

SB

6

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

MAR 22 2001

SENATE FINANCE
COMMITTEE

DATE: 3/9/01

FURTHER:

DATE TURNED
IN TO OFFICE: 22 March 2001

Finance Committee considered

SENATE BILL NO. 6

MOBILE HOME PARK EVICTION NOTICE

"An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park."
and recommends:

- be replaced with CS SB 6 (FIN)
- adopt previous CS CS forthcoming ()
- attached amendment(s)
- adopt Letter of Intent by Committee
- further referral to Committee

Senate Bill:
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR #

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Law	4/28/01		✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>		✓		
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>			✓	

SENATE FINANCE

COMMITTEE

Amendment Number: #1

Bill Number: SB 6

Sponsor: L. Leman Date: 3/20/01

Logged In By: Mindy

AMENDMENT

OFFERED IN THE SENATE
TO: CS SB 6 (L&C)

BY SENATOR LEMAN

Page 4, Line 2: following "provided in a valid lease."

INSERT:

If the change in land use requires relocating 10 or more mobile homes, the mobile home park owner or operator may contribute to a pooled relocation fund \$5,000 for each mobile home being relocated, and the relocation fund shall pay the actual disconnection, relocation, and reestablishment costs of each mobile home; however, the relocation fund may not be required to pay more than the total received from the owner or operator.

SENATE FINANCE COMMITTEE
2000 COMMITTEE ACTION

Bill Number	SB 6		
Amendment	# 1		
Motion			
<u>Motion by</u>			
<u>Objection by</u>			
Removed			
<u>Second Objection by</u>			
<u>Committee Member</u>	<u>Y</u>	<u>Vote</u>	<u>N</u>
Senator Olson			
Senator Ward			
Senator Wilken			
Senator Austerman			
Senator Green			
Senator Hoffman			
Senator Leman			
Co-Chair Donley			
Co-Chair Kelly			
<u>Tally</u>			
Yea			
Nay			
Absent			
MOTION	Adopted		

MAR 22 2001

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 6
(S) Publish Date: 3/9/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
Title "An Act relating to required notice of eviction BRU Civil Division
to the mobile home park dwellers and tenants . . ." Component Fair Business Practices
Sponsor Senator Ellis
Requester Senate Labor and Commerce Component No. 2206

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 6 requires that when a mobile home is to be evicted from a mobile home park because the land is to be used for another purpose, the date to quit the park must be between April 1 and September 30. In addition, at least 365 days notice must be provided to the dwellers or tenant, unless the mobile home park operator finds a suitable place for the mobile home and pays certain specified costs for moving the home. In that case, 180 days notice is adequate, unless the lease provides for a longer notice period.

Passage of this legislation will have no fiscal impact on the Department of Law.

Prepared by: Joan M. Kasson Phone 465-5370
Division Attorney General's Office Date/Time 2/28/01 11:42 AM
Approved by: Kathryn Daughhettee for Bruce N Botelho, Attorney General Date 2/28/01
Agency Department of Law

For distribution information, call the Governor's Legislative Office

ALASKA STATE LEGISLATURE

Senate Rules Committee

Senate Judiciary Committee

Department of Law
Budget Subcommittee

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Fax: (907) 465-2529

While in Anchorage
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SENATE MINORITY LEADER

JOHNNY ELLIS

Sponsor Statement
Senate Bill 6

RECEIVED

MAR 09 2001

Senate Finance
Committee

In July 2000 an Anchorage rezoning decision evicted 220 lower-income mobile home owners and their families. This change created both a net loss of mobile home spaces as well as a decrease in available lower income housing. As communities have grown, areas once considered marginal for development have become more desirable which means more rezoning and evictions are expected.

As the specter of rezoning was raised in the spring of 2000, Archbishop Francis Hurley and United Way Director Dennis McMillian formed a task force to address how relocations of mobile home communities impact the larger community of Anchorage. The "Anchorage Response to Manufactured Housing Community Relocation" Task Force Report prepared a report for the Anchorage Assembly. This bill addresses the task force's legislative action recommendations.

What this bill does: It updates the Alaska Landlord Tenant Act to accommodate the needs of mobile home community members by changing the "notice to quit requirement" from 180 days to 360. Should the landlord not wish to give 360 days notice, they may still give 180 days notice with the requirement then to pay up to \$5000 in relocation fees of the tenant. The increase in notice is intended to allow the displaced residents to find a new space for their mobile home, or save up the deposit and other fees before moving into an apartment.

Who supports this bill: Catholic Social Services, the Archdiocese of Anchorage, the Salvation Army, and mobile home community residents.

This bill is important because it helps to form a strategy to alleviate the strain involved with the loss of affordable housing stock caused by displacement of residents in manufactured home communities as there is continuing rezoning and commercial redevelopment. By helping to soften the blow and smooth the transition in an eviction this bill would take a proactive stance in preventing the disenfranchisement of a potentially at risk segment of society.

