

CHAPTER 327C

MANUFACTURED HOME PARK LOT RENTALS

327C.02 Rental agreements.

327C.07 In park sales.

327C.02 RENTAL AGREEMENTS.*[For text of subs 1 to 4, see M.S.1982]*

Subd. 5. **Written notice required.** The following notice printed verbatim in boldface type of a minimum size of ten points must be given to a prospective resident before he or she is asked to sign a rental agreement. The notice and the safety feature disclosure form required under section 327C.07, subdivision 3a, must be posted in a conspicuous and public location in the park:

"IMPORTANT NOTICE

State law provides special rules for the owners and residents of manufactured home parks.

You may keep your home in the park as long as the park is in operation and you meet your financial obligations, obey state and local laws which apply to the park, obey reasonable park rules, do not substantially annoy or endanger the other residents or substantially endanger park personnel and do not substantially damage the park premises. You may not be evicted or have your rent increased or your services cut for complaining to the park owner or to a governmental official.

If you receive an eviction notice and do not leave the park, the park owner may take you to court. If you lose in court a sheriff may remove you and your home from the park within seven days. Or, the court may require you to leave the park within seven days but give you 60 days to sell the home within the park.

All park rules and policies must be reasonable. Your rent may not be increased more than twice a year. Changes made in park rules after you become a park resident will not apply to you if they substantially change your original agreement.

The park may require a security deposit, but the deposit must not amount to more than two months rent.

You have a right to sell the home in the park. But the sale is not final until the park owner approves the buyer as a new resident, and you must advise in writing anyone who wants to buy your home that the sale is subject to final approval by the park owner. You must also disclose in writing certain safety information about your home to anyone who wants to buy it in the park. You must give this information to the buyer before the sale, in writing, on the form that is attached to this notice. You must completely and accurately fill out the form and you and the buyer should each keep a copy.

Your rental agreement and the park rules contain important information about your rights and duties. Read them carefully and keep a copy.

For further information concerning your rights, consult a private attorney. The state law governing the rental of lots in manufactured home parks may also be enforced by the Minnesota Attorney General."

In addition, the safety feature disclosure form required under section 327C.07, subdivision 3a, must be attached to the notice.

History: 1983 c 206 s 1

327C.07 IN PARK SALES.

Subdivision 1. **Resident's rights.** Except as otherwise provided in this section, a resident has the right to sell his home through an in park sale. The park owner may not charge a fee for allowing the resident to exercise this right, except to charge a fee of up to \$25 for processing a prospective buyer's tenancy application. If the park owner is licensed as a dealer, the park owner may agree in writing to broker the in park sale of a resident's home. The park owner may not require a resident to use the park owner's services as a broker. The park owner may not give preferential treatment to applications for tenancy from people seeking to buy homes whose in park sale is being brokered by the park owner.

[For text of subds 2 and 3, see M.S.1982]

Subd. 3a. **Safety feature disclosure form.** A resident or a resident's agent shall disclose information about safety features of the home to the prospective buyer. The information must be given to the buyer before the sale, in writing, in the following form:

"MANUFACTURED (MOBILE) HOME SAFETY FEATURE DISCLOSURE FORM

This form is required by law to be filled out and given to the prospective buyer of any used manufactured home by all private parties, dealers, and brokers.

EXITS AND EGRESS WINDOWS

This home has at least one egress window in each bedroom, or a window in each bedroom that meets the specifications of the American National Standard Institute 1972 code covering manufactured homes made in Minnesota. This code requires that the window be at least 22 inches in least dimension, and at least five square feet in area, and that the window be not more than four feet off the floor.

Yes No

This home has (number) of exits. They are located

SMOKE DETECTORS AND FIRE EXTINGUISHERS

This home is equipped with fire extinguishers as required by the Minnesota state health department.

Yes No

They are located

This home is equipped with at least one listed automatic smoke detector outside each sleeping area as required in homes built in accordance with the state building code.

Yes No

ALUMINUM WIRING

This home has aluminum wiring.

Yes No

Aluminum wiring can present a fire hazard in homes. The special hazards presented by aluminum wiring can be eliminated by certain repairs, as recommended by the U.S. Consumer Product Safety Commission.

