

HB 5111 -- Redline

GL Joint Favorable to File No. 584 -- AN ACT CONCERNING MOBILE MANUFACTURED HOMES AND MOBILE MANUFACTURED HOME PARKS.

Deletions ~~struck~~ · Insertions underlined

House of Representatives General Assembly ~~Committee~~File Bill No.

~~5111~~584 January Session, 2025 ~~LCO~~House Bill No.

~~4863~~5111 Referred ~~House to of~~ Representatives, April 8, 2025 The Committee on General Law reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on ~~GENERAL~~ the LAW part introduced ~~of by the~~ House, that the bill ought to pass.

~~(GL)~~ AN ACT CONCERNING MOBILE MANUFACTURED HOMES AND MOBILE MANUFACTURED HOME PARKS.

~~[(1)]~~HB5111 ~~(5)/~~ "Mobile ~~File~~ manufactured home" means a detached residential ~~LCO 4863 1 of 10~~ Committee Bill No.

~~5111~~584 unit~~1~~ having HB5111 three-dimensional File components ~~No.~~ which are intrinsically mobile with or without a wheeled chassis or a detached residential unit built on or after June 15, 1976, in accordance with federal manufactured home construction and safety standards, and, in either case, containing sleeping accommodations, a flush toilet, tub or shower bath, kitchen facilities and plumbing and electrical connections for attachment to outside systems, and designed for long-term occupancy and to be placed on rigid supports at the site where it is to be occupied as a residence, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems;

584 [(1)] (5) "Mobile manufactured home" means a detached residential unit having three-dimensional components which are intrinsically mobile with or without a wheeled chassis or a detached residential unit built on or after June 15, 1976, in accordance with federal manufactured home construction and safety standards, and, in either case, containing sleeping accommodations, a flush toilet, tub or shower bath, kitchen facilities and plumbing and electrical connections for attachment to outside systems, and designed for long-term occupancy and to be placed on rigid supports at the site where it is to be occupied as a residence, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems;

~~[(8) "Dwelling unit" means a mobile manufactured home;] (9) "Person" means an individual, corporation, limited liability company, the state or any political subdivision thereof, agency, business trust, estate, trust, partnership or association, two or more persons having~~HB5111 a/ joint ~~File or common interest, and any other legal or commercial~~ LCO 4863 2 of 10 Committee Bill No.

~~5111~~584 entity; 2 HB5111 File No.

584 having a joint or common interest, and any other legal or commercial entity;

~~(1) The monthly rental fee and all considerations payable~~ LCOHB5111 ~~4863/ 3~~ File of 10 Committee Bill No.

~~5111~~584 by 3 the ~~HB5111~~ resident File to ~~No.~~ the owner, including, but not limited to, a comprehensive and itemized list of all ancillary fees payable by the resident to the owner;

584 by the resident to the owner, including, but not limited to, a comprehensive and itemized list of all ancillary fees payable by the resident to the owner;

~~LCO~~HB5111 ~~4863/ 4~~ File of 10 Committee Bill No.

~~5111~~584 (b) 4 No ~~HB5111~~ owner File may ~~No.~~ offer a mobile manufactured home or a mobile manufactured home space or lot for rent without providing the prospective resident with a copy of an initial written rental agreement before the resident occupies such mobile manufactured home or lot.

584 (b) No owner may offer a mobile manufactured home or a mobile manufactured home space or lot for rent without providing the prospective resident with a copy of an initial written rental agreement before the resident occupies such mobile manufactured home or lot.

(c) Whenever a resident rents a mobile manufactured home or a mobile manufactured home space or lot in a mobile manufactured home park which is also a common interest community from a declarant, successor declarant or person acting on the declarant's or successor declarant's behalf, such declarant, successor declarant or person shall, ~~LCO prior 4863 to 5~~ entering of into 10a ~~Committee rental Bill~~ agreement, provide the resident with a HB5111 / File No.

~~5111~~584 prior 5 to HB5111 entering File into ~~No.~~ a rental agreement, provide the resident with a written notice that the mobile manufactured home or the mobile manufactured home space or lot is located in a common interest community.

