

1 2	FIRST REGULAR SESSION
3	ONE HUNDRED AND TWELFTH LEGISLATURE
5 6	Legislative Document No. 153
7	H.P. 128 House of Representatives, January 23, 1985
8	Reference to the Committee on Business and Commerce suggested and ordered printed.
10	EDWIN H. PERT, Clerk
11	Presented by Representative Hoglund of Portland. Cosponsored by Representative Beaulieu of Portland. (By Request)
12 13	STATE OF MAINE
14 15 16	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-FIVE
17 18 19 20 21	AN ACT Relating to Sale of Mobile Homes by Individual Owner when Located in Mobile Home Park; Not Restricted or Prohibited by Park Owner or Operator.
. 22	Be it enacted by the People of the State of Maine as follows:
24 25	Sec. 1. 30 MRSA §4061-A, sub-§2, as enacted by PL 1975, c. 458, §2, is amended to read:
26 27 28 29 30 31 32	2. <u>Mobile home park.</u> "Mobile home park" means any parcel of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate 2 or more mobile homes. Nething herein shall be construed to apply to premises used solely for storage or display of mobile homes.
33 34 35	Sec. 2. 30 MRSA §4064, as amended by PL 1975, c. 458, §4, is further amended by adding at the end a new paragraph to read:

No mobile home park owner or operator may prohib-1 it or restrict the sale of a mobile home by its own-2 3 er, or require the removal of any mobile home from a 4 mobile home park, on the basis of a change of owner-~ 5 ship of the mobile home, provided that the mobile 6 home has occupied a rental space within the mobile 7 home park for one year preceding the date of sale of the mobile home. 8

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## STATEMENT OF FACT

The use of mobile homes as dwelling units in the 10 State dates back to the 1930's when they first became 11 available as a form of transportable housing. 12 Mobile 13 home parks sprang up at the onset of World War II and 14 have become an accepted form of land rental for per-15 sons, who for economic or other reasons, could not 16 afford or preferred not to purchase land on which to 17 park their mobile homes.

18 Mobile home park owners or operators rent parcels 19 of land within a mobile home park for the purpose of 20 providing themselves with a monthly income from each 21 parcel so rented. The amount of rent received from 22 these rentals is or should be uniform for all lots in 23 a specific mobile home park.

24 Persons who own mobile homes situated in a mobile 25 home park are subject to changes in personal or family circumstances, in the same way that persons who 26 27 live in conventional homes have circumstance changes. 28 Therefore, there are times when continued ownership 29 of a mobile home becomes no longer feasible. At such a time, the practical thing for the owner of a mobile 30 home to do is to sell his home. At such a time, he 31 32 must sell his mobile home in the place where it is The possibility of selling a mobile home 33 situated. 34 without a lot for it to remain on, or to be placed on, which has the necessary water, sewer and electri-35 36 cal facilities, is quite remote. Most people would 37 not be interested in purchasing a mobile home, unless 38 they had some place to park it. A mobile home buyer 39 generally does not have the property that is zoned 40 for a mobile home and in some instances does not have the financial capability of obtaining property on 41 which to park a mobile home and provide the necessary 42

1 facilities that are required. Accordingly, the mobile home would have to be sold with the understand-2 3 ing that it would continue to occupy the lot on which it is situated. For any park owner or operator to prohibit such sale, or to require a mobile home to be 4 5 moved out of the mobile home park within a specified 6 period following the date of sale of a mobile home, would not only be unfair and unconscionable, but 7 8 would also be discriminatory as well. 9

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