



LAWS OF ALASKA

1986

Source

Chapter No.

SCS CSHB 155(Rules)

13

AN ACT

Relating to limitations on a mobile home park operator's right to terminate tenancy within the mobile home park and granting a tenant in property being converted to a common interest ownership under AS 34.08 a right of first refusal.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 12

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: April 18, 1986
Actual Effective Date: July 17, 1986

AN ACT

Relating to limitations on a mobile home park operator's right to terminate tenancy within the mobile home park and granting a tenant in property being converted to a common interest ownership under AS 34.08 a right of first refusal.

* Section 1. AS 34.03.225 is amended to read:

Sec. 34.03.225. LIMITATIONS ON MOBILE HOME PARK OPERATOR'S RIGHT TO TERMINATE. A mobile home park operator may evict a mobile home or a mobile home park dweller or tenant only for one of the following reasons:

(1) the mobile home dweller or tenant has defaulted in the payment of rent owed;

(2) the mobile home dweller or tenant has been convicted of violating a federal or state law or local ordinance, and that violation is continuing and is detrimental to the health, safety or welfare of other dwellers or tenants in the mobile home park;

(3) the mobile home dweller or tenant has violated a provision, enforceable under AS 34.03.130, of the rental agreement or lease signed by both parties and not prohibited by law including rent and the terms of agreement; and

(4) a change in the use of the land comprising the mobile home park, or the portion of it on which the mobile home to be evicted is located; however, all dwellers or tenants so affected by a change

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1 in land use shall be given at least 180 days' [90 DAYS] notice, or
2 longer if a longer notice period is provided in a valid lease.

3 * Sec. 2. AS 34.03.225 is amended by adding a new subsection to read:

4 (b) A mobile home park operator may not evict a mobile home or a
5 mobile home park dweller or tenant because of the age of the mobile
6 home, except that a mobile home or a mobile home park dweller or
7 tenant may be evicted if, when the mobile home was admitted to the
8 mobile home park, a regulation of the mobile home park limiting the
9 age of a mobile home in the mobile home park was in effect, the mobile
10 home is sold after the age limitation has been exceeded, and the owner
11 or tenant of the mobile home has failed to bring the unit into com-
12 pliance with the life safety requirements of 24 CFR Part 3280. This
13 does not prohibit eviction for violation of a provision enforceable
14 under AS 34.03.130 that requires that a mobile home be in a fit and
15 habitable condition.

16 * Sec. 3. AS 34.08.620(b) is amended to read:

17 (b) For 90 days after delivery or mailing of the notice des-
18 cribed in (a) of this section, the person required to give the notice
19 shall offer to convey each unit or proposed unit occupied for residen-
20 tial use to the tenant who leases or rents the unit. If a tenant fails
21 to purchase the unit during the 90-day period, the offeror shall
22 extend a right of first refusal to the tenant who is leasing or
23 renting the unit at the time of the conversion. The offeror may not
24 offer to dispose of an interest in the unit [DURING THE FOLLOWING 180
25 DAYS] at a price or on terms more favorable to the offeree than the
26 price or terms offered to the tenant while the tenant is in
27 possession. The tenant must exercise the right of first refusal
28 within 90 days from the receipt of the offer and must provide the
29 offeror a valid letter of intent or a preliminary loan commitment from

a bank or mortgage lending institution within 30 days of receipt of the offer. This subsection does not apply to a unit in conversion property if the unit will be restricted exclusively to nonresidential use or if the boundaries of the converted unit do not substantially conform to the dimensions of the residential unit before conversion.