

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 816

(St. Mary's County Delegation)

Environmental Matters

Judicial Proceedings

St. Mary's County - Mobile Home Parks - Plans for Dislocated Residents

This bill provides that if a mobile home park owner in St. Mary's County submits an application for a change in the land use of a park that does not include a plan for alternative arrangements for each park resident, or does not comply with the terms of an approved plan, the application may not be approved until the owner submits and complies with a plan. A mobile home park owner must send the county commissioners a copy of the written notice of termination sent to the residents when the use of land is changed without a request for a zoning change.

Fiscal Summary

State Effect: None.

Local Effect: St. Mary's County expenditures could decrease for personnel and for assistance paid to displaced residents. Revenues would not be affected.

Small Business Effect: Potential meaningful impact on owners of mobile home parks.

Analysis

Bill Summary: The bill specifies that a plan submitted for alternative arrangements for park residents must include • a complete list of all park residents, including household sizes, addresses, and contact information for residents; • a relocation calendar or timeline; • a budget reflecting the amount of money allocated by the mobile home park owner to be given to each resident to cover the costs associated with moving the resident's home, including: moving the trailer; disconnecting and reconnecting the

utilities; and removing and attaching axles, decks, railings, and side skirting; and • a list of area mobile home parks with vacancies.

Current Law: When a mobile home park owner submits an application for a change in the land use of a park, the owner must simultaneously submit a plan for alternative arrangements for each resident to be dislocated as a result of the change in land use. The statute does not currently provide a specific definition of what constitutes an application for a change in land use.

If the land use for a mobile home park is changed, all residents are entitled to a one-year prior written notice of termination, notwithstanding the provisions of a longer term in a rental agreement. A resident with a month-to-month lease may not request a one-year rental agreement once notice to terminate is delivered by certified mail to the resident.

In 2007, the Maryland Court of Special Appeals upheld a 2006 circuit court decision in the case of *Dove v. Childs*, 173 Md. App. 602, ruling that a change of land “use” is not synonymous with a change in zoning. In *Dove*, the mobile home park owner was denied a change of zoning request by the county. The owner then sold the property and served notice requesting the tenants to vacate the property in 12 months. As a result of this decision, a mobile home park owner does not need a change of zoning to be approved by the county in order to serve residents with notification of a change of land use. A change of land use could simply be a sale of the property, without a change in zoning, as was the situation in *Dove*. This type of change in land use does not require the submission of any application, so the statutory requirement for an alternative arrangement plan would not be triggered.

Background: As shown in **Exhibit 1**, households residing in mobile homes have decreased in both St. Mary’s County and across the State. Households in St. Mary’s County residing in mobile homes have decreased from 15% of occupied housing units in 1990 to 6% in 2006.

Exhibit 1
Households Residing in Mobil Homes

| <u>Year</u> | <u>St. Mary’s County</u> | <u>State of Maryland</u> |
|-------------|--------------------------|--------------------------|
| 1990 | 3,842 | 55,992 |
| 2000 | 2,653 | 43,462 |
| 2006 | 2,088 | 38,421 |

Source: U.S. Census Bureau, *American Community Study*, 1990, 2000, 2006

Local Fiscal Effect: St. Mary's County advises that there have been two mobile home park closures in the past year, displacing approximately 80 households. Although developers who purchased the parks provided some assistance to displaced residents, the county utilized community development block grant funds to provide at least \$300,000 in assistance to some of the estimated 80 displaced households. The county also reports that a considerable amount of time was spent by the county department of social services in helping to relocate displaced residents. Costs incurred by the county to relocate a mobile home varied from \$2,000 to \$15,000, depending on the complexity and distance of the relocation. The county also notes that these funds were a one-time grant and would not be available for future use.

It is anticipated that between one and four mobile home parks in St. Mary's County may close within the next two years, which could displace 20 to 70 households depending on the number of park closures. Requiring that a plan for alternative arrangements for each resident include specific details would likely reduce the amount of staff time that the local department of social services would have to dedicate to assisting displaced mobile home park residents. Assuming that the relocation budget for each resident provided in the plan is greater than otherwise would have been provided, the bill could result in a decrease in the amount of county assistance that would be needed to assist displaced residents.

Additional Information

Prior Introductions: None.

Cross File: SB 798 (Senator Dyson) – Judicial Proceedings.

Information Source(s): Maryland Department of Planning, St. Mary's County, U.S. Census Bureau, Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2008
ncs/hlb Revised - House Third Reader - March 26, 2008

Analysis by: Erik P. Timme

Direct Inquiries to:
(410) 946-5510
(301) 970-5510