

HOUSE BILL No. 4695

April 28, 2005, Introduced by Reps. Drolet, Gosselin and Lemmons, III and referred to the Committee on Local Government and Urban Policy.

A bill to establish and protect the rights of manufactured home park tenants; and to prescribe certain duties of certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "manufactured home owners association act".

3 Sec. 2. As used in this act:

4 (a) "Manufactured home" means a structure, transportable in 1
5 or more sections, that is built on a chassis and designed to be
6 used as a dwelling with or without permanent foundation, when
7 connected to the required utilities, and includes the plumbing,
8 heating, air-conditioning, and electrical systems contained in the
9 structure. Manufactured home includes a manufactured home as

1 defined in section 603(6) of the national manufactured housing
2 construction and safety standards act of 1974, title VI of the
3 housing and community development act of 1974, 42 USC 5402.

4 (b) "Manufactured home park" means a parcel or tract of land
5 under the control of a person upon which 3 or more manufactured
6 homes are located on a continual, nonrecreational basis and that is
7 offered to the public for that purpose regardless of whether a
8 charge is made for that purpose, together with a building,
9 structure, enclosure, street, equipment, or facility used or
10 intended for use incident to the occupancy of a manufactured home.

11 (c) "Park owner" means an owner or operator of a manufactured
12 home park.

13 (d) "Park resident" means an owner of a manufactured home who
14 rents a lot in a manufactured home park. Park resident includes a
15 member of the manufactured home owner's household.

16 Sec. 3. (1) A park resident may organize a manufactured home
17 owners association.

18 (2) In organizing a manufactured home owners association, a
19 manufactured home owner is allowed to do both of, but is not
20 limited to, the following:

21 (a) Distribute fliers regarding the organization of a
22 manufactured home owners association.

23 (b) Knock on doors within the manufactured home park in which
24 he or she is a park resident.

25 (3) A park owner shall not harass or evict a park resident
26 because the park resident organized, is organizing, or became a
27 member of a manufactured home owners association.

1 Sec. 4. (1) A park owner shall not directly or indirectly
2 prohibit the use of a "for sale" sign within a manufactured home
3 park. A park owner may impose either of the following restrictions
4 on a "for sale" sign being displayed within a manufactured home
5 park:

6 (a) Size.

7 (b) Location.

8 (2) A park owner shall not directly or indirectly prohibit the
9 use of a sign for a political party, political candidate, or
10 political issue endorsement within a manufactured home park. A park
11 owner may impose 1 or more of the following restrictions on a sign
12 endorsing a political party, political candidate, or political
13 issue:

14 (a) Size.

15 (b) Location.

16 (c) Length of time a sign may be displayed.

17 (3) A park owner who violates a provision of this section is
18 subject to a civil fine of not more than \$10,000.00 for each
19 violation. A civil fine imposed under this section shall be paid to
20 the state treasurer for deposit in the general fund. A civil fine
21 imposed under this subsection is in addition to, but not limited
22 by, a criminal penalty prescribed by this act.

23 Sec. 5. (1) A park owner shall not threaten a park resident
24 with an unlawful eviction in violation of section 5775 of the
25 revised judicature act of 1961, 1961 PA 236, MCL 600.5775. A park
26 owner shall not initiate an unlawful eviction against a park
27 resident.

1 (2) A person who violates this section is guilty of a
2 misdemeanor punishable by imprisonment for not more than 90 days or
3 a fine of not more than \$10,000.00, or both.

4 Sec. 6. The attorney general or an affected individual may
5 bring an action to enforce this act in a court of competent
6 jurisdiction in the county where the defendant resides or does
7 business.