

Act No. 241
Public Acts of 1993
Approved by the Governor
November 13, 1993
Filed with the Secretary of State
November 15, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Reps. Middleton, Rivers, Freeman, Goschka, Stille, Willard, Pitoniak and London
Rep. Rocca named co-sponsor

ENROLLED HOUSE BILL No. 4396

AN ACT to amend section 28 of Act No. 96 of the Public Acts of 1987, entitled "An act to create a mobile home commission; to prescribe its powers and duties and those of local governments; to provide for a mobile home code and the licensure, regulation, construction, operation, and management of mobile home parks, the licensure and regulation of retail sales dealers, warranties of mobile homes, and service practices of dealers; to provide for the titling of mobile homes; to prescribe the powers and duties of certain agencies and departments; to provide remedies and penalties; to declare the act to be remedial; to repeal this act on a specific date; and to repeal certain acts and parts of acts," as amended by Act No. 337 of the Public Acts of 1988, being section 125.2328 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 28 of Act No. 96 of the Public Acts of 1987, as amended by Act No. 337 of the Public Acts of 1988, being section 125.2328 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 28. (1) An owner or operator of a mobile home park or seasonal mobile home park shall not engage, or permit an employee or agent to engage, in any of the following unfair or deceptive methods, acts, or practices:

- (a) Directly or indirectly charging or collecting from a person an entrance fee.
- (b) Requiring a person to directly or indirectly purchase a mobile home from another person as a condition of entrance to, or lease or rental of, a mobile home park or seasonal mobile home park space.
- (c) Directly or indirectly charging or collecting from a person a refundable or nonrefundable exit fee.
- (d) Requiring or coercing a person to purchase, rent, or lease goods or services from another person as a condition of any of the following:
 - (i) Entering into a park or lease.
 - (ii) Selling a mobile home through the park owner or operator, or his or her agent or designee upon leaving a mobile home park or seasonal mobile home park.
 - (iii) Renting space in a mobile home park or seasonal mobile home park.
- (e) Directly or indirectly charging or collecting from a person money or other thing of value for electric, fuel, or water service without the use of that service by a resident or tenant being first accurately and consistently measured, unless that service is included in the rental charge as an incident of tenancy.
- (f) Conspiring, combining, agreeing, aiding, or abetting in the employment of a method, act, or practice that violates this act.
- (g) Renting or leasing a mobile home or site in a mobile home park or seasonal mobile home park without offering a written lease.

(h) Subject to section 28a, prohibiting a resident from selling his or her mobile home on-site for a price determined by that resident, if the purchaser qualifies for tenancy and the mobile home meets the conditions of written park rules or regulations. This subdivision does not apply to seasonal mobile home parks.

(i) Subject to reasonable mobile home park or seasonal mobile home park rules governing the location, size, and style of exterior television antenna, prohibiting a person from installing or maintaining an exterior television antenna on a mobile home within the park unless the mobile home park or seasonal mobile home park provides park residents, without charge, a central television antenna for UHF-VHF reception.

(2) A tenant of a mobile home park or seasonal mobile home park may bring an action on his or her own behalf for a violation of this section.

(3) If the commission has reason to suspect that the owner of a mobile home park or seasonal mobile home park is engaged in conduct that violates existing water utility tariffs or qualifies the owner of a mobile home park or seasonal mobile home park for regulation as a water utility, the commission shall promptly send a written report of the alleged violation to the Michigan public service commission.

This act is ordered to take immediate effect.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.