KNOW YOUR RIGHTS!
Manufactured Homes: Your Legal Rights
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?
  - ** Manufactured home tenant:** Someone who rents a manufactured home in a park from a park owner
  - ** Manufactured home park:** a piece of land with 3 or more manufactured homes on it
Big Concepts:

- 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?”

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

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

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

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

Recall: what CAN I be evicted for?
1. Default rent payment
2. Bawdy-house
3. Break park rules or your lease
4. Break laws

Short answer: “yes,” but it probably doesn’t matter.
“What is the right of first refusal?”

**Change of Use**
- 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**!

**Your Rights**
- The park owner will notify either the park tenant association or **ALL** homeowners (if no association exists).
- They will have **140 days** to purchase the park.

§233-a(2)(c) and §233-a(3)
“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.

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.

Your rights depend on who is attempting to change the use of the park.
“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/](https://www.lshv.org/)

- **Hudson River Housing**
  - Rent Relief and Relocation: [https://hudsonriverhousing.org/](https://hudsonriverhousing.org/)

- **Office of the Attorney General**
  - Your Rights and Housing Information: [https://ag.ny.gov/](https://ag.ny.gov/)

- **MHAAction**
  - Empowering Manufactured Housing Tenants: [https://mhaction.org/](https://mhaction.org/)

- **Pathstone**
  - Housing Services and Financial Resources: [https://Pathstone.org](https://Pathstone.org)

- **Homes and Community Renewal**
  - Rental Assistance and Programs: [https://hcr.ny.gov/mobile-manufactured-homes](https://hcr.ny.gov/mobile-manufactured-homes)

- **Duchess County Community Action Partnership**
  - Other Forms of Assistance: [https://www.dutchesscap.org/](https://www.dutchesscap.org/)