I recommend support and swift passage of this important piece of legislation.

ALASKA STATE LEGISLATURE



Senate Rules Committee
•
Senate Judiciary Committee
•
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Budget Subcommittee

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SENATE MINORITY LEADER JOHNNY ELLIS

Sectional Analysis Senate Bill 6

According to the Legislative Legal Department this bill requires that a mobile home park tenant being evicted due to a change in the use of land be given one year's notice, unless the park owner or operator pays the costs of relocating the mobile home. It also adds the provision that tenants evicted due to a change in land use may not be made to vacate during the winter.

Section 1. Changes the wording of the definition of unlawful holding by force. The change is to stay in uniform with the new notice provisions of section 3.

Section 2. Changes the subsection on reasons for evicting a mobile home park tenant to take into account the new notice provisions of section 3.

Section 3. Adds a new subsection requiring that a mobile home park tenant being evicted due to a land use change be given a quit date between April 1 and September 30 and at least 365 days notice of eviction, unless the mobile home park owner or operator pays the actual cost of moving the mobile home, not to exceed \$5,000 in which case only 180 days notice is required.

Section 4. This section adds the requirement that the quit date fall between April 1 and September 30 to the existing law which provides for one year's notice for a mobile home park tenant being evicted due to a change in land use. It is a change to correspond to the changes made in section 3.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 7, 2001

SUBJECT: Sectional Summary of Notice of Eviction to Mobile Home Park Dwellers (SB 6)

TO: Senator Johnny Ellis
Attn: Tyson Fick

FROM: Kathryn L. Kurtz *KK*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

This bill requires that a mobile home park tenant being evicted due to a change in the use of land be given one year's notice, unless the park owner or operator pays the costs of relocating the mobile home. It prohibits park owners and operators from requiring these tenants and mobile home park tenants whose parks are being converted to common interest communities to vacate during the winter.

Section 1. Changes the definition of unlawful holding by force in the landlord tenant act to take into account the new notice to quit provisions of section 3.

Section 2. Changes the subsection on reasons for evicting a mobile home park tenant to take into account the new notice to quit provisions of section 3.

Section 3. Adds a new subsection requiring that a mobile home park tenant being evicted due to a change in the use of the land on which the mobile home is located be given a quit date between April 1 and September 30 and at least 365 days notice of eviction, unless the mobile home park owner or operator pays the actual cost of moving the mobile home, not to exceed \$5,000, in which case only 180 days notice need be given.

Section 4. Existing law provides one year's notice for a trailer park tenant being evicted due to a conversion to a common interest community; this section adds a requirement that the quit date fall between April 1 and September 30, to correspond to the changes made in section 3.

KLK:glc
01-106.glc

ALASKA STATE LEGISLATURE

Senate Rules Committee

Senate Judiciary Committee

Department of Law
Budget Subcommittee

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SENATE MINORITY LEADER JOHNNY ELLIS

MEMORANDUM

March 8, 2001

To: Senate Finance Members

From: Senator Johnny Ellis 

RE: Senate Bill 6

RECEIVED

MAR 09 2001

Senate Finance
Committee

I am writing in response to Senator Torgerson's question about SB 6 during the March 8th Senate Labor and Commerce hearing. The question was regarding when the clock started relating to the 365 day notice requirement. According to language in the bill the clock starts "following service of written notice to quit." (Section 1, Page 2, lines 23 and 24) This means that the quit date is one year from when the owner and tenants are notified of eviction in written form.

Thank you for the question, I hope this makes clear the area of confusion.



The Salvation Army

Alaska Divisional Headquarters

Mailing Address: P.O. Box 101459
143 E. Ninth Avenue · Anchorage, Alaska 99510-1459
(907) 276-2515 · FAX (907) 276-1424

Founded in 1865
By William Booth
John Gowans
General
David Edwards
Territorial Commander
Terry W. Griffin
Divisional Commander

February 15, 2001

ALASKA STATE LEGISLATURE
Senator Johnny Ellis, Minority Leader
FAX #1-907-269-0172; Attention: Tyson Fick
Anchorage, Alaska

RE: **Sectional Summary of Notice of Eviction to Mobile Home Park Dwellers**
Senate Bill 6

Dear Senator Ellis:

On behalf of The Salvation Army Alaska Division and the Divisional Commander, Lt. Colonel Terry W. Griffin, I am writing this letter in support of Senate Bill 6 (which includes the amendments for tenants and landlords of mobile home parks).

This bill is important because it helps to develop strategy to alleviate the strain involved with the decrease of affordable housing caused by the displacement of residents of mobile home parks due to rezoning and commercial redevelopment in the Anchorage area.

Please add our names to the list of supporters for this Bill.

Thank you for your attention and assistance.