584 written notice that the mobile manufactured home or the mobile manufactured home space or lot is located in a common interest community.

~~LCO~~HB5111 ~~4863/ 6~~ File of 10 Committee Bill No.

~~5111~~584 (f) 6 (1) HB5111 Any File person ~~No.~~ making an application to appear before any municipal, state or federal agency with respect to any matter changing the land use of a specific mobile manufactured home

~~park shall give written notice of the application by first class mail addressed to the affected units of the park or by personal delivery to the units not later than seven days after its filing.~~

584 (f) (1) Any person making an application to appear before any municipal, state or federal agency with respect to any matter changing the land use of a specific mobile manufactured home park shall give written notice of the application by first class mail addressed to the affected units of the park or by personal delivery to the units not later than seven days after its filing.

(3) Except as otherwise provided in subdivision (5) of this subsection, within one hundred twenty days after the notice provided for in subdivision (2) of this subsection has been mailed, any association representing twenty-five per cent or more of the units in the park, including an association formed after the issuance of the notice, may ~~LC0HB5111 4863/ 7File of 10 Committee Bill~~ No.

~~5111584 notify7 theHB5111 ownerFile ofNo. the park that [it] the association is interested in purchasing the mobile manufactured home park.~~

584 notify the owner of the park that [it] the association is interested in purchasing the mobile manufactured home park.

Except as otherwise provided in subdivision (5) of this subsection, if, within three hundred sixty-five days from the mailing of the notice required in subdivision (2) of this subsection, no agreement for such sale signed by the association and the park owner has been filed upon the land records, or if the association has not filed a certified statement to purchase the park at the appraised value which value shall also be certified on the land records by the appraiser or appraisers, the right provided in this subsection to ~~LC0purchase 4863the 8park ofshall 10be Committeevoid Billand any recorded notice filed pursuant HB5111 / File~~ No.

~~5111584 purchase8 theHB5111 parkFile shallNo. be void and any recorded notice filed pursuant to subdivision (3) of this subsection shall be void.~~

584 to subdivision (3) of this subsection shall be void.

Each officer, board, commission or department of the state or any local government shall assist the department with technical data on sewerage facilities, electrical, plumbing or sanitary services, water supply or fire protection and shall submit such data to the department for the department's use in any ~~LC0hearing 4863held 9pursuant ofto 10this Committee~~section. ~~Bill No.~~

~~5111In hearingaddition heldto pursuantrevoking, toHB5111 this/ section.File No.~~

~~In584 addition9 toHB5111 revoking,File suspending,No. placing conditions on, or refusing to renew any license to operate a mobile manufactured home park, the department may, following an administrative hearing, impose a fine of not less than fifty nor more than three hundred dollars for each day that such violation exists.~~

584 suspending, placing conditions on, or refusing to renew any license to operate a mobile manufactured home park, the department may, following an administrative hearing, impose a fine of not less than fifty nor more than three hundred dollars for each day that such violation exists.

(B) In the event that the department requires the person completing an independent inspection report under this subsection to have training ~~LC0or 4863be 10licensed ofin 10a Committee~~particular ~~Bill~~area, the department shall include such requirement in the first order the department issues to the mobile ~~HB5111 / File~~ No.

~~5111584 or10 beHB5111 licensedFile inNo. a particular area, the department shall include such requirement in the first order the department issues to the mobile manufactured home park owner requiring such report.~~

584 manufactured home park owner requiring such report.

(7) Not later than ten days after a mobile manufactured home park owner receives an independent inspection report required under this subsection, the mobile manufactured home park owner shall provide to the department, in writing, a detailed plan to remedy the assessed ~~LC0condition, 4863which 11plan ofshall 10include, Committeeat Billa No. minimum, a specific timeline, proposed contractors and a budget.~~ ~~5111HB5111 condition,/ whichFile planNo. shall include, at a minimum, a specific timeline, proposed contractors and a budget.~~

~~(c)584 In11 additionHB5111 toFile anyNo. other available remedies, the provisions of section 47a-14h shall be available to all residents in a mobile manufactured home park including residents who own their own units.~~

584 (c) In addition to any other available remedies, the provisions of section 47a-14h shall be available to all residents in a mobile manufactured home park including residents who own their own units.

