



SENATE BILL No. 6

January 13, 1993, Introduced by Senator DI NELLO and referred to the Committee on State Affairs and Military/Veteran Affairs.

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

"The mobile home commission act,"

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:

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

5 Sec. 28. (1) ~~An owner or operator of a~~ A mobile home park
6 or seasonal mobile home park OWNER OR OPERATOR shall not engage,
7 ~~nor~~ OR permit an employee or agent to engage, in any of the
8 following UNFAIR OR DECEPTIVE methods, acts, or practices: —

1 ~~which are defined in this section as unfair or deceptive~~
 2 ~~practices:~~

3 (a) ~~Charging or exacting~~ DIRECTLY OR INDIRECTLY CHARGING
 4 OR COLLECTING from a person ~~, directly or indirectly,~~ an
 5 entrance fee.

6 (b) ~~Requiring~~ DIRECTLY OR INDIRECTLY REQUIRING a person to
 7 purchase ~~directly or indirectly~~ a mobile home from ~~any other~~
 8 ANOTHER person as a condition of entrance to, or lease or rental
 9 of, a mobile home park or seasonal mobile home park space.

10 (c) ~~Charging or exacting~~ DIRECTLY OR INDIRECTLY CHARGING
 11 OR COLLECTING from a person ~~, directly or indirectly, an exit~~
 12 ~~fee, whether~~ A refundable or nonrefundable EXIT FEE.

13 (d) Requiring, coercing, or inducing a person to ~~purchase,~~
 14 DO ANY OF THE FOLLOWING:

15 (i) PURCHASE, rent, or lease goods or services from another
 16 person as a condition ~~for~~ OF entering into a park or lease. ~~, or upon leaving the mobile home park or seasonal mobile home park to sell~~

19 (ii) SELL a mobile home through the park owner or operator,
 20 or his or her agent or designee ~~, or for the rental of~~ UPON
 21 LEAVING A MOBILE HOME PARK OR SEASONAL MOBILE HOME PARK.

22 (iii) RENT space in a mobile home park or seasonal mobile
 23 home park.

24 (e) ~~Charging or exacting~~ DIRECTLY OR INDIRECTLY CHARGING
 25 OR COLLECTING from a person ~~, directly or indirectly,~~ money or
 26 other thing of value for ~~the provision or distribution of an~~
 27 electric, fuel, or water service without the use of ~~the~~ THAT

1 service by a resident or tenant being first accurately and
2 consistently measured, ~~in relation to the actual amount of the~~
3 ~~use by the resident or tenant,~~ unless ~~the electric, fuel, or~~
4 ~~water~~ THAT service is ~~being~~ included in the rental charge as
5 an incident of tenancy.

6 (f) Conspiring, combining, agreeing, ~~or arranging with~~
7 ~~another person to employ, or aid or abet the employing of, any~~
8 AIDING, OR ABETTING IN THE EMPLOYMENT OF A method, act, or prac-
9 tice ~~which is in violation of~~ THAT VIOLATES this act.

10 (g) Renting or leasing a mobile home or A site in a mobile
11 home park or seasonal mobile home park without offering a written
12 lease.

13 (h) Subject to section 28a, ~~denying~~ PROHIBITING a resident
14 ~~the right to sell~~ FROM SELLING TO A PURCHASER his or her mobile
15 home ~~, on-site , at~~ FOR a price determined by ~~him or her, to~~
16 ~~any purchaser,~~ THAT RESIDENT, if the purchaser qualifies for
17 tenancy and the mobile home meets the conditions of written park
18 rules or regulations. This subdivision does not apply to sea-
19 sonal mobile home parks.

20 (I) CHARGING OR COLLECTING FROM A PERSON A FEE IN ADDITION
21 TO RENTAL CHARGES IF THE FEE IS BASED ON THE NUMBER OF PERSONS
22 OCCUPYING A MOBILE HOME AND IF THE RESIDENT IS SEPARATELY
23 INVOICED FOR AND PAYS ALL UTILITY SERVICE CHARGES FOR THAT MOBILE
24 HOME, INCLUDING ELECTRICAL, FUEL, WATER, AND SEWAGE COSTS.

25 (2) A tenant of a mobile home park or seasonal mobile home
26 park may bring an action ~~in his or her own right~~ ON HIS OR HER
27 OWN BEHALF for a violation of this section.

1 (3) If the commission has reason to suspect that the owner
2 of a mobile home park or seasonal mobile home park is engaged in
3 ~~any~~ conduct ~~which~~ THAT violates existing water utility tar-
4 iffs or qualifies the owner of a mobile home park or seasonal
5 mobile home park for regulation as a water utility, the commis-
6 sion shall promptly send a written report of the alleged viola-
7 tion to the Michigan public service commission.