

**SUBSTITUTE FOR  
HOUSE BILL NO. 6006**

A bill to amend 1987 PA 96, entitled  
"The mobile home commission act,"  
by amending sections 4 and 43 (MCL 125.2304 and 125.2343), as  
amended by 2015 PA 40.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 4. (1) The commission may do all of the following:
- 2           (a) After consultation with and considering comments from
- 3           representatives of the manufactured housing industry and other
- 4           interested parties, **including, but not limited to, organizations**
- 5           **known by the commission to represent residents of mobile home**
- 6           **parks,** recommend rules to the department to implement and
- 7           administer this act.
- 8           (b) Act for the purpose of establishing a uniform policy



1 relating to all phases of mobile home businesses, mobile home  
2 parks, and seasonal mobile home parks.

3 (c) Determine the sufficiency of local mobile home ordinances  
4 that are designed to provide local governments with superintending  
5 control over mobile home businesses, mobile home parks, or seasonal  
6 mobile homes parks.

7 (d) Conduct public hearings relating to the powers prescribed  
8 in this subsection.

9 (2) ~~The director or an authorized representative of the~~  
10 ~~director~~ **department** shall do all of the following:

11 (a) **Employ an appropriate number of employees with the**  
12 **appropriate qualifications as required to implement and enforce**  
13 **this act and the rules promulgated under this act, including, but**  
14 **not limited to, staff to conduct community inspections, review**  
15 **financial information, manage the licensing process, and**  
16 **investigate potential violations of this act and the rules**  
17 **promulgated under this act.**

18 (b) ~~(a)~~ After consultation with and considering comments from  
19 representatives of the manufactured housing industry and other  
20 interested parties, promulgate rules to implement and administer  
21 this act.

22 (c) ~~(b)~~ Conduct hearings relating to violations of this act or  
23 rules promulgated under this act.

24 (d) ~~(c)~~ Make investigations to determine compliance with this  
25 act and rules promulgated under this act.

26 (e) ~~(d)~~ Provide assistance to the commission as the commission  
27 requires.

28 (f) ~~(e) On not less than a quarterly basis,~~ **At every meeting**  
29 **of the commission,** report to the commission on the expenditure of



1 all fees collected under this act and the relation of those  
2 expenditures to the enforcement and administration of this act.

3 (g) ~~(f)~~—Post and maintain on the department's website all  
4 current guidelines.

5 (h) ~~(g)~~—Promptly notify a local government of the issuance,  
6 amendment, or rescission of a guideline if the department has  
7 knowledge that a mobile home park or seasonal mobile home park is  
8 located in, or an application has been filed for the licensure of a  
9 park proposed to be located in, the local government. The notice  
10 shall be sent by first-class mail or electronic mail to each of the  
11 following:

12 (i) The clerk of the local government.

13 (ii) The chief executive officer of the local government.

14 (iii) The enforcing agency for the local government if, under  
15 section 8a or 8b of the Stille-DeRossett-Hale single state  
16 construction code act, 1972 PA 230, MCL 125.1508a and 125.1508b,  
17 the local government has assumed responsibility for the  
18 administration and enforcement within its jurisdiction of that act  
19 and the state construction code or a part of the state construction  
20 code of limited application.

21 (i) ~~(h)~~—If the department receives a complaint about a  
22 condition at a mobile home park or seasonal mobile home park that  
23 imminently threatens the health or safety of the residents of the  
24 park, promptly notify each local government in which the park is  
25 located of the details of the complaint.

26 (3) The commission shall not regulate mobile homes that are  
27 not located within a mobile home park or a seasonal mobile home  
28 park, except as relates to the business, sales, and service  
29 practices of mobile home dealers and the business practices of



1 mobile home installers and repairers.

2 (4) Not later than January 1, 2023, the department shall  
3 establish or cause to be established a database of mobile home park  
4 owners that includes every licensed mobile home park owner's  
5 contact information, license number, and current licensing status  
6 and shall make the database available to the public on the  
7 department's website. The database must include each mobile home  
8 park owner that has a license to operate a mobile home park. The  
9 department must establish a method in which the public may submit a  
10 reporting form on its website regarding potentially unlicensed  
11 mobile home park owners and the department must update the public  
12 database within 30 days of a change in licensure status. To the  
13 extent it complies with the requirements of this subsection and  
14 subsection (5), the department may utilize an existing database.

