

Chapter 400

(House Bill 242)

AN ACT concerning

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

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

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

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

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

Article – Real Property

8A–101.

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

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

8A–201.

(A) Before a current or prospective resident signs a rental agreement or occupies the premises a park owner shall:

(1) Provide the prospective resident with a written notice identifying the availability, capacity, and connection fee of all utility services at the proposed site in order to assure the proper and adequate installation of the mobile home. The prospective resident shall furnish to the park owner a written acknowledgment of this notification and acceptance of the site as proposed.

(2) Deliver a copy of the rules and an explanation of any provision for amendment of the rule.

(3) Deliver a copy of the rental agreement which shall contain the following:

- (i) A specific identification of the site to be leased;
- (ii) A term of tenancy of at least 1 year;
- (iii) A stipulation of:
 - 1. The total amount of annual rental for the site;
 - 2. The term of payment, whether monthly, quarterly, ~~or~~ semiannually~~†~~, or annually~~†~~;
 - 3. The amount due for each installment;
 - 4. The amount of any late payment fee; and
 - 5. All park fees, in a manner that identifies the service to be provided for each park fee;
- (iv) A description of each general obligation of the resident and park owner;
- (v) A description of each service, facility, and utility service that the park owner will provide;
- (vi) A description of any termination and renewal option;
- (vii) The text of § 8A-202(c) of this subtitle, which defines “qualified resident”; and
- (viii) A specific reference to this title as the law that governs the relationships between the resident and park owner.

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

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

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

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

Approved by the Governor, May 4, 2010.