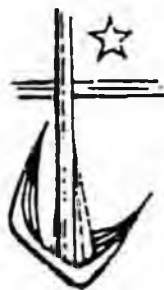
Sincerely,

C. Joe Murray, Major
DIVISIONAL SECRETARY

C/c: Lt. Colonel Terry W. Griffin, Alaska Divisional Commander
Dennis McMillian, Director, United Way of Anchorage

100
1898 - 1998

Into a Second Century of Service



ARCHDIOCESE OF ANCHORAGE

225 CORDOVA STREET • ANCHORAGE, ALASKA 99501
907/248-7898 • FAX: 907/279-3885

February 13, 2001

Senator Johnny Ellis
State Capitol, Room 9
Juneau, AK 99801-1182

Re: **SB 6 - An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park.**

Dear Senator Ellis:

I am writing in support of SB6. As you know, the Anchorage community is faced with the possible rezoning of two manufactured home communities - Alaska Village Mobile Home Park and Plaza 36 Mobile Home Community. Several hundred residents will be displaced if the Municipality of Anchorage approves these rezoning petitions and the development goes forward.

During the past year, I had the privilege of serving on the Anchorage Manufactured Home Community (MHC) Task Force, formed specifically to address the potential suffering that might result from the displacement of hundreds of families. Those serving on the task force found that the issues were formidable:

- 1) there would result a loss of already scarce affordable housing due to the closure of manufactured home communities;
- 2) homes not code compliant, but having grandfather rights, would require costly code compliance when moved;
- 3) older manufactured homes are no longer moveable or may not be acceptable in existing manufactured home communities;
- 4) the cost of disconnecting and relocating a home is prohibitive to many MHC residents;
- 5) self-sufficient individuals and families may be forced into poverty due to the cost of a move or the loss of their manufactured home due to its age and lack of mobility.

SB 36 mirrors legislation that was recommended in the Task Force Report. It provides some incentive for the owner/developer to consider the needs of the tenants when changing the use of the property. By expanding the notice requirement to 365 days, it was the hope that tenants would have adequate time to make relocation plans and,

if necessary, seek the assistance of social service agencies. However, not to unduly burden the owner/developer, the proposed legislation allows the owner/developer to essentially "buy down" the time to 180 days, by compensating the tenants for the costs of their move.

It should be noted that the \$5,000 maximum compensation in the proposed legislation also appeared in the Task Force Report. This amount was not the result of any specific study of relocation costs on the part of the Task Force. In fact, the cost of disconnecting, relocating, and reestablishing a manufactured home might well exceed \$5,000.

While serving on the Task Force and working with the tenants of manufactured home communities, it became apparent to me that mass displacement places an undue burden on the tenants and the social services of the community. If a change of use is, indeed, in the best interest of the community, then efforts to alleviate suffering of displaced persons must be shared by the owner/developer and the community.

SB6 is one step toward protecting the interests of manufactured home owners in Alaska. It does not address the needs of those whose homes will be lost in any change of use of a manufactured home community, but it is a first step. Further efforts will, undoubtedly, be required at the local level.

I urge you to support SB6.

Respectfully,



Angela A. Liston
Director
Department of Justice and Peace

Catholic Social Services
Beyond Shelter Program
276 3046

Memorandum

To: Senator Bettye Davis
Senator Johnny Ellis
Cc: Representative Eric Croft
Representative Lisa Murkowski
From: Stephanie Wheeler
Date: 02/28/01
Re: Senate Bill 6

I am the Program Director for the Beyond Shelter and St. Francis House programs – programs of Catholic Social Services.

Thank you for the opportunity to provide input for Senate Bill 6. Currently the Beyond Shelter Program is assisting with the relocation planning of forty-two (42) Plaza 38 residents needing to relocate the Plaza 38 Mobile Home Community by May and July. The concerns/issues of relocating a mobile home community are many and Senate Bill 6 addresses two of these major concerns for residents needing to relocate: adequate notice of closure and financial compensation for relocation costs.

Adequate planning for Mobile Home Residents is crucial for residents who are impacted by the redevelopment of their community. A 365-day notice will help residents explore options and finalize a plan for relocation. Additionally, Senate Bill 6 addresses the issue of relocating during appropriate seasons, so residents are not being forced to move during the winter months.

In conjunction with adequate planning time, financial compensation will assist residents with some of the relocation costs so that residents are not forced to abandon or sell their homes but can successfully relocate their homes to another area.

Mobile Homes/parks help meet the housing needs and provide a source of low cost housing to many families living in Alaska. We encourage the legislature to begin addressing other issues such as code compliance (or neglect issues) and help to establish acceptance for resident-owned mobile home communities in the private market. The cost for inspections and upgrades can be overwhelming for many residents who need to bring their homes up to code.

As two Anchorage area mobile home communities currently face the challenge of relocation, the total impact will not be fully understood until residents actually relocate. It is our hope that residents currently facing relocation and those who may be facing relocation in the future are not left homeless by this process. Thank you!

Alaska State Legislature

February 26, 2001

House Representative Eric Croft
House Representative Lisa Murkowski
House Representative Sharon Cissna
House Representative Beth Kartulla
State Senator Johnny Ellis

RE: HB 11 An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park.