(B) Material noncompliance by the resident with any statute or ~~LC0regulation 4863materially 12affecting the health and safety of 10other Committee~~residents ~~Bill~~or ~~No.~~materially affecting the physical condition of the park;

~~5111(C) regulationMaterial materiallynoncompliance affectingby the healthresident andwith safety of other residents or materially affecting the physicalrental conditionHB5111 of/ theFile park;No.~~

~~(C) 584 Material 12 noncompliance HB5111 by File the No. resident with the rental agreement or with rules or regulations adopted under section 21-70, as amended by this act;~~

584 agreement or with rules or regulations adopted under section 21-70, as amended by this act;

If such breach can be remedied by repair by the resident or payment of damages by the resident to the owner and LCQ such 4863 breach 13 is not so remedied within twenty-one days, the rental agreement shall terminate except that (A) if the breach is remediable by repairs or the payment of 19 damages
~~Committee and Bill~~ the resident adequately remedies the breach within said twenty-one-day period, the rental HB5111 / File No.

~~5111 584 such 13 breach HB5111 is File not No. so remedied within twenty-one days, the rental agreement shall terminate except that (A) if the breach is remediable by repairs or the payment of damages and the resident adequately remedies the breach within said twenty-one day period, the rental agreement shall not terminate, or (B) if substantially the same act or omission for which notice was given recurs within six months, the owner may terminate the rental agreement in accordance with the provisions of sections 47a-23 to 47a-23b, inclusive.~~

584 agreement shall not terminate, or (B) if substantially the same act or omission for which notice was given recurs within six months, the owner may terminate the rental agreement in accordance with the provisions of sections 47a-23 to 47a-23b, inclusive.

or (B) By the owner giving the resident at least sixty days' written notice, which shall state the reason or reasons for such termination, except that, when termination is based upon subparagraph (A) of subdivision (1) of this subsection, the owner need give the resident only thirty days' written notice, which notice shall state the total arrearage due provided, LCQ the 4863 owner 14 shall of not 19 maintain Committee or Bill proceed No. with a summary process action against a resident who tenders the total arrearage due to the owner within such thirty days and who has not so tendered an arrearage under this subparagraph during the preceding twelve months.

~~5111 HB5111 the/ owner File shall No. not maintain or proceed with a summary process action against a resident who tenders the total arrearage due to the owner within such thirty days and who has not so tendered an arrearage under this subparagraph during the preceding twelve months.~~

~~(4) Except 584 as otherwise 14 specified, proceedings HB5111 under File this section shall No. be as prescribed by chapter 832.~~

584 (4) Except as otherwise specified, proceedings under this section shall be as prescribed by chapter 832.

(3) Any provision which permits the owner to collect a penalty fee for late payment of rent without allowing the resident a minimum of nine LCQ days 4863 beyond 15 the due date in which to remit or which provides for the payment of 19 rent Committee in Bill a No. reduced amount if such rent is paid prior to the expiration of such grace period;

~~5111 (4) days Any beyond provision the which due permits date the in owner which to remit charge or a which penalty provides for the late payment of rent in a excess reduced of amount five if per such cent rent of is the paid total prior rent to due for the expiration HB5111 of/ such File grace No. period;~~

~~(4) 584 Any 15 provision HB5111 which File permits No. the owner to charge a penalty for late payment of rent in excess of five per cent of the total rent due for the mobile manufactured home space or lot or four per cent of the total rent due for the mobile manufactured home and mobile manufactured home space or lot;~~

584 mobile manufactured home space or lot or four per cent of the total rent due for the mobile manufactured home and mobile manufactured home space or lot;

