

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1355

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H.P. 938

House of Representatives, March 17, 2005

### An Act To Prohibit Unfair Charges in Mobile Home Parks

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Submitted by the Department of the Attorney General pursuant to Joint Rule 204.  
Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SMITH of Monmouth.  
Cosponsored by Senator HOBBS of York and  
Representatives: BARSTOW of Gorham, BURNS of Berwick, JACKSON of Fort Kent,  
TRAHAN of Waldoboro, Senators: MILLS of Somerset, PERRY of Penobscot.

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

**Sec. 1. 10 MRSA §9097, sub-§3,** as amended by PL 1993, c. 180, §1, is further amended to read:

**3. Fees.** The owner of a mobile home park or the owner's agents may not charge any fees to tenants other than charges for rent, utilities, reasonable incidental service charges, entrance fees or security deposits, unless otherwise provided for in the original lease or agreement. The owner of a mobile home park or the owner's agents may not charge any entrance fee, regardless of what that fee is called, to a tenant who is moving into a mobile home currently in the mobile home park that is greater than 2 times the amount of the monthly rent. The owner of a mobile home park or the owner's agents may not charge any exit fee to any tenant who is removing that tenant's mobile home from the mobile home park.

**Sec. 2. 10 MRSA §9097-C** is enacted to read:

**§9097-C. Penalties for late payment of rent**

The owner of a mobile home park or the owner's agents may assess a penalty against a tenant for late payment of rent under this section.

1. Late payment. A payment of rent is late if it is not made within 15 days from the time the payment is due.

2. Maximum penalty. The owner of a mobile home park or the owner's agents may not assess a penalty for the late payment of rent that exceeds 4% of the amount due for one month.

3. Notice in writing. The owner of a mobile home park or the owner's agents may not assess a penalty for the late payment of rent unless the owner of a mobile home park or the owner's agents gives the tenant written notice at the time the owner of a mobile home park or the owner's agents and tenant enter into the rental agreement that a penalty, up to 4% of one month's rent, may be charged for the late payment of rent.

**SUMMARY**

This bill makes the following changes to the mobile home park landlord and tenant law.

1. It prohibits mobile home park owners or owners' agents from charging otherwise illegal entrance fees regardless of what those fees are called and prohibits park owners or owners' agents

2 from charging exit fees to tenants for removing homes from the  
park.

4 2. It limits the penalty for late payment of rent to 4% of  
the amount due for one month. Also, rent is not late if it is  
6 made within 15 days from the time the payment is due.