Dear Legislators:

We totally support House Bill 11, and its companion Senate Bill 6. We wish to thank you for your sponsorship. On our behalf you have acted on the Mobile Home Task Force Report recommendations to provide us statutory protection.

The increase in the notice period and the calendar restrictions for moving are sorely needed and are excellent as written. But regarding the money, we are very concerned that it's not enough to prevent the loss of homes.

When the task force made their recommendations, we didn't have any actual moves to learn from. Now we do. We've located people who have moved their mobile homes, and the costs far exceed \$5,000.

We urgently request that further research into these costs be made and the money figure changed if necessary to protect our homes.

For further research, we provide you a list of the following people who have already moved:

Dean & Maria Boyle, 907-332-1986
Ron Okegawa, 907-333-6807
Allen Hood, 907-333-4370

Linnie Pacillo, 907-338-0268
Ken Kropidowski, 907-338-0533
Kim Baughman, 907-338-8650

We will continue to work at the Anchorage Assembly level to urge passage of local ordinances we need for our protection. At the state level, we appreciate all your efforts on our behalf - your bills are a giant first step to eventually provide an umbrella of protection to all mobile home tenants.

Sincerely,

The Alaska Manufactured Home Resident Advisory Council
Mobile Home Residents
Concerned Citizens

Newly from MURKIN 243-1558
Annette's Neighborhood House
337-7005

Bill BOBBIK 272-3050
Stephanie Wilson 276-3046

563-1625
Lim
2/3-0543

Father's Day 694-1575
BYRON STANLEY 929-3021
338-8296

Smenses
276-3046
272-2791

4987
571-2526
567-2508

437-0139
563-2950

571-3046
562-6991
189

Anchorage Response To
Manufactured Housing Community
Relocations

Task Force Report

Overview

In the spring of 2000, Archbishop Francis Hurley contacted Dennis McMillian, Executive Director of United Way of Anchorage, concerning the inevitable relocation of residents of Alaskan Village Mobile Home Court. Archbishop Hurley was concerned that while many of the residents, though inconvenienced by the relocation, would be able to adapt to the change, some of the residents would not successfully move their home and adapt to new surroundings. There was legitimate concern that this relocation could, in effect, create a new group of high risk, potentially homeless, citizens.

In June of 2000, Dennis McMillian and Angela Liston representing the Archdiocese, met with members of the "Go Team", a grass-roots citizens group consisting of residents of Alaskan Village. At that meeting, it was determined that the emphasis of the Archdiocese and United Way effort would be to focus on researching how this relocation issue impacts the entire community and future neighborhood relocations, rather than focusing on the Alaskan Village move. However, it was also determined that if at all possible the effort would attempt to produce a report that could give guidance to the residents, the developer and the Municipality on the Alaskan Village relocation.

After that meeting, Dennis McMillian, Angela Liston, and Karleen Jackson, Executive Director of Catholic Social Services, (CSS), determined that United Way and CSS should convene a task force to review the issues and produce such a report. They met with members of the Assembly in mid-July to seek their approval and assistance in this effort and received their support.

On June 29, 2000, a group of forty citizens comprised of residents of manufactured home communities, professionals involved in the housing industry, government officials, bank officers, non-profit professionals, and planners met to discuss the issues and determine a course of action. This large group divided into four work groups with specific responsibilities. They were:

- Community Data - A group responsible for gathering the best available data on the number and location of manufactured home communities, the available spaces in those communities, and to the best of their ability, indicators of how such communities could identify their risk of re-development; and,
- Code Compliance - A group with the responsibility to look at existing building codes and code enforcement efforts regarding the manufactured housing industry in Anchorage and Alaska; and,
- Community Response - A group with responsibility to develop a comprehensive list of services available to assist individuals and/or their homes relocated by such re-development. They were also tasked to determine how this information could be made available to the public; and
- Community and Legal Support - This group was tasked with reviewing legislative actions taken in other states that could be useful in Alaska, and

determining what volunteer efforts in the community could lessen the impact on displaced residents.

The individual groups met during July and prepared a draft report for full group review on July 27. Final revisions were made and submitted by mid-September in preparation of this report.

The volunteers involved in this effort are to be commended for their long hours and hard work developing what we hope to be a non-biased report to the Anchorage Assembly and Mayor for review.

