

HOUSE BILL 242

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0lr0811

By: **Delegates Hixson, Cardin, Gilchrist, Howard, Ivey, Doory, Kaiser, Murphy, Rice, Stukes, and F. Turner**

Introduced and read first time: January 25, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2010

CHAPTER _____

1 AN ACT concerning

2 **Real Property – Mobile Home Park – Rental Agreement – Term of Payment**

3 FOR the purpose of providing that a rental agreement for a site in a mobile home park
4 may not require an annual payment of rent; providing that a prospective
5 resident may request, and a park owner may agree to, an annual payment of
6 rent for the site; ~~altering the allowable terms of payment required to be~~
7 ~~contained in a rental agreement~~ providing for the application of this Act; and
8 generally relating to the term of payment in a rental agreement for a mobile
9 home park site.

10 BY repealing and reenacting, without amendments,
11 Article – Real Property
12 Section 8A–101(a) and (i)
13 Annotated Code of Maryland
14 (2003 Replacement Volume and 2009 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Real Property
17 Section 8A–201
18 Annotated Code of Maryland
19 (2003 Replacement Volume and 2009 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Real Property**

2 8A–101.

3 (a) In this title the following words have the meanings indicated.

4 (i) “Rental agreement” means any written understanding between a resident
5 and park owner whereby the resident is entitled to place his mobile home on a site in
6 the park for payment of consideration to the park owner.

7 8A–201.

8 (A) Before a current or prospective resident signs a rental agreement or
9 occupies the premises a park owner shall:10 (1) Provide the prospective resident with a written notice identifying
11 the availability, capacity, and connection fee of all utility services at the proposed site
12 in order to assure the proper and adequate installation of the mobile home. The
13 prospective resident shall furnish to the park owner a written acknowledgment of this
14 notification and acceptance of the site as proposed.15 (2) Deliver a copy of the rules and an explanation of any provision for
16 amendment of the rule.17 (3) Deliver a copy of the rental agreement which shall contain the
18 following:

19 (i) A specific identification of the site to be leased;

20 (ii) A term of tenancy of at least 1 year;

21 (iii) A stipulation of:

22 1. The total amount of annual rental for the site;

23 2. The term of payment, whether monthly, quarterly, ~~OR~~
24 semiannually~~†~~, or annually~~†~~;

25 3. The amount due for each installment;

26 4. The amount of any late payment fee; and

27 5. All park fees, in a manner that identifies the service
28 to be provided for each park fee;

1 (iv) A description of each general obligation of the resident and
2 park owner;

3 (v) A description of each service, facility, and utility service that
4 the park owner will provide;

5 (vi) A description of any termination and renewal option;

6 (vii) The text of § 8A-202(c) of this subtitle, which defines
7 “qualified resident”; and

8 (viii) A specific reference to this title as the law that governs the
9 relationships between the resident and park owner.

10 (B) (1) A RENTAL AGREEMENT MAY NOT REQUIRE AN ANNUAL
11 PAYMENT OF RENT FOR A SITE.

12 (2) A PROSPECTIVE RESIDENT MAY REQUEST AND A PARK OWNER
13 MAY AGREE THAT THE RESIDENT MAKE AN ANNUAL PAYMENT OF RENT FOR THE
14 SITE.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
16 construed to apply only prospectively and may not be applied or interpreted to have
17 any effect on or application to any rental agreement for a mobile home park site
18 executed before the effective date of this Act.

19 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
20 effect October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.