Prohibiting a resident from organizing a homeowners association for any purpose or denying the use of common areas to an association, if it agreed to use the areas on the same terms and conditions on which they were available to other residents.

Additionally, the bill would require a park owner to give a resident 30 days' written notice before implementing an increase in a fee, charge, or other type of assessment relating to park residency.

A park owner who violated the proposed Act would be subject to civil fines. The Attorney General or an affected individual could bring an action to enforce the Act. A person whose rights were affected because of a violation could recover actual damages or \$500, whichever was greater. The court also could consider equitable remedies, including injunctive relief.

Legislative Analyst: J.P. Finet

FISCAL IMPACT

The bill would increase General Fund revenue by imposing civil fines of up to \$500 for each violation of the proposed Act and directing the fine revenue to the General Fund. To the extent that the bill would increase the circumstances under which someone could pursue civil litigation related to manufactured housing communities, the bill potentially would increase judiciary costs.

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Fiscal Analyst: Bethany Wicksall

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Analysis available @ <http://www.michiganlegislature.org>

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