

Original sponsors: Parker and McKinnon

Offered: 3/3/76

Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 829

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 will-
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 payment of any type of vendor or transfer fee
27 either, by a tenant in the mobile home park desiring to sell his mobile
28 home to another party or by any party desiring to purchase a mobile home
29 from a tenant in the park as a condition of tenancy; however, this

1 paragraph does not prevent the owner or operator from applying normal
2 park standards to prospective tenants before granting or denying tenancy
3 or from charging a reasonable vendor or transfer fee for services
4 actually performed and agreed to in writing by the tenant; or

5 (4) require the prospective tenant to pay a fee to enter the
6 mobile park or a tenant to pay a fee to transfer his mobile home to
7 another location outside the park; however, this paragraph does not
8 prevent the owner or operator from charging a reasonable fee for ser-
9 vices actually performed and agreed to in writing by the tenant.

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

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

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

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

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

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

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

28 (2) the mobile home dweller or tenant has been convicted of
29 violating a federal or state law or local ordinance, and that violation

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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 substantially violated a reasonable rule or regulation properly established by the operator; or

(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 affected shall be given at least 90 days notice, or longer if a longer notice period is provided in a valid lease.

* Sec. 6. AS 45.30 is amended by adding a new section to read:

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

Sec. 45.30.070. CERTAIN LANDLORD-VENDOR AGREEMENTS PROHIBITED.

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

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