

SENATE BILL No. 1230

August 15, 2012, Introduced by Senators EMMONS, KAHN, CASPERSON, GREEN and MOOLENAAR and referred to the Committee on Economic Development.

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
by amending section 16 (MCL 125.2316), as amended by 2006 PA 328.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16. (1) A person shall not operate a mobile home park or
2 seasonal mobile home park without a license.

3 ~~— (2) Upon completion, review, and approval of certifications,~~
4 ~~the department shall grant a license to operate a mobile home park~~
5 ~~or seasonal mobile home park.~~

6 (2) ~~(3)~~ A 3-year license **TO OPERATE A MOBILE HOME PARK OR**
7 **SEASONAL MOBILE HOME PARK** shall be granted and renewed by the
8 department ~~based upon~~ **APPROVAL OF** the certifications and
9 recommendations of the appropriate agencies and local governments
10 **AND THE OWNER'S COMPLIANCE WITH APPLICABLE REQUIREMENTS OF RULES**

1 **PROMULGATED UNDER SUBSECTION (4)**. The fee for the 3-year license to
2 operate a mobile home park is \$225.00, plus an additional \$3.00 for
3 each home site in excess of 25 home sites in the mobile home park,
4 or any lesser amount established pursuant to section 9(5). The fee
5 for a 3-year license to operate a seasonal mobile home park is
6 \$120.00, plus an additional \$1.50 for each home site in excess of
7 25 home sites in the seasonal mobile home park, or any lesser
8 amount established pursuant to section 9(5).

9 (3) ~~(4)~~—If a person submits a timely **AND COMPLETE** application
10 for renewal of a license and pays the appropriate fee, the person
11 may continue to operate a mobile home park or seasonal mobile home
12 park unless notified that the application for renewal is not
13 approved.

14 <<(4) THE COMMISSION SHALL PROMULGATE RULES TO DO ALL OF THE
15 FOLLOWING:

16 (A) PROVIDE STANDARDS AND PROCEDURES FOR THE COMMISSION TO
17 DETERMINE WHETHER A MOBILE HOME PARK OR SEASONAL MOBILE HOME PARK IS A
18 DISTRESSED PARK. THE STANDARDS AND PROCEDURES SHALL PROVIDE THE OWNER
19 WITH AN OPPORTUNITY FOR AN EVIDENTIARY HEARING AND REQUIRE THE COMMISSION
20 TO CONSIDER AT LEAST ALL OF THE FOLLOWING:

21 (i) THE LENGTH OF TIME A MOBILE HOME PARK OR SEASONAL MOBILE
HOME PARK HAS NOT BEEN IN SUBSTANTIAL COMPLIANCE WITH THE RULES
PROMULGATED UNDER SECTIONS 5 AND 6.

(ii) THE FAILURE OF THE OWNER OR OPERATOR TO BRING A MOBILE HOME
PARK OR SEASONAL MOBILE HOME PARK INTO SUBSTANTIAL COMPLIANCE AFTER
NOTICE AND SUFFICIENT OPPORTUNITY TO DO SO.

(iii) ANY IMMINENT THREAT TO THE HEALTH AND SAFETY OF THE RESIDENTS
OF A MOBILE HOME PARK OR SEASONAL MOBILE HOME PARK.

(iv) THE ABANDONMENT OR LIKELY ABANDONMENT OF A MOBILE HOME PARK
OR SEASONAL MOBILE HOME PARK BY THE OWNER OR OPERATOR.

(B) REQUIRE THE OWNER OF A DISTRESSED MOBILE HOME PARK OR
SEASONAL MOBILE HOME PARK TO POST SECURITY IN THE FORM OF A BOND,
CASH DEPOSIT, OR OTHER FINANCIAL ARRANGEMENT TO ENSURE THE REPAIR
AND CLEANUP OF THE MOBILE HOME PARK OR SEASONAL MOBILE HOME PARK,
INCLUDING THE REPAIR OF SUBSTANDARD OR NONCOMPLYING PARK-OWNED

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UTILITY SYSTEMS AND THE REMOVAL AND DISPOSAL OF ABANDONED MOBILE HOMES, SCRAP MATERIAL, OR OTHER WASTE.

(C) ESTABLISH CONDITIONS FOR APPOINTING A RECEIVER FOR A DISTRESSED PARK.

(5) NOT MORE THAN 180 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE COMMISSION SHALL SUBMIT A REPORT ON PROGRESS TOWARD THE PROMULGATION OF RULES UNDER SUBSECTION (4) TO THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH PRIMARY RESPONSIBILITY FOR LEGISLATION AFFECTING MOBILE HOME PARKS.

22 (6) ~~(5)~~>> A campground ~~which~~**THAT** is currently licensed under
23 sections 12501 to 12516 of the public health code, 1978 PA 368, MCL
24 333.12501 to 333.12516, was previously licensed under the **FORMER**
25 licensing provisions of 1959 PA 243, MCL 125.1035 to 125.1043 as a
26 seasonal trailer park and ~~which~~**THAT** currently meets the **FORMER**
27 seasonal trailer park construction standards under 1959 PA 243, MCL

1 125.1035 to 125.1043, may apply for and shall be licensed as a
2 seasonal mobile home park under this act if the campground meets
3 all other requirements for licensure under this act as a seasonal
4 mobile home park.