



SB0729 – Real Property – Access to Counsel in Evictions Program and Mobile Home Parks
Hearing before the Senate Judicial Proceedings Committee,
March 5, 2025

Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on SB 729 at the request of bill sponsor Senator Shaneka Henson.

MLA is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. We serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, most prominently those arising from housing insecurity. Under the Access to Counsel in Evictions law, MLA represented over 4,700 households in eviction proceedings in 2025. We urge the Committee's favorable report on SB 729 to protect the stability of Maryland's mobile home residents.

Throughout the state, there are over 31,000 households living in mobile homes, 70% of them owner-occupied.¹ This bill aims to improve mobile home residents' stability comprehensively by heightening safeguards against eviction, predatory practices, and unsafe conditions.

Mobile home residents face devastating consequences in the eviction process.

Owners of mobile homes have purchased a significant asset with a median value of \$80,900.² When they face eviction from a mobile home community, they not only deal with household destabilization and uncertainty, but also imminent loss of this asset. Like rental housing tenants in Maryland's massive eviction system, mobile homeowners are subject to a rapid legal procedure in the District Court. In that procedure, the mobile homeowner loses their right to use the park owner's lot. While they legally retain possession of their mobile home,

¹ U.S. Census Bureau. "Physical Housing Characteristics for Occupied Housing Units." *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2504*, [https://data.census.gov/table/ACSST1Y2024.S2504?q=United+States&t=Owner/Renter+\(Householder\)+Characteristics&g=010XX00US_040XX00US24](https://data.census.gov/table/ACSST1Y2024.S2504?q=United+States&t=Owner/Renter+(Householder)+Characteristics&g=010XX00US_040XX00US24). Accessed on 15 Feb 2026.

² U.S. Census Bureau, "Physical Housing Characteristics for Occupied Housing Units," *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2504*, [https://data.census.gov/table/ACSST1Y2024.S2504?q=United+States&t=Owner/Renter+\(Householder\)+Characteristics&g=010XX00US_040XX00US24](https://data.census.gov/table/ACSST1Y2024.S2504?q=United+States&t=Owner/Renter+(Householder)+Characteristics&g=010XX00US_040XX00US24). Accessed on 15 Feb 2026.

they could in practice lose it by failing to move the vehicle off the lot before a sheriff executes the eviction.

Moving a mobile home off the lot poses enormous challenges. Not only do park owners favor newly constructed homes over transfers,³ a transfer from one mobile home community to another involves prohibitive costs. A full-service move, in which the moving company “handle[s] disconnecting and reconnecting utilities, removing and replacing skirting and securing [the] home to the foundation [will] range from \$4,500 to \$22,000, with higher costs for very long moves or very large homes.”⁴ Beyond transport costs, mobile home residents know that moving the home risks irreparably damaging it and losing its value completely.

“[T]o move your mobile home to a different park, your options may be very limited – it may be much easier to sell your current mobile home and buy another at a different park than to move your mobile home.”⁵ Yet, the eviction process scarcely provides residents time to make a sale with any due diligence. Consequently, eviction poses more devastating consequences for mobile home owners than for rental housing tenants: “When [mobile] home owners facing eviction cannot move or sell their home, the homeowners’ only option is to abandon their home or try to sell it to the community owner – usually for a fraction of what it’s worth – eroding any equity the home might have accrued. In some cases, homeowners must sell their homes for less than their mortgage, meaning they walk away from evictions saddled with even more debt. After evicting residents, park owners often rent out or re-sell these homes.”⁶

Maryland law must catch up to the big business of mobile home parks.

Maryland’s mobile home park law, Real Property, Title 8A, has hardly changed since enactment in 1980. Meanwhile, the industry has undergone a sea-change as “mom and pop” park owners sold their parks to investment firms. Across the United States, private equity firms have capitalized on the housing insecurity of mobile home residents. “[R]esidents are vulnerable to exploitation by landlords looking to maximize profits. When site rent and fees are increased or

³ Private Equity Stakeholder Project, PESP Private Equity Manufactured Housing Tracker, <https://pestakeholder.org/pep-private-equity-manufactured-housing-tracker>.