~~[(8)] (10) Any provision authorizing the owner to confess judgment LCQ on 4863 a 16 claim of arising 19 out Committee of Bill the No. rental agreement;~~

~~5111 [(9)] on (11) Any provision which waives any cause of action against or indemnification from an owner, by a claim resident arising for out any injury or harm caused to such resident, his or her family or his or her guests, or to his or her property, or the property of his or her family or his or her guests resulting from any negligence of the rental owner, agreement; his or her agents or his or HB5111 / File No.~~

~~[(9)] 584 (11) 16 Any HB5111 provision File which No. waives any cause of action against or indemnification from an owner, by a resident for any injury or harm caused to such resident, his or her family or his or her guests, or to his or her property, or the property of his or her family or his or her guests resulting from any negligence of the owner, his or her agents or his or her assigns in the maintenance of the premises or which otherwise agrees to the exculpation or limitation of any liability of the owner arising under law or to indemnify the owner for that liability or the costs connected therewith;~~

584 her assigns in the maintenance of the premises or which otherwise agrees to the exculpation or limitation of any liability of the owner arising under law or to indemnify the owner for that liability or the costs connected therewith;

(i) On and after July 1, 1993, each landlord other than a landlord of a residential unit in any building owned or controlled by any educational LCQ institution 4863 and 17 used by such institution for the purpose of 19 housing Committee students Bill of such institution and their families, and each landlord or owner of

a mobile manufactured home or of a mobile manufactured home space or lot or park, as such terms are defined in [subdivisions (1), (2) and (3) of] section 21-64, as amended by this act, shall pay interest on each security deposit received by such landlord at a rate of not less than the average rate paid, as of December 30, 1992, on savings deposits by HB5111 / File No.

~~5111584 institution17 andHB5111 usedFile byNo. such institution for the purpose of housing students of such institution and their families, and each landlord or owner of a mobile manufactured home or of a mobile manufactured home space or lot or park, as such terms are defined in [subdivisions (1), (2) and (3) of] section 21-64, as amended by this act, shall pay interest on each security deposit received by such landlord at a rate of not less than the average rate paid, as of December 30, 1992, on savings deposits by insured commercial banks as published in the Federal Reserve Board Bulletin rounded to the nearest one-tenth of one percentage point, except in no event shall the rate be less than one and one-half per cent.~~

584 insured commercial banks as published in the Federal Reserve Board Bulletin rounded to the nearest one-tenth of one percentage point, except in no event shall the rate be less than one and one-half per cent.

LC0This 4863act 18shall oftake 19effect Committeeas Billfollows No. and shall amend the following sections:

~~5111 This act shall take effect as follows and shall amend the following sections:~~

4 October 1, 2025 21-71 OctoberHB5111 17/ 2025File Sec.No.

~~5584 21-80(b)18 Sec.HB5111 File No.~~

584 Sec.

5 October 1, 2025 21-80(b) Sec.

8 October 1, 2025 52-352a(5) GL Joint Favorable LC0HB5111 4863/ 19File ofNo.-19

584 19 HB5111 File No.

584 The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose.

In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge.

Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note State Impact:

None Municipal Impact:

None Explanation The bill makes various changes to mobile manufactured home parks resulting in no fiscal impact to the state.

The Department of Consumer Protection regulates this area and has the resources and expertise to meet the requirements of the bill.

The Out Years State Impact:

None Municipal Impact:

None HB5111 / File No.

584 20 HB5111 File No.

584 OLR Bill Analysis HB 5111 AN ACT CONCERNING MOBILE MANUFACTURED HOMES AND MOBILE MANUFACTURED HOME PARKS.

SUMMARY This bill establishes a number of requirements relating to ancillary fees charged to residents by mobile manufactured home park owners, including requiring owners to post a list of these fees, requiring the Department of Consumer Protection (DCP) to adopt regulations on disclosure of these fees, and restricting provisions about these fees in rental agreements.

It requiresDCP,byJanuary1,2026,toestablishaprocessforresidents to submit complaints about a suspected violation of laws or regulations, including local laws, governing mobile manufactured homes.