A. The wiring connections to the outlets in this home have been crimped, and the connection point is now copper.

Yes No

B. This home has electrical outlets and switches compatible with aluminum wiring.

Yes No

C. Other action has been taken to eliminate or reduce the danger caused by aluminum wiring in this home. (Describe) (The buyer may check the effectiveness of these methods by contacting the U.S. Consumer Product Safety Commission.)

FURNACE AND HOT WATER HEATER

The furnace compartment in this home is lined with fire-resistant gypsum board, as specified in the 1976 U.S. Department of Housing and Urban Development codes governing manufactured housing construction.

Yes No

The hot water heater cabinet in this home is lined with fire-resistant gypsum board, as specified in the 1976 U.S. Department of Housing and Urban Development codes governing manufactured housing construction.

Yes No

WOOD STOVE AND FIREPLACE

This home contains a wood stove. This stove was installed by the manufacturer of the home after June 15, 1976, and was inspected for compliance with the U.S. Department of Housing and Urban Development safety codes.

Yes No

This home contains a wood stove. This wood stove unit is approved for installation in manufactured homes. It was installed by in accordance with the manufacturer's guidelines. A building permit for this wood stove was issued by the city of, and this wood stove installation has been approved by the building inspector.

Yes No

This home contains a fireplace. The fireplace was installed by the manufacturer of the home after June 15, 1976, and was inspected for compliance with the U.S. Department of Housing and Urban Development safety codes.

Yes No

This home contains a fireplace. This fireplace unit is approved for installation in manufactured homes. It was installed by in accordance

with the manufacturer's guidelines. A building permit for this fireplace was issued by the city of, and this fireplace installation has been approved by the building inspector.

Yes No

BLOCKING

This home is supported by blocking, as required by state code since September 1, 1974.

Yes No

RECOMMENDATIONS TO PROSPECTIVE BUYERS: HEAT TAPE

It is also recommended that the buyer check the home's heat tape. Old and worn heat tape, and improper installation of heat tape, can cause a fire hazard.

FURNACE AND HOT WATER HEATER

It is recommended that the buyer have a qualified utility representative check the furnace and hot water heater to see that they are both in good working order. If this home was converted from oil to natural gas heat, there could be safety problems if the conversion was not done correctly. A utility representative or building inspector can inspect the condition and installation of this equipment. They may charge a reasonable fee to do so. It is also recommended that the buyer check the floor area around the water heater and furnace compartments. A weakened floor can create a fire hazard.

ENERGY AUDIT

It is also recommended that the buyer have a utility approved energy audit of the home.

COMPLIANCE WITH SAFETY FEATURES

If you purchase the home, you will be required to install egress windows and smoke detectors and fire extinguishers within one year. You will be required to comply with all of the safety features contained in this form within three years.

I,, the undersigned, hereby declare that the above information is true and correct to the best of my knowledge.

.....
Signature

.....
Date"

A park owner shall provide a resident or a resident's agent with a copy of the safety feature disclosure form upon request.

[For text of subs' 4 to 7, see M.S.1982]

Subd. 8. Compliance with home safety features. Within 12 months following the in park sale of a home for which a home safety feature disclosure form has been provided under subdivision 3a, the buyer shall install egress windows meeting the specifications of the American National Standard Institute 1972 code covering manufactured homes made in Minnesota and fire extinguishers and smoke detectors as required by the Minnesota state health department and state building code.

In addition to the previous requirements, within three years following the sale or upon the resale of the home the buyer shall install the following home safety features:

(a) Necessary aluminum wiring repairs conforming with the recommendations of the consumer product safety commission;

(b) Fire-resistant gypsum board lining or similar fire-resistant material for furnaces and hot water heaters conforming with the 1976 department of housing and urban development codes;

(c) If the home contains a wood stove or fireplace, installation in conformance with 1976 department of housing and urban development safety codes; and

(d) Blocking supports as required by the state building code.

Following installation of the safety features required under this subdivision, the home must be inspected by a building inspector. The inspector may charge a reasonable fee, not to exceed \$50, for the inspection. The homeowner shall give the park owner a certificate of inspection certifying that the home safety features required under this subdivision have been installed. Failure to comply with the requirements of this subdivision is a park rule violation for purposes of section 327C.09.

History: 1983 c 206 s 2-4