

SB0935/858374/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 935
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Robey” and substitute “Senators Robey and McFadden”; in line 8, strike “plan for alternative arrangements” and substitute “relocation plan”; in the same line, after “residents;” insert “requiring the plan to include the payment of certain relocation assistance to each park household under certain circumstances; providing that the plan include certain information; providing that a mobile home park owner shall not incur liability and may not be estopped from obtaining possession of certain premises under certain circumstances; prohibiting a relocation plan from including certain conditions under certain circumstances; requiring relocation assistance to be paid to residents who will be dislocated when a mobile home park is closed; establishing conditions under which a mobile home park owner is not required to pay relocation assistance; establishing a time table for paying relocation assistance; providing that, under certain circumstances, a resident may forfeit receiving relocation assistance; establishing that a certain local governing body may provide additional relocation assistance to dislocated residents and that the payments are not the responsibility of the mobile home park owner;”.

AMENDMENT NO. 2

On page 2, in lines 6 and 7, strike “plan for alternative arrangements for each resident to” and substitute “**RELOCATION PLAN FOR PARK RESIDENTS WHO WILL**”; in lines 9 and 10, strike “plan for alternative arrangements” and substitute “**RELOCATION PLAN**”; in line 14, strike “plan for alternative arrangements” and substitute “**RELOCATION PLAN**”; in line 20, strike “A” and substitute “**IF THE PLAN IS FOR CLOSING THE PARK, A**”; in the same line, strike “money” and substitute “**RELOCATION ASSISTANCE**”; in line 21, strike “resident” and substitute “**HOUSEHOLD**”; in line 22, strike “resident’s” and substitute “**HOUSEHOLD’S**”; in line

(Over)

23, strike “trailer” and substitute “MOBILE HOME”; in line 26, strike “and”; in line 27, after “(iv)” insert “A DESCRIPTION OF THE REQUIREMENT THAT A RESIDENT PROVIDE WRITTEN NOTICE OF THE RESIDENT’S INTENTION TO VACATE THE PARK AND THE TIME TABLE FOR THE OWNER TO PAY RELOCATION ASSISTANCE, AS PROVIDED UNDER SUBSECTION (C)(1) OF THIS SECTION; AND

(v)”;

and after line 27, insert:

“(3) IF A MOBILE HOME PARK OWNER UNDERTAKES A REASONABLE, GOOD FAITH INQUIRY TO OBTAIN THE INFORMATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND THE INFORMATION IN THE RELOCATION PLAN IS BASED ON THE OWNER’S REASONABLE, GOOD FAITH INQUIRY, THE OWNER SHALL NOT INCUR ANY LIABILITY AND MAY NOT BE ESTOPPED FROM OBTAINING POSSESSION OF THE PREMISES BECAUSE OF A FAILURE TO PROVIDE ACCURATE INFORMATION IN THE RELOCATION PLAN.

(4) A RELOCATION PLAN MAY NOT REQUIRE, AS A CONDITION OF APPROVAL BY THE LOCAL GOVERNING BODY OF THE PLAN OR THE CHANGE IN LAND USE SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION, THAT:

(i) RELOCATION ASSISTANCE BE PAID UNLESS THE MOBILE HOME PARK OWNER SENDS A NOTICE OF PARK CLOSURE TO EACH RESIDENT;

(ii) THE AMOUNT OF RELOCATION ASSISTANCE EXCEED THE AMOUNT OF RENT FOR THE PREMISES, EXCLUDING TAXES AND UTILITIES, PAID BY A RESIDENT FOR THE 10 MONTHS IMMEDIATELY PRECEDING THE DATE THE RESIDENT VACATES THE LEASED PREMISES;

(III) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, ANY AMOUNT OF RELOCATION ASSISTANCE BE PAID TO A RESIDENT BEFORE POSSESSION OF THE PREMISES IS RETURNED TO THE OWNER; OR

(IV) THE OWNER ASSURE THE RELOCATION OF ANY RESIDENT.

(5) IF AN OWNER RESCINDS A NOTICE OF PARK CLOSURE, THE OWNER IS NOT REQUIRED TO PAY RELOCATION ASSISTANCE AFTER THE DATE THE NOTICE OF RESCISSION IS SENT TO THE RESIDENTS.

(6) AN OWNER IS NOT REQUIRED TO PAY RELOCATION ASSISTANCE TO ANY POTENTIAL RESIDENT WHO, AFTER RECEIVING WRITTEN NOTICE OF THE APPLICATION FOR CHANGE IN LAND USE OR WRITTEN NOTICE OF PARK CLOSURE, SIGNS AN AGREEMENT TO RENT PREMISES IN THE PARK.

(C) (1) IF A MOBILE HOME PARK IS CLOSED, RELOCATION ASSISTANCE SHALL BE PAID IN THE FOLLOWING MANNER:

(I) ONE HALF OF THE RELOCATION ASSISTANCE SHALL BE PAID TO A RESIDENT WITHIN 30 DAYS AFTER THE MOBILE HOME PARK OWNER RECEIVES WRITTEN NOTICE OF:

1. THE RESIDENT'S INTENTION TO VACATE THE PARK; AND

2. THE DATE ON WHICH THE RESIDENT WILL RETURN POSSESSION OF THE PREMISES TO THE OWNER; AND

(Over)

(II) ONE HALF OF THE RELOCATION ASSISTANCE SHALL BE PAID TO A RESIDENT WITHIN 30 DAYS AFTER THE RESIDENT RETURNS POSSESSION OF THE PREMISES TO THE OWNER.

(2) IF A RESIDENT FAILS TO RETURN POSSESSION OF THE PREMISES BY REMOVING THE MOBILE HOME FROM THE PREMISES ON OR BEFORE THE DATE SPECIFIED IN THE RESIDENT'S NOTICE OF INTENTION TO VACATE, THE RESIDENT SHALL FORFEIT THE BALANCE OF ANY RELOCATION ASSISTANCE DUE UNLESS THE MOBILE HOME PARK OWNER AGREES IN WRITING TO A DIFFERENT DATE.

(D) (1) THE LOCAL GOVERNING BODY OF THE COUNTY OR MUNICIPAL CORPORATION IN WHICH A MOBILE HOME PARK IS LOCATED MAY PROVIDE ADDITIONAL RELOCATION ASSISTANCE TO RESIDENTS.

(2) A MOBILE HOME PARK OWNER IS NOT RESPONSIBLE FOR ANY PAYMENTS MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION."