## MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

### FIRST REGULAR SESSION-1993

Legislative Document

No. 812

H.P. 597

House of Representatives, March 8, 1993

An Act Requiring Mobile Home Park Operators to Notify Lienholders Prior to Eviction.

Reference to the Committee on Legal Affairs suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative PLOURDE of Biddeford.

Cosponsored by Representatives: DiPIETRO of South Portland, KUTASI of Bridgton, REED of

Dexter, VIGUE of Winslow, Senator: CAREY of Kennebec.

Be i	t enacted	bv	the	People	of the	State	of	Maine	as	follows:
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#### Sec. 1. 10 MRSA §9093, sub-§4 is enacted to read:

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4. Rental payments. A mobile home park owner or operator may require that all rental payments and other fees due the park owner or operator be paid in full by the occupant or owner of a home occupying a rented lot in the mobile home park before the home may be removed from the park or before a new owner or occupant may occupy the home in the park.

### Sec. 2. 10 MRSA §9097, sub-§2-A is enacted to read:

2-A. Notice to lienholders. At least 20 days prior to termination of a tenancy in a mobile home park, the park owner or operator shall give written notice to any holder of a lien upon the mobile home specifying the amounts due the park operator by the tenant for the tenant's rental of a lot in the park, if the lienholder previously has informed the park owner in writing of its lien. Upon payment of all amounts due as specified in the notice, the lienholder has the right to commence foreclosure or similar proceedings. If the lienholder has satisfied all of the obligations of the tenant, the lienholder has all of the rights of the tenant to sell the mobile home in the park. Such a sale is subject to sections 9094 and 9094-A and any other sections of law applicable to a tenant in the park. Failure to give notice to the lienholder bars eviction of the tenant pursuant to section 9093 but does not constitute a basis for liability of the park

#### STATEMENT OF FACT

owner or operator to the lienholder.

This bill permits mobile home park owners or operators to require that rents and fees be paid in full before a mobile home may be removed from the park. It also requires mobile home park operators to notify a bank or other lienholder prior to evicting a tenant, provided the lienholder has notified the park operator of a lien against the tenant's home.