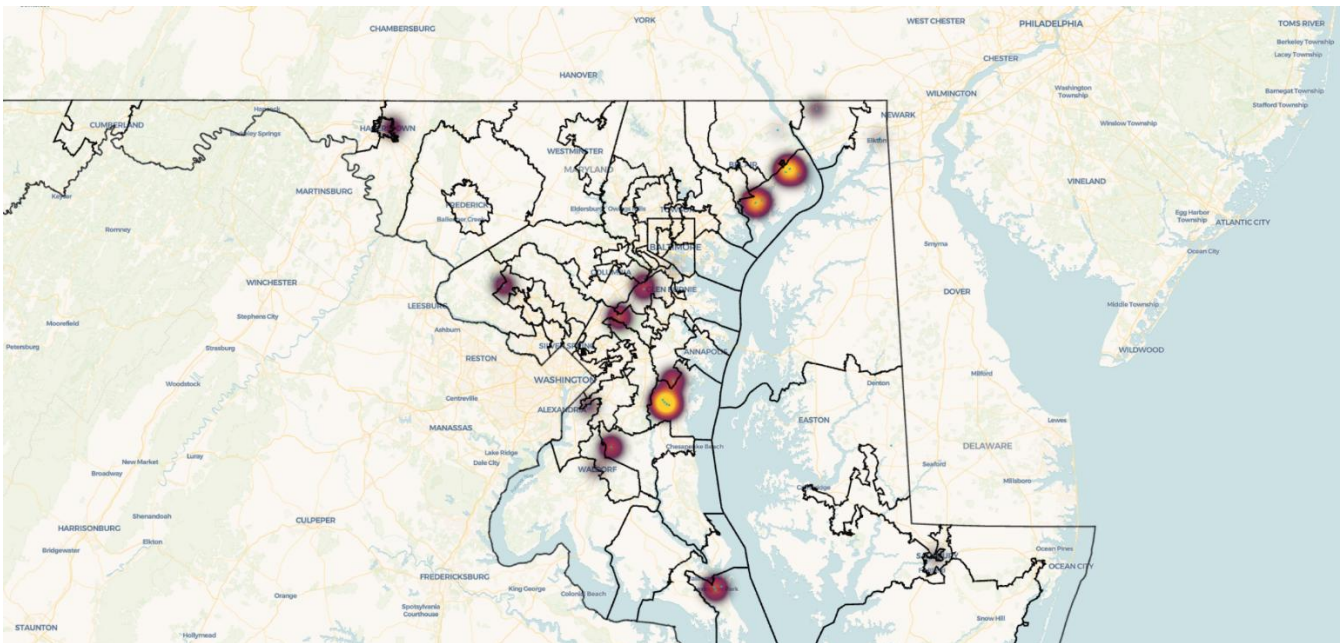
⁴ Kristin Salaky, “How Much Does It Cost To Move A Mobile Home?” Forbes.com (Apr 17, 2025), <https://www.forbes.com/home-improvement/moving-services/cost-to-move-mobile-home>.

⁵ Maryland Office of the Attorney General Consumer Protection Division, “Mobile Homes in Maryland,” Consumer’s Edge, https://oag.maryland.gov/resources-info/Documents/pdfs/CPD%20Publications/Mobile_Homes.pdf.

⁶ *Supra* n.2.

communal maintenance issues ignored, [mobile] homeowners often have no choice but to endure it. This economic trap is not a side effect but a building block of the business model.”⁷

Researchers have identified at least 28 Maryland parks – holding around 4,700 mobile homes, or 15% of the state’s total – that are owned by private equity firms or subsidiaries: Federal Capital Partners (12 parks, over 2,000 homes), RHP Properties (9 parks, 1,997 homes), Legacy Communities (5 parks, 550 homes), and Sunrise Communities (2 parks, 142 homes).⁸



Concentrations of private equity-owned mobile home parks (Private Equity Stakeholder Project)

Overview of protections under SB 729

This bill presents long-overdue reforms that address common vulnerabilities of mobile home residents.

A. Eviction prevention through the Access to Counsel in Evictions Program

The bill expressly brings mobile home park residents into the protections of the Access to Counsel in Evictions (ACE) Program. This change adds needed clarity and implementation components that will ensure that mobile home residents receive notice about the right to access legal representation whenever they face eviction. Currently, mobile home residents

⁷ *Id.*

⁸ *Id.*

receive no notice about ACE. Practitioners fear that these residents have no awareness of the vital program when facing eviction, and that if they appear before a court, judges may be unaware that the ACE law applies to the case. SB 729 establishes this clarity for defendants and judges. It also increases awareness of ACE via a new “Notice of Intent to File” requirement for any eviction action and expressly affords residents a postponement to obtain counsel.

B. Increased due process in eviction procedures

The Notice of Intent to File in SB 729 provides a preventative measure to avoid eviction litigation altogether. It affords the opportunity for the resident to cure non-payment or continuing lease violation before the park owner may seek to evict. In non-payment cases, the mobile home resident will receive a 30-day notice, which triggers a 10-day cure period. In addition to affording time to seek counsel via postponement, the bill allows judges the discretion to adjourn proceedings for either party to procure necessary evidence or witnesses. The bill also extends the appeal period in mobile home eviction cases from two days to 15 and simplifies the appeal bond requirement. Payment of an appeal bond stays enforcement of an eviction order while the appeal is pending before the circuit court. Commonly, trial judges set the appeal bond at multiples of rent, such as three or four months. Lacking several thousand in cash on hand to store in a court account, many choose not to pursue an appeal at all. In lieu of lumpsum bond payments, SB 729 allows courts to receive prospective payments of monthly rent into an escrow account. If the resident fails to pay into the escrow, the circuit court may dismiss the appeal.

