

# MAINE STATE LEGISLATURE

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L.D. 946

(Filing No. H-228 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 663, L.D. 946,  
Bill, "AN ACT Relating to Requirements for Removal of  
Mobile Homes from Mobile Home Parks."

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Amend the Bill by striking out everything after  
the enacting clause and inserting in its place the  
following:

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'30 MRSA §4064, as amended by PL 1975, c. 458,  
§4, is repealed and the following enacted in its  
place:

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§4064. Restrictions on disposal of mobile homes

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1. Park acting as agent; advertising. No mobile home park may exact a commission or fee with respect to the price realized by the seller, unless the park owner or operator has acted as agent for the mobile home owner in the sale pursuant to a written contract. No mobile home park owner or operator may require as a condition of tenancy or continued tenancy that a mobile home owner designate the park owner or operator or any other individual or agent to act as agent for the mobile home owner in the sale of the home owner's mobile home. No mobile home park may restrict in any manner the reasonable advertising for sale of any mobile home in that park.

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2. Rules. No mobile home park owner or operator may require a mobile home owner to remove his mobile home from the park except pursuant to a rule contained in the written copy of the park rules given to the tenant under section 4066-B, subsection 5. The rules shall clearly describe the specific circumstances under which the park owner or operator may require a tenant to remove his mobile home from the park.

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1    In the case of a rule governing the circumstances under  
2    which a park owner or operator may require a mobile  
3    home owner to remove his mobile home from the  
4    park because of the age or condition of the mobile  
5    home, the park owner or operator shall obtain approval  
6    of the rule by the Manufactured Housing Board before  
7    including the rule in the written copy of the  
8    park rules given to the tenant. After approval by the  
9    board, such a rule shall remain in effect until the  
10   board approves a rule submitted to it by the park  
11   owner or operator to replace that rule.

12   Nothing in this subsection may be construed to require  
13   a park owner or operator to obtain approval by  
14   the Manufactured Housing Board before including a  
15   rule in the park rules, except in the case of a rule  
16   governing the circumstances under which a park owner  
17   or operator may require a mobile home owner to remove  
18   his mobile home from the park because of the age or  
19   condition of the structure.'

20    STATEMENT OF FACT

21         This amendment governs the circumstances under  
22         which a mobile home park owner or operator may re-  
23         quire a tenant to remove his home from the park. No  
24         park owner may require a tenant to remove his mobile  
25         home from the park, except pursuant to a written rule  
26         contained in the written copy of park rules which the  
27         park owner must give to the tenant. In the case of a  
28         rule governing circumstances under which a tenant may  
29         be required to remove his home because of the age or  
30         condition of the home, the park owner must first have  
31         the rule approved by the Manufactured Housing Board.

32         This law is intended to protect a tenant from an  
33         unscrupulous park owner who may force a tenant out of  
34         a park to make a space for a new tenant in order to  
35         encourage the new tenant to buy a mobile home from

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1 the park owner. In some cases, for example, a park  
2 owner may do this by using as an excuse that the cur-  
3 rent tenant's home is "too old," though the home is  
4 only a year old or that the home is in an  
5 unattractive condition.

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