Team Members

<u>Name</u>	<u>Group Affiliation, if known</u>
MHC Task Force Facilitators:	
Dennis McMillian	United Way of Anchorage
Kelly Fehrman	Catholic Social Services
Karleen Jackson	Catholic Social Services
Community Data Team:	
Facilitator:	
Barbara Symmes	Providence
Members:	
Loretta DeBord	Alaska Village "Go" Team
Jewel Jones	MOA
Norman Kallander	CIHA
Kevin Waring	Anchorage Citizen
Bob Maier	Alaska Manufactured Homes Assn
Denise Henderson	Rep. Pete Kott
Sue Fison	MOA
Fred Jenkins	United Way
Sheila Howe	Northeast Community resident
Ronnie Stork	Muldoon Family Center
Pastor Ron Martinson	Alaska Lutheran Synod
Community Compliance Team:	
Facilitator:	
Tim Sullivan	Weed and Seed Project
Members	
Melinda Taylor	Anchorage Assembly
Paul Johnson	HUD
David Pree	Rep. Eldon Mulder
Jeri Walters	NBA
Will Theuer	Anchorage Citizen
Mac Carey	Carey Homes
Mackenna John	Alaska Village "Go" Team
Hazel Welch	Manufactured Home Resident

Team Members (continued)

<u>Name</u>	<u>Group Affiliation, if known</u>
Community Response Team:	
Facilitator:	
Gail West	HUD
Members	
Jan Jones	Consumer Credit Counseling Services
Norm Kallendar	Cook Inlet Housing Authority
Mary Jane Michael	Anchorage Neighborhood Housing Services
Pastor Wilbert Mickens	Good Shepherd Baptist Mission
Brenda Moore	Christian Health Associates
Rev. Ted Moore	Leake Temple
Teresa Nelson	Key Bank
Judith DeSpain	Alaska Housing Finance Corp.
Lynn Taylor	Municipality of Anchorage
Sam Meneses	Catholic Social Services
Barbara Baker	AHFC
Kris Duncan	AHFC
Community and Legal Support Team:	
Community Response Team:	
Facilitator:	
Liz Forrer	Alaska Humanities Forum
Members:	
Angela Liston	Archdiocese of Anchorage
Julie Bailey	Northrim Bank
Chris Main	
Mac Carey	Carey Homes
MacKenna Johns	Alaska Village "Go" Team
Rebecca Powell	
Individuals not listed in teams above who attended Task Force Meetings:	
Laura Robertson	
Judy Billington	Manufactured Home Resident
Clark Rukelderfer (sp?)	Manufactured Home Resident
Lorna Roberts	Alaska Village "Go" Team
Lanny Bennett	Alaska Village "Go" Team
Miriam Mastacusa	Anch Assembly - Ceryl Clementson

Community Data

This team's task was to do research and present facts and data as a basis for assumptions that it or other teams might present in the final report.

Abbreviation: MHC = Manufactured Home Communities (this terminology is used to denote groups/communities of mobile homes/manufactured homes)

Facts:

1. Team leaders secured a map of the Anchorage bowl from the MOA showing all existing individual manufactured homes and manufactured home communities (MHC's). Two-thirds of MHC's and MH spaces lie within the Renaissance Zone and within northeast Anchorage.
2. Commercial redevelopment of MHC's reduces the availability of scarce residential land in the Anchorage Bowl. In this regard, one of the strategies recommended in the Draft Anchorage 2020 plan (page 55) is: "Avoid the loss of new housing capacity from rezoning of residential land for other uses". The effect on housing supply of potential rezoning of Alaska Village and other MHCs, as well as vacant residential land, is the issue this strategy was meant to address.
3. Because of location and size of tracts, MHC's are at risk for closure for commercial redevelopment.
4. More than 50% of manufactured homes in MHC's were built in the 1970's (MOA Planning Dept). Current zoning, codes, MHC restrictions, and age/condition of MHC's present significant obstacles to relocation of older manufactured homes.
5. The median value of manufactured homes in Anchorage is \$11,400 (MOA Planning Dept).
6. The 2000-2002 MOA Housing & Community Development Consolidated Plan notes the shortage of affordable housing stock. Access to both rental and homeownership opportunities is constrained among Anchorage's low and moderate income households. The only neighborhood in which the median selling prices for homes is affordable to very low, low, or moderate income families is Mountain View at \$69,607 (Housing MLS data updated 6/30/99)
7. Many of the existing MHC's have water, sewage, and soil contamination problems.
8. Four Seasons is the only existing MHC in Anchorage that is redeveloping into a modern MHC.
9. Thirty-four of the sixty-six MHC's in Anchorage have less than 30 spaces. Of the total of 5,713 spaces in MHC's in Anchorage, 4545 (80%) are occupied. Neeser Construction is surveying MHC's in Anchorage to determine the number of available spaces.

Assumptions:

1. Displacement of residents will continue as MHC's undergo rezoning and commercial redevelopment.
2. There is a shortage of public strategies to alleviate the loss of affordable housing stock caused by displacement of residents in MHC's that are closed.

Code Compliance

The study group met numerous times to discuss current codes and zoning that affect Manufactured Housing Communities (MHC) and the residents of those neighborhoods. These meetings were prompted by the recent request for a change in zoning at Alaska Village.

First, we had to examine the codes that applied to the MHC and determine if there were any codes that were extraordinary regarding Manufactured Housing. We found none. In fact, we observed that the code dealt well with the life, health and safety issues codes are intended to address.

