

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1455

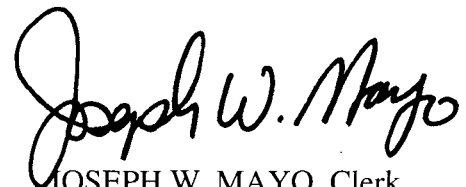
H.P. 1036

House of Representatives, May 2, 1995

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

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative WINSOR of Norway.

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**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 10 MRSA §9093, sub-§4** is enacted to read:

4. Rental payments. A mobile home park owner or operator may require that all rental payments and other fees due to the mobile home park owner or operator be paid in full before the home is removed from the park, sold or occupied by a new tenant or owner. If the owner or occupant is a lienholder who has informed the mobile home park owner or operator of its lien on the home pursuant to section 9097, subsection 2-A, the terms of that subsection apply.

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

2-A. Notice to lienholders. At least 20 days prior to the termination of a tenancy in a mobile home park, the mobile home park owner or operator shall give written notice to any holder of a lien on the mobile home, provided that the lienholder previously gave the mobile home park owner or operator written notice of the lien. The written notice to the lienholder must specify the amount of any unpaid rent, fees or assessments owed by the tenant to the mobile home park owner or operator. The total amount may not exceed the rent and other charges due for the 3 months immediately prior to the notice. Failure to notify a lienholder who met the notification requirements prohibits eviction of the tenant pursuant to section 9093 but does not constitute a basis for liability of the mobile home park owner or operator to the lienholder.

If the lienholder pays the total amount specified in the notice, the lienholder may:

A. Foreclose on the mobile home; and

B. Assume the tenant's right to sell the mobile home in the mobile home park, provided that the lienholder continues to satisfy the obligations of tenancy. The sale is subject to the laws and rules governing the sale of mobile homes located in a mobile home park, including, but not limited to, section 9094.

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### STATEMENT OF FACT

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

2 park owner of the lien and pays the total amount due, the  
lienholder may exercise all right of tenancy, including the right  
4 to sell the home in the park if foreclosure proceedings are  
initiated.