

Offered: 4/23/85  
Referred: Judiciary

Original sponsor: Ray by request

BY THE LABOR-AND  
COMMERCE COMMITTEE

1 IN THE SENATE

2

CS FOR SENATE BILL NO. 188 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to eviction from a mobile home park;

7

and providing for an effective date."

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

9 \* Section 1. AS 34.03.225 is amended by adding a new subsection to  
10 read:

11 (b) A mobile home park operator may not evict a mobile home or a  
12 mobile home park dweller or tenant because of the age of the mobile  
13 home. This does not prohibit eviction for violation of a provision  
14 enforceable under AS 34.03.130 that requires that a mobile home be in  
15 a fit and habitable condition.

16 \* Sec. 2. AS 34.03.040(c) is amended to read:

17 (c) Neither a [NO] rental agreement between a mobile home park  
18 operator and a mobile home park tenant nor a rule or regulation of a  
19 mobile home park operator may

20 (1) deny a tenant of a mobile home park the right to sell  
21 the tenant's mobile home within the park or require the resident or  
22 tenant to remove the mobile home from the park solely on the basis of  
23 the sale of the mobile home, [NOR MAY THE MOBILE HOME PARK OPERATOR  
24 MAKE A RULE OR REGULATION TO THE SAME EFFECT,] except that, within 30  
25 days of written notice by the tenant of intent to sell the mobile home  
26 to a specified buyer, the operator or owner of the mobile home park  
27 may refuse to allow a sale for the following reasons:

28 (A) the mobile home is in violation of laws or ordi-  
29 nances relating to health, safety or welfare;

1 (B) the proposed buyer refuses to assume the same  
2 terms as are in the existing rental agreement; or

3 (C) the proposed buyer does not have sufficient finan-  
4 cial responsibility;

5 (2) require a tenant to provide permanent improvements that  
6 become a part of the real property of the mobile home park owner or  
7 operator as a condition of tenancy in the mobile home park; however,  
8 the rental agreement may require the tenant to maintain existing  
9 conditions in the park;

10 (3) require payment of any type of vendor or transfer fee  
11 either by a tenant in the mobile home park desiring to sell the [HIS]  
12 mobile home to another party or by any party desiring to purchase a  
13 mobile home from a tenant in the park as a condition of tenancy;  
14 however, this paragraph does not prevent the owner or operator from  
15 applying normal park standards to prospective tenants before granting  
16 or denying tenancy or from charging a reasonable vendor or transfer  
17 fee for services actually performed if the tenant is notified in  
18 writing of the amount of those charges before agreeing to move into  
19 the park; [OR]

20 (4) require the prospective tenant to pay a fee to enter  
21 the mobile home park or a tenant to pay a fee to transfer the [HIS]  
22 mobile home to another location outside the park; however, this para-  
23 graph does not prevent the owner or operator from charging a reason-  
24 able fee for services actually performed and if the tenant is notified  
25 in writing of the amount of those charges before agreeing to move into  
26 the park; or

27 (5) provide for eviction or termination of the tenancy or  
28 require removal of the mobile home because of the age of the mobile  
29 home; however, this paragraph does not prohibit eviction for violation

1       of a provision enforceable under AS 34.03.130 that requires that a  
2       mobile home be in a fit and habitable condition.  
3       \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
4       10.070(c).