However, what became obvious after interviewing members of the Alaska Village Community and other manufactured home representatives was that the Municipality's ability to enforce code was hampered by the judicial system. The judiciary is reluctant to enforce to the letter of the law when it means families are being evicted from their homes. The question of private property rights is ever present regarding enforcement in the manufactured housing communities.

Those homes that are pre 1976 are grandfathered, insofar as code is concerned. However if and when the home moves it then falls under the current code. Required updates can be quite costly. For instance, a home could need new wiring, a new electrical box, a new water heater, a new furnace, and a new roof, all in addition to the cost of physically moving the home. In some cases the home might not be worth moving, because of structural problems and the aforementioned code issues. Title of the homes is an issue for owners who did not receive one at the time of sale and still do not have one. Delinquent personal property taxes will be an issue for some.

We have also recently been made aware of inconsistency with regard to inspections. When a home is ready to move there is a pre-inspection to let the home owner know approximately what items will need to be replaced or repaired when they arrive at their new neighborhood. However, it seems that a different inspector requires different compliance at the new community that costs the homeowner much more than they had originally anticipated. Improved coordination and internal communication by the MOA would benefit the homeowners.

Options offered by the Code and Zoning Study Group are:

- The MOA could review its inspection process so that the homeowners will be impacted minimally by the stress of voluntary or involuntary move.
- The Municipal Assembly could resurrect the Manufactured Housing Ordinance that has been languishing in MOA Legal since December of 1998. This ordinance would permit post-1976 manufactured homes to be treated the same as conventional site-built homes.
 - Any zoning of residential land to business or commercial needs to be done with the highest concern for affordable housing needs in Anchorage...perhaps a land swap to make a no net loss of residential land.

Community Response

Committee Discussion

The committee identified four groups of people who may need the resources identified by the committee for assistance during the closure of a manufactured home community.

Those four groups are:

- potential homebuyers
- potential renters
- potentially homeless
- people who are able and want to move their current manufactured homes to a new community

Within the four groups, two subgroups were also identified:

- the disabled
- seniors

To gather information on resources that may be helpful to the four groups and two subgroups, the committee created a survey to identify a wide variety of resources.

Committee Action

The committee surveyed potential resources and identified an existing, but little used, database of resources for the homeless and very low income.

- surveyed all agencies, organizations and businesses that received the Anchorage Consolidated Plan
- surveyed utilities that may have delayed-payment plans or options for families who are unable to pay the full deposit for a new hook-up
- identified

Responses to the survey have been compiled and are currently being merged into the existing database of resources. Completion of this project is tentatively schedule for mid-November 2000.

Once the final database is complete, it will be housed at the Municipality of Anchorage (through the Safe City program), and will be linked to: Alaska Housing Finance Corp., AKinfo, Cook Inlet Housing Authority and HUD Web pages.

Community and Legal Support

The first issue this group worked on was to understand the lifestyle of many residents of manufactured home communities. Many individuals strongly feel that living in manufactured housing, as compared to apartments or condominiums enhances their lives. They urge the Anchorage community to find ways and means to accommodate their choice to live in manufactured housing. Many feel that with current land use conditions, their lifestyle is in jeopardy.

This committee also determined that when a manufactured housing community is relocated, there should be formalized support from the larger community to help individuals adapt to the change. Although the comparison of persons displaced by a natural disaster did not ring true to all participants, all agreed that neighborhood relocation is a traumatic experience for those affected therefore support from others could help with the transition.

This committee recommends that some organization facilitate an event similar to A Day of Caring, to help residents successfully complete such relocations. The plan would be to call on volunteers and community groups to "adopt" individuals and/or families and assist them during their relocation. Work continues to determine the appropriate organization to head such an effort.

The other task of this group was to review legal options for the Municipality and State. The following pages describe some of these options.

Proposed Legal Protections of Mobile Home Communities

The recently proposed rezone of Alaskan Village Mobile Home Court has brought myriad issues to the fore, not the least of which is the inadequacy of current law in Alaska. The law provides only that the owner of a manufactured housing community who has chosen to redevelop the property for another use must give community residents a 180-day notice to vacate the property.¹

While the current law addresses only the issue of "notice", there are many related areas of financial and human impact which the landowner, developer, and MHC resident must resolve. Several problem areas could be addressed through state or municipal legislation.

The first issue is the human impact of any redevelopment of residential properties. At a recent Planning and Zoning Commission public hearing on Alaskan Village, several commissioners stated they could not address the displacement of manufactured housing community residents, causing immense frustration on the part of the residents. The Mobile Home Task Force recommends enactment of ordinance that requires a human impact statement whenever a MHC is considered for rezoning. For example:

The person or entity applying for a change of use of a MHC must submit a report to the Municipality on the impact of the conversion of use. Included in the report would be availability of adequate replacement housing, whether "real property" rental units or spaces in other MHC's parks, and the predicted actual relocation costs. The Municipal Assembly may require that, as a condition for the approval of the change of use, the person or entity applying for the change mitigate any adverse impact of the conversion.²

The Task Force suggests that a governmental organization/agency or some group other than the applicant for the land usage change should be the entity required to research, compile, and submit the impact statement.

