



HOUSE BILL No. 4396

March 2, 1993, Introduced by Reps. Middleton, Rivers, Freeman, Goschka, Stille, Willard, Pitoniak and London and referred to the Committee on Housing and Urban Affairs.

A bill to amend section 28a of Act No. 96 of the Public Acts of 1987, entitled

"The mobile home commission act,"

as added by Act No. 337 of the Public Acts of 1988, being section 125.2328a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 28a of Act No. 96 of the Public Acts of
2 1987, as added by Act No. 337 of the Public Acts of 1988, being
3 section 125.2328a of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 28a. (1) Mobile home park rules or regulations may
6 include provisions governing the physical condition of mobile
7 homes and the aesthetic characteristics of mobile homes in
8 relation to the mobile home park in which they are located,
9 subject to all of the following:

1 (a) The age or size of a mobile home shall not be used as
2 the sole basis for refusing to allow an on-site, in-park sale or
3 for refusing to allow the mobile home to remain on-site. ~~The A~~
4 RESIDENT BEARS THE burden of ~~going forward in~~ PROCEEDING WITH a
5 suit against the mobile home park owner or operator for violation
6 of this subdivision. ~~is on the resident.~~

7 (b) The standards incorporated in the written park rules or
8 regulations governing the physical condition and aesthetic char-
9 acteristics of mobile homes in the mobile home park shall apply
10 equally to all residents.

11 (c) A mobile home sold on-site shall conform with Act
12 No. 133 of the Public Acts of 1974, being sections 125.771 to
13 125.774 of the Michigan Compiled Laws.

14 (d) Any charge connected to the on-site, in-park sale of a
15 mobile home, other than the inspection fee permitted under subdi-
16 vision (e) and the commission or fee charged by a mobile home
17 dealer licensed under this act who is engaged by the seller to
18 transact the sale, is an entrance or exit fee in violation of
19 section 28.

20 (e) A park owner or operator may ~~charge a reasonable fee~~
21 ~~to~~ inspect the mobile home before sale ~~. The charge shall not~~
22 ~~be~~ FOR A FEE THAT IS NOT more than EITHER \$30.00, or AN AMOUNT
23 EQUIVALENT TO the amount charged for building permit inspections
24 by the municipality in which the mobile home is located, which-
25 ever is ~~higher~~ GREATER.

26 (f) The standards governing the physical condition of mobile
27 homes and the aesthetic characteristics of mobile homes in the

1 mobile home park, as incorporated in the written park rules,
2 shall not be designed to defeat the intent of this section.

3 (G) IF A ZONING ORDINANCE OR PARK RULE PROHIBITS THE ATTACH-
4 MENT OF TELEVISION ANTENNAE TO THE EXTERIOR OF MOBILE HOMES
5 WITHIN A MOBILE HOME PARK, THE OWNER OR OPERATOR OF THAT MOBILE
6 HOME PARK SHALL PROVIDE A CENTRAL TELEVISION ANTENNA FOR UHF-VHF
7 RECEPTION, TO WHICH EACH MOBILE HOME WITHIN THAT MOBILE HOME PARK
8 MAY CONNECT, FOR A 1-TIME FEE APPROVED BY THE COMMISSION.

9 (2) Subsection (1)(f) ~~shall~~ DOES not apply if the mobile
10 home park is changing its method of doing business and provides
11 not less than 1 year's notice, unless a different notice period
12 is otherwise provided by law, of the proposed change to all
13 affected mobile home park residents. A change in a mobile home
14 park's method of doing business includes, but is not limited to,
15 any of the following:

16 (a) Conversion to a mobile home park condominium pursuant to
17 the condominium act, Act No. 59 of the Public Acts of 1978, being
18 sections 559.101 to 559.275 of the Michigan Compiled Laws.

19 (b) Conversion to total rental of both mobile home site and
20 park-owned mobile homes.

21 (c) Changes in use of the land on which the mobile home park
22 is located.

23 (3) Notwithstanding subsection (1) or (2), a mobile home
24 park may require a mobile home to be moved to a comparable site
25 within the mobile home park, at the expense of the mobile home
26 park.

1 (4) If, after termination of a resident's tenancy for just
2 cause as provided in chapter 57a of the revised judicature act of
3 1961, Act No. 236 of the Public Acts of 1961, being sections
4 600.5771 to 600.5785 of the Michigan Compiled Laws, the resident
5 of a mobile home park sells his or her mobile home to the owner
6 or operator of the mobile home park, or to any entity in which
7 the owner or operator has any interest, the resident ~~shall have~~
8 ~~the right to~~ MAY have the mobile home's value appraised and, if
9 ~~so appraised~~ THAT APPRAISAL OCCURS, the sale price of the
10 mobile home shall not be less than the appraised value.

11 (5) Except as provided in subsection (1)(a), a mobile home
12 park owner or operator, or both, has the burden of ~~going forward~~
13 ~~to show~~ SHOWING compliance with subsection (1).