Legal Services of the Hudson Valley

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Protecting Rights Promoting Justice KNOW YOUR RIGHTS!

Manufactured Homes: Your Legal Rights

DESIGN

EARCH

Some things to know before we get started:

- What is Legal Services of the Hudson Valley about?
 - Legal representation at no cost to you.
- Who is this presentation for?
 - <u>Manufactured home tenant:</u>
 Someone who **rents** a
 manufactured home in a park from
 a park owner
 - <u>Manufactured home park</u>: a piece of land with **3 or more** manufactured homes on it







Rent Increases and Eviction



Warranty of Habitability, Maintenance, and Repairs



Change of Ownership and Tenant Organizations

"MY LANDLORD WANTS TO SELL THE PARK TO A NEW OWNER. WHAT ARE MY RIGHTS?"

The New Hork Times

Investors Are Buying Mobile Home Parks. Residents Are Paying a Price.

Across the country, corporate landlords are expanding manufactured housing portfolios and driving up rents, pushing longtime residents out.

"Am I entitled to a renewal lease?" Short answer:

Recall: what CAN I be evicted for?

- 1. Default rent payment
- 2. Bawdy-house
- 3. Break park rules or your lease
- 4. Break laws

You automatically get a renewed lease if you want it, except if you don't pay your rent or cause damage.

BUT, even if you fail to get a renewal lease from your landlord, that is not cause for eviction.

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You can no longer be evicted if you don't have a lease or if your lease expires.

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matter.

Your landlord must give you the chance to sign a 1-year lease unless you're behind on rent more than 1 month.

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Your landlord CANNOT increase the rent on your unit if you do not have a written lease agreement.

"What is the right of first refusal?"



- A new buyer of the park does not want to keep it as a manufactured home park, but wants to turn it into something else
- *Ex:* a mall, a parking lot, a private fishing lake.

- Right of First Refusal
- If your park owner wants to sell to a buyer who wants to change the use of the park, they must give the park homeowners the chance to buy the park **first**!
- The park owner will notify either the park tenant association or **ALL** homeowners (if no association exists).

Your Rights

 They will have 140 days to purchase the park.

"What does change of use mean for me?"

CURRENT OWNER:

- Current owner must give ALL tenants written notice of the change and allow **2 years** before starting evictions
- In change of use eviction, park owner must pay each homeowner up to **\$15,000** to relocate.

Your rights depend on who is attempting to change the use of the park

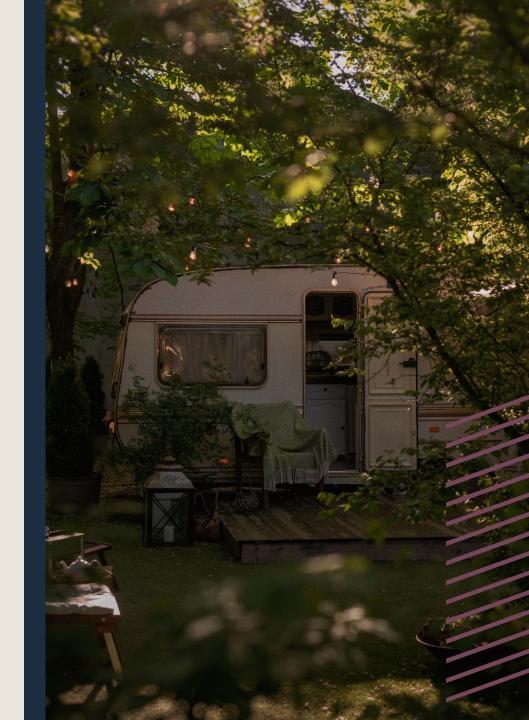
NEW OWNER/BUYER:

- Tenants of the park have the right to purchase the park first!
- Potential buyer must state intent to change use of the land (in writing!)
- If buyer does not provide this prior to sale, no evictions for change of use until 5 years after sale

"What if my new landlord wants to make new park rules?"

New Rules Must...

- Be given to homeowners and tenants, and posted in a noticeable place
- List the date they will go into effect
 - > At least 30 days after the notice
- > Apply to **ALL** tenants the **same**
- Rules CANNOT be unreasonable, arbitrary, or capricious
- If a rule is violated, landlord must give the tenant the opportunity to "cure" or fix the problem



"What is a tenant association? What benefits do they have?"

Tenant association: group of at least 51% of homeowners in the park who meet to talk about their experience in the park and propose improvements.

Benefits:

- Makes it easier to buy the park if proposed change of use
- Centralize goals and grievance to motivate landlord to make changes
- Power in numbers!
- Make suggestions and vote on park changes



"HOW-TO" TENANT ASSOCIATION

Intro to resident associations

- Creating power and credibility in your association
- What tenant associations can do in your park
- Organize your community
 - Creating awareness by hosting events
 - Organizing a meeting
- Getting people involved
 - Tactics for recruiting other homeowners to join
- Recruiting leaders for your association
 - Structure of your tenant association board

*Go to MHAction.org for more resources

Resources For You:

- Legal Services of the Hudson Valley
 - Free, High-Quality Counsel: *https://www.lshv.org/*
- Hudson River Housing
 - Rent Relief and Relocation: *https://hudsonriverhousing.org/*
- Office of the Attorney General
 - Your Rights and Housing Information: *https://ag.ny.gov/*
- MHAction
 - Empowering Manufactured Housing Tenants: *https://mhaction.org/*
- Pathstone
 - Housing Services and Financial Resources: https://Pathstone.org
- Homes and Community Renewal
 - Rental Assistance and Programs: https://hcr.ny.gov/mobilemanufactured-homes
- Duchess County Community Action Partnership
 - Other Forms of Assistance: https://www.dutchesscap.org/