Crucially, SB 729 also alters the post-eviction stage of the eviction process so that residents have a reasonable opportunity to sell their mobile home. New section 8A-1706 (Pages 35-37) provides a resident at least 30 days after warrant execution before the mobile home may be considered abandoned property. During the 30-day post-warrant period, the park owner must give the resident access to the park for purposes of recovering personal possession inside the mobile home or making improvements to it. The resident may sell a mobile home to third party. If the park owner intends to purchase the mobile home, they must make a written offer to purchase within 20 days. This offer must meet at least the appraised value of the mobile home. Additionally, a court may extend this post-warrant period for good cause shown, such as hardship or pending sale. After the post-warrant period expires, the mobile home becomes abandoned property which the park owner may dispose of. If the park owner sells the abandoned mobile home, they must pay the former resident the proceeds of the sale minus deductions for outstanding rent and fees. These measures prevent the mobile home resident’s total loss of equity at eviction.

C. Protection against loss of Qualified Resident status

Under existing law, mobile home residents begin their tenancy with Qualified Resident status, which provides entitlement to renewal of the lease on a one-year term. So long as the resident maintains Qualified Resident status, they secure long-term stability and avoid the instability of

month-to-month leasing and no-cause eviction. Residents typically lose Qualified Resident status based on alleged violations of park rules or standards. SB 729 strengthens residents' ability to maintain Qualified Resident status (1) by permitting loss of status only for *substantial* violations and (2) by allowing the resident to cure loss of status within six months of the expiration of their lease. The bill defines "substantial violation" as a "serious and immediate" threat to health, safety, or property of the park owner or other resident; or a behavior which, after written notice and opportunity to cure, materially impairs others' use of the park or willfully and repeatedly disregards lease rules. Page 7, lines 9-19.

SB 729 requires written notice to the resident detailing the specific reason for loss of Qualified Resident status. This notice must be issued 90 days ahead of lease expiration and provide the resident the opportunity both to meet with the park owner to review the asserted grounds for revocation of status and to present mitigating factors warranting reconsideration.

<i>Citation</i>	<i>Current Standard</i>	<i>New Standard</i>
§ 8A-202(b)	Qualified status lost based on "repeated violation" (undefined)	Requires "substantial violation" defined as: (I) serious/immediate threat to health, safety, or property; or (II) continuing behavior after written notice and opportunity to correct
	Qualified status lost based on untimely payments	Removes payment history as basis for loss of Qualified status
	Qualified status lost if violation occurs within prior 6 months	Qualified status lost if violation occurs within the 6 months prior to expiration.

D. Enhanced notice requirements

SB 729 rigorously strengthens notice to residents of non-renewal, rent increases, and other adverse actions.

<i>Citation</i>	<i>Current Requirement</i>	<i>New Requirement</i>
§ 8A-202(a)	Month-to-month termination (implied 30 days)	90 days' written notice
§ 8A-202(b)	Qualified Resident renewal offer 30 days before expiration	90 days before expiration

§ 8A–202(b)	Statement of non-renewal reason within 5 days after decision	Written notice at least 90 days before expiration
§ 8A–202(j)	Rent increase notice 60 days before expiration (1-year renewals only)	90 days before rent increase (all residents)

E. Protection from unfair rules and retaliation

SB 729 increases protection of mobile home residents from selective enforcement of park rules and retaliation. While Real Prop. § 8A–1502 already bars park owners from enforcing unconscionable rules or lease requirements, this bill establishes a rebuttable presumption of unconscionability where a rule is “not applied uniformly to all residents” or is “enforced inconsistently or arbitrarily by the park owner.” Additionally, SB 729 adds arbitrary or inconsistent enforcement of park rules against a resident as a retaliatory act in the existing anti-retaliation provisions at § 8A-1301.

Senate Bill 729 supports the stability of Maryland Legal Aid’s clients

Our client in Harford County lost her Qualified Resident status after falling behind on payments. Her car had broken down, causing her to miss work. Although she caught up on the lot rent, the park owner had already sent her a Notice to Vacate and refused to reconsider. The dispute led to a Tenant Holding Over action. Because current law allowed her loss of Qualified Resident status based on payment history alone, our client was renting the lot on a month-to-month basis and subject to termination on 30 days’ notice. After the court issued a warrant, our client had five weeks to find a buyer for her mobile home before eviction. She could not move it off the lot in part because she was hospitalized. Although she negotiated a sale, the buyer was rejected by the park owner. As the eviction date neared, the park owner offered \$1,500 to our client to take ownership of the mobile home. With next to no bargaining power, she accepted the paltry sum. SB 729 would have protected our client from loss of Qualified Status, preventing the eviction and exploitative sale of her home. Even with loss of status, our client would have had more time – 30 days after eviction – to find a buyer, and in a sale to the park owner, she would have been entitled to the appraised value of the mobile home.

For all the above-stated reasons, Maryland Legal Aid urges the Committee to issue a **FAVORABLE** report on SB 729. If you have any questions, please contact:

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