A second and related issue is that many residents cannot afford to move their homes. The redevelopment of a MHC can force self-sufficient individuals and families into poverty and a position of requiring charity. The Task Force considered several legislative approaches to this problem including the following:

The owner of a manufactured housing community who has chosen to redevelop the land for another use must give community residents a 365-day notice to quit the property, with a quit date during the calendar year falling no earlier than April 1 and no later than September 30. An owner or developer can choose to give a 180-day notice contingent on:

- a) *the owner/developer finds suitable places for the residents to move their homes; and*

¹ AS 34.03.225

² See California Government Code 65863.7

- b) *the owner/developer pays the disconnection, relocation, and reestablishment costs (DRR)³ of the mobile home, or \$5,000, whichever is less.⁴*

Another approach to the financial difficulties that arise when a MHC is redeveloped and families are displaced is the development of a "relocation fund." The Task Force considered several possibilities for building and maintaining such a fund including the following:

The Municipality of Anchorage shall establish a "manufactured housing relocation fund" to be managed and invested by a director and a board. In case of a change of use, Mobile Home Community residents may apply to the fund for relocation expenses. The owner/developer will reimburse the fund a minimum of \$1000 per resident applying to the fund.⁵

The fund will be created through one or a combination of the following:

- a) *each manufactured home owner shall be assessed a personal property tax to be deposited into the "manufactured home relocation fund"; AND/OR*
- b) *the \$50 fee required at the time of the title transfer of a manufactured home will be deposited into the "manufactured home relocation fund"; AND/OR*
- c) *a portion of current personal property taxes of manufactured home owners shall be diverted to the "manufactured home relocation fund"; AND*
- d) *when the relocation fund reaches a specified dollar amount, the tax/fee will no longer be assessed.*

³ The disconnection, relocation, and reestablishment costs are defined as the cost of the actual physical move, including disconnecting and reconnecting utility hook-ups, obtaining the necessary permits, installing tie-downs, ground anchors and strapping, completing the blocking, leveling, insulating and skirting, and putting the exterior of the home in a MOA code compliant condition.

⁴ See Oregon Civil Code 90.630(6)(b)

⁵ See Arizona Code, Chapter 11, Section 33-1476 *et seq.*

Conclusions

This task force was formed to focus attention on a specific segment of our community. While the Comprehensive Plan does address affordable housing, it did not include much specific mention of manufactured housing options. It is obvious to this group that while many Anchorage citizens may not regret the demise of this housing option, others see manufactured housing communities as a valid, viable, affordable housing choice and do not want Anchorage to lose this option.

Manufactured housing community resident's fear is that if their issues are not on the table for discussion, their housing option will eventually disappear through neglect. The task force is suggesting that more discussion be held on the benefits and challenges produced by and related to this housing option.

The task force also suggests that during relocations of manufactured housing communities, that all segments of the community should be mobilized, as in a "natural" disaster, to insure residents are not negatively impacted by the relocation.

Through the efforts of the members of the task force and organizations involved, the individual committee reports have outlined how appropriate responses can be made by all sectors of the larger community. Addressing code issues and legislation also seem to be in order.

The Task Force had not endorsed any specific legislative actions, but has outlined a selection of the many options available that could minimize or alleviate the negative impact currently experienced by displaced residents.

**Municipality
of
Anchorage**



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Fax: (907) 343-4499
<http://www.ci.anchorage.ak.us>

George P. Wuerch, Mayor

OFFICE OF THE MAYOR

March 19, 2001

Senator Johnny Ellis
Alaska State Legislature
State Capital (MS 3100)
Juneau, AK 99801-1182

Re: SB 6
Mobile Home Park Eviction Notice

Dear Senator Ellis,

Thank you for sponsoring SB 6, regarding Mobile Home Park Eviction Notices.

Mobile homes have provided an important affordable housing alternative for Anchorage residents. However, as developable land in the Anchorage area becomes more scarce, the land occupied by mobile home parks has become a target for other uses.

Senate Bill 6 extends the eviction notification period for tenants and mobile home owners and provides for reasonable relocation expense reimbursement in the event of a shorter notice period.

The Municipal Assembly, with the concurrence of Mayor Wuerch recently passed an assembly resolution (AR 2001-68) supporting such changes as proposed in SB6. We believe these changes are reasonable and prudent.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Rogers".

