

1 IN THE HOUSE

BY PARKER AND MCKINNON

2 *SCS CS* HOUSE BILL NO. 829 *Rules amS reer.*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mobile home parks and mobile home  
7 park dwellers."

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

9 \* Section 1. AS 34.03.040(b) is amended to read:

10 (b) A provision prohibited by (a) or (c) of this section included  
11 in a rental agreement is unenforceable. If a landlord or tenant wil-  
12 fully uses a rental agreement containing provisions known by him to be  
13 prohibited, the other party may recover the amount of his actual dam-  
14 ages.

15 \* Sec. 2. AS 34.03.040 is amended by adding a new subsection to read:

16 (c) No rental agreement between a mobile home park operator and a  
17 mobile home park tenant may

18 (1) deny a tenant of a mobile home park the right to sell the  
19 tenant's mobile home within the park or require the resident or tenant  
20 to remove the mobile home from the park solely on the basis of the sale  
21 of the mobile home; nor may the mobile home park operator make a rule or  
22 regulation to the same effect;

23 (2) require a tenant to provide permanent improvements that  
24 become a part of the real property of the mobile home park owner or  
25 operator as a condition of tenancy in the mobile home park;

26 (3) require that a prospective tenant, as a condition of his  
27 tenancy in a mobile home park, purchase a mobile home from a particular  
28 vendor or from one of a particular group of vendors; nor may a mobile  
29 home park owner or operator give a special preference in renting space

1 in a mobile home park to a prospective tenant who has purchased a mobile  
2 home from a particular vendor or group of vendors; or

3 (4) require payment of any type of vendor or transfer fee  
4 either by a tenant in the mobile home park desiring to sell his mobile  
5 home to another party or by any party desiring to purchase a mobile home  
6 from a tenant in the park as a condition of tenancy; however, this  
7 paragraph does not prevent the owner or operator from applying normal  
8 park standards to prospective tenants before granting or denying tenancy  
9 or from charging a reasonable vendor or transfer fee for services  
10 actually performed and agreed to in writing by the tenant.

11 \* Sec. 3. AS 34.03.080 is amended by adding a new subsection to read:

12 (d) A mobile home park operator shall disclose fully in writing  
13 all capital improvements that will be required to be made by the tenant  
14 including but not limited to skirting or utility hook-ups, before  
15 entering into a rental agreement.

16 \* Sec. 4. AS 34.03.130 is amended by adding a new subsection to read:

17 (c) A mobile home park operator may determine by rule or regula-  
18 tion the style or quality of the equipment, including but not limited to  
19 underskirting and tie-downs, to be purchased by the tenant from the  
20 vendor of the tenant's choice; however, the operator may not require  
21 that the equipment be purchased from the operator.

22 \* Sec. 5. AS 34.03 is amended by adding a new section to read:

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

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

29 (2) the mobile home dweller or tenant has been convicted of

1 violating a federal or state law or local ordinance, and that violation  
2 is continuing and is detrimental to the health, safety or welfare of  
3 other dwellers or tenants in the mobile home park;

4 (3) the mobile home dweller or tenant has substantially  
5 violated a reasonable rule or regulation properly established by the  
6 operator; or

7 (4) a change in the use of the land comprising the mobile  
8 home park, or the portion of it on which the mobile home to be evicted  
9 is located; however, all dwellers or tenants affected shall be given at  
10 least 90 days notice, or longer if a longer notice period is provided in  
11 a valid lease.

12 \* Sec. 6. AS 45.30 is amended by adding new sections to read:

13 CHAPTER 30. [STANDARD FOR] MOBILE HOMES  
14 AND MOBILE HOME PARKS.

15 Sec. 45.30.070. CERTAIN LANDLORD-VENDOR AGREEMENTS PROHIBITED.

16 (a) A vendor of mobile homes may not require as a condition of sale  
17 that a purchaser locate the mobile home in a particular mobile home park  
18 or in one of a particular group of mobile home parks.

19 (b) A vendor of mobile homes may not offer or pay cash or other  
20 consideration to a mobile home park owner or operator to reserve spaces  
21 or otherwise induce acceptance of one or more mobile homes in a mobile  
22 home park.  
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