15 (5) The database described in subsection (4) must provide a  
16 means by which a mobile home park owner may update the mobile home  
17 park owner's contact information. Every mobile home park owner must  
18 designate an individual who is an owner, officer, director, or  
19 employee of the mobile home park owner as the mobile home park  
20 owner's designee to communicate with the department and must  
21 provide that individual's contact information to the department,  
22 including the individual's current street address, monitored  
23 electronic mail address, and operational telephone number. A mobile  
24 home park owner must notify the department within 30 days if the  
25 mobile home park owner sells a mobile home park and if the mobile  
26 home park owner's designee changes. If a mobile home park owner  
27 fails to update the information required in this subsection, the  
28 department may assess an administrative fine of \$50.00 on the  
29 mobile home park owner after notice and a hearing as provided under



1 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201  
 2 to 24.328. The mobile home park owner must pay the fine assessed  
 3 under this subsection before the department issues or renews a  
 4 license to the mobile home park owner.

5 Sec. 43. (1) If, after notice and a hearing as provided in the  
 6 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
 7 24.328, a person is determined to have violated this act, the  
 8 commission may impose 1 or more of the following penalties:

9 (a) Censure.

10 (b) Probation.

11 (c) License limitation.

12 (d) License suspension. The commission may request the  
 13 appointment of a receiver when taking action under this  
 14 subdivision.

15 (e) License revocation. The commission may request the  
 16 appointment of a receiver when taking action under this  
 17 subdivision.

18 (f) License denial.

19 (g) **An administrative fine of not more than \$5,000.00.**

20 (h) ~~(g)~~ A civil fine of not more than \$50,000.00.

21 (i) ~~(h)~~ Restitution.

22 (2) **If the department determines that a mobile home park**  
 23 **located in this state is owned or operated by a person that does**  
 24 **not have a license issued by the department to own or operate that**  
 25 **mobile home park, the department shall provide written notice to**  
 26 **the unlicensed owner or operator of the mobile home park. The**  
 27 **written notice provided under this subsection must require the**  
 28 **unlicensed owner or operator of the mobile home park to apply to**  
 29 **the department for licensure within 30 days of the date of the**



1 notice. If the unlicensed owner or operator of the mobile home park  
2 does not apply for licensure within the 30-day period provided  
3 under this subsection, the department shall commence proceedings to  
4 impose a fine on the unlicensed owner or operator of the mobile  
5 home park. If the department determines that a person owned or  
6 operated a mobile home park or seasonal mobile home park without a  
7 license as required under section 16, the department shall impose a  
8 fine of not more than \$100,000.00 after notice and a hearing as  
9 provided under the administrative procedure act of 1969, 1969 PA  
10 306, MCL 24.201 to 24.328. The department shall advise the attorney  
11 general of the failure of any person to pay any fine imposed under  
12 this section. The attorney general shall bring a civil action in a  
13 court of competent jurisdiction to recover the fine.

14 (3) ~~(2)~~—A fine collected under this section shall be deposited  
15 with the state treasurer and credited to the mobile home code fund  
16 created in section 9.

17 (4) ~~(3)~~—If the department determines that the owner or  
18 operator of a mobile home park or seasonal mobile home park has  
19 violated this act or rules promulgated under this act by failing to  
20 maintain or repair any infrastructure or facilities of the mobile  
21 home park or seasonal mobile home park, the department shall give  
22 notice of the determination by personal service or first-class mail  
23 to the local governments where the mobile home park is located, the  
24 owner, the operator, and, if financial assurance in the form of a  
25 bond has been posted under rules promulgated under section 16(2),  
26 the surety executing the bond. If the owner, operator, or surety  
27 does not perform or commence the specified maintenance or repair  
28 within 60 days after service of the notice, the department or its  
29 authorized representative may enter the mobile home park or



seasonal mobile home park and perform the specified maintenance or repair. At the request of the owner, operator, or surety, the department may grant an extension of up to an additional 90 days. The owner, operator, and any surety are jointly and severally liable for all expenses incurred by the department or its authorized representative in performing the specified maintenance or repair. The department shall certify the claim to the owner, operator, and any surety, listing in the claim the items of expense in performing the maintenance or repair, and shall draw on any financial assurance for the payment of the claim. The department shall notify the local government where the mobile home park is located when the specified maintenance or repair has been completed.

(5) ~~(4)~~—This section does not prohibit actions from being taken under other sections of this act.

(6) ~~(5)~~—The pursuit in court of the lawful rights of a licensee does not constitute a violation of this act, regardless of the outcome of the court action.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 100th Legislature are enacted into law:

(a) House Bill No. 6003.

(b) House Bill No. 6004.

(c) House Bill No. 6005.

(d) House Bill No. 6007.

(e) House Bill No. 6008.