Tim Rogers
Legislative Program Coordinator

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 269-2001

Meeting Date: March 13, 2001

1 From: Mayor

2
3 Subject: AR 2001-68; Supporting Legislation to Enlarge Time for Notice of Eviction
4 from Mobile Home Parks.
5

6 Alaska Statutes 34.03.225(a)(4) provides in pertinent part:
7

8 (a) A mobile home park operator may evict a mobile home or a mobile home park
9 dweller or tenant only for one of the following reasons:

10 * * *

* * *

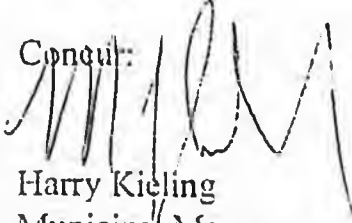
* * *

11 (4) a change in the use of the land comprising the mobile home park, or the
12 portion of it on which the mobile home to be evicted is located; however, all
13 dwellers or tenants so affected by a change in land use shall be given at least 180
14 days' notice, or longer if a longer notice period is provided in a valid lease.
15

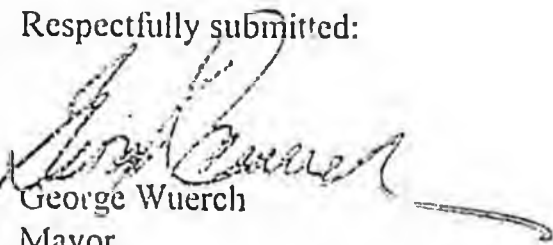
16 AR 2001-68 requests the Legislature to enlarge the 180 notice required by this statute for notice
17 of eviction set out above.
18

19 THE ADMINISTRATION CONCURS IN THE RECOMMENDATION OF THIS
20 RESOLUTION.

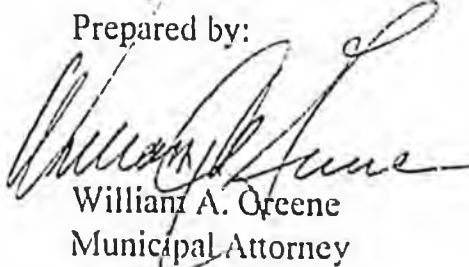
21
22 Concur:

23 
24
25 Harry Kielling
26 Municipal Manager
27

28
29 Respectfully submitted:

30
31 
32
33 George Wuerch
34 Mayor
35

Prepared by:

30
31 
32
33 William A. Greene
34 Municipal Attorney
35

Submitted by: Assemblymember TAYLOR
Prepared by: Assembly Office
For reading: FEBRUARY 27, 2001

ANCHORAGE, ALASKA
AR 2001 - 68

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY SUPPORTING
LEGISLATION PROPOSED TO THE ALASKA STATE LEGISLATURE TO
INSTITUTE CHANGES IN THE REQUIRED EVICTION NOTIFICATION TO MOBILE
AND MANUFACTURED HOME COMMUNITY DWELLERS AND TENANTS BEFORE
REDEVELOPMENT OF THAT COMMUNITY.

WHEREAS, commercial redevelopment of manufactured home communities reduces the availability of scarce residential land in the Anchorage Bowl; and

WHEREAS, because of location and size of tracts, manufactured home communities are at risk for closure for commercial redevelopment; and

WHEREAS, the 2000-2002 Municipality of Anchorage Housing and Community Development Consolidated Plan notes the shortage of affordable housing stock; and

WHEREAS, current zoning, codes, manufactured home community restrictions, and age/condition of manufactured home communities present significant obstacles to the relocation of older manufactured homes; and

WHEREAS, the residents of manufactured home communities will continue to be displaced as rezoning and commercial redevelopment continues; and

WHEREAS, there is a shortage of public strategies to alleviate the loss of affordable housing stock caused by the displacement of mobile home community residents in communities that are closed.

NOW, THEREFORE, the Anchorage Municipal Assembly resolves:

That the Assembly urges the Alaska State Legislature to support legislation that would lessen the impact on residents of manufactured home communities in the form of lengthening the time for notice of eviction before redevelopment of the community.

PASSED AND APPROVED by the Anchorage Municipal Assembly on this 13 day of March, 2001.

Fay Von Lemmergen
Chair

ATTEST:

Wicki Cantrell
Municipal Clerk
Deputy

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 1/8/01

FURTHER: Finance

Date of 5-Day Notice: 2-22-01
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3-8-01

Labor and Commerce Committee considered SENATE BILL NO. 6

"An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park."

and recommends:

- be replaced with _____ CS SBL (L+C)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

- Senate Bill:**
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DOLaw	2/26/01		0	1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Bill E. Hill</i>	✓			
<i>Bethany Davis</i>	✓			
<i>Walter White</i>	✓			
<i>Gregory Thomas</i>	✓			
<i>Plazman</i>			✓	
CHAIR:				

SENATE FINANCE COMMITTEE

SIGN-IN

SB 6-MOBILE HOME PARK EVICTION NOTICE

NAME: Tyson Fick Subject/Bill No: SB6
Co./Dept./Title: STAFF TO SENATOR ELLIS Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: SENATOR JOHNNY ELLIS Subject/Bill No: SB6
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