It also extends, from 30 to 90 days, the time before the start of a new rental agreement that an owner must provide written notice of a rent increase to a resident who owns a mobile manufactured home.

By law, any increase must also be consistent with rents for comparable lots in the park and cannot be used as a way to avoid following the law's provisions on summary process for residents who own mobile manufactured homes.

Finally, the bill makes technical and conforming changes.

EFFECTIVE DATE:

October 1, 2025 ANCILLARY FEES Under the bill, an "ancillary fee" is a payment to the owner under a rental agreement other than rent, a security deposit, or a penalty for overdue rent.

It includes maintenance and services fees.

HB5111 / File No.

584 21 HB5111 File No.

584 The bill requires a person who owns, operates, or maintains a mobile manufactured home park to prepare and periodically update a comprehensive itemized list of ancillary fees that residents must pay. The person must publish the list in a form or manner set by DCP and post it in a prominent and publicly accessible location on the person's website and at the park.

Existing law requires DCP to adopt regulations on the disclosure statement owners must give to prospective and certain renewing residents.

The bill adds that these regulations must also address disclosure of the list of ancillary fees and enumeration of the goods and services provided for the ancillary fees.

Provisions in Rental Agreements The bill prohibits provisions in rental agreements that allow an owner to:

1.

charge unreasonable ancillary fees or ancillary fees that are (a) for goods or services already covered by the rent or (b) duplicative of other ancillary fees or 2.

increase an ancillary fee without providing 90 days' written notice of the amount of the increase, its effective date, and an explanation for it.

Existing law (1) prohibits rental agreements from containing certain provisions, such as provisions allowing a rent increase during the term of the agreement, and (2) places restrictions on certain types of provisions, such as those on termination for unpaid rent and penalties for overdue rent.

By law, rental charges (including other landlord-imposed fees) are under a fair rent commission's (FRC) purview, if one has been created locally (see BACKGROUND).

BACKGROUND Fair Rent Commissions HB5111 / File No.

584 22 HB5111 File No.

584 State law generally authorizes municipalities, regardless of their size, to create an FRC.

However, legislation enacted in 2022 required all municipalities with populations of at least 25,000, based on the most recent decennial census, to have an FRC.

Among other things, an FRC's purpose is to control and eliminate excessive (i.e. harsh and unconscionable) rental charges.

Rental charges are defined to include any fee or charge a landlord imposes in addition to rent.

An FRC may order that a rental charge be reduced to a fair and equitable amount, as determined by the FRC, after holding a hearing on a complaint (CGS Sec. 7-148b to 7-148g).

Related Bills SSB 12, Sec. 6 (File 251);

HB 6892 (File 265);

and SHB 6943, Sec. 3 (File 233);

reported favorably by the Housing Committee, impact FRCs and among other things contain provisions that (1) require every municipality to establish or join an FRC, (2) require a landlord's rent increase notice to include a statement that the tenant has the right to file a complaint with an FRC, and (3) modify the factors that FRCs use to evaluate rental charges.

SHB 1357, favorably reported by the General Law Committee, expands the responsibilities of mobile manufactured home park owners to include maintaining septic systems, leaching fields, and septic lines and connections in good working order.

HB 5428, favorably reported by the General Law Committee, sets a maximum rent increase after termination of a rental agreement with a resident who owns a mobile home to match the increase in the consumer price index plus 1%, limits ancillary fees to \$15 annually, increases relocation expenses an owner must pay a resident to move when a park's land use changes, requires DCP to establish a complaint process for park residents, requires DCP to disclose certain park-related documents upon request, and creates a reporting process related to fire hydrants in parks, among other things.

SHB 6889, favorably reported by the Housing Committee, extends HB5111 / File No.

584 23 HB5111 File No.

584 existing law's eviction and rent increase protections for certain protected tenants to certain other tenants, including residents in mobile manufactured home parks.

COMMITTEE ACTION General Law Committee Joint Favorable Yea 21 May 0 (03/21/2025) HB5111 / File No.

584 24