

FOR VERMONT MOBILE HOME PARK  
RESIDENTS:

A GUIDE TO YOUR  
RIGHTS



Information for Residents Living in Vermont's Mobile Home Parks

| GTYR |

Written and Produced by:

The Mobile Home Project (MHP) of the Coordinated Statewide Housing Services division of the Champlain  
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TABLE OF CONTENTS

1) INTRODUCTION .....2

2) COMMUNICATING WITH THE PARK OWNER.....2

3) LEASES.....3

4) SECURITY DEPOSITS .....3

5) DISCRIMINATION.....4

6) LOT RENT INCREASE.....4

7) HEALTH AND SAFETY.....5

8) ROAD CONDITIONS.....7

9) REPAIR AND DEDUCT .....7

10) EVICTIONS .....7

11) RETALIATION BY PARK OWNER.....8

12) PARK SALES .....8

13) PARK CLOSINGS .....8

14) CONDOMINIUM CONVERSION.....9

15) SUBLETTING.....10

16) SELLING A MOBILE HOME.....10

17) RENT-TO-OWN TRANSACTIONS.....11

18) ABANDONED HOMES .....12

19) PRIVACY AND ACCESS.....12

20) RESIDENT ASSOCIATIONS .....12

21) PARK OWNER VIOLATIONS.....12

22) PARK REGISTRATION.....13

23) RESOURCES LIST .....13

**NOTICE:** THIS PUBLICATION DOES NOT SERVE AS LEGAL ADVICE. IF YOU NEED LEGAL ADVICE PLEASE CONTACT AN ATTORNEY

GTJR is a general guide to your rights as a mobile home park resident. It is produced by the Champlain Valley Office of Economic Opportunity (CVOEO)/Mobile Home Project (MHP). The MHP is a program of the Coordinated Statewide Housing Services division of CVOEO. The MHP provides advocacy, education, and housing assistance for mobile home park residents. To contact the MHP: Mail or in person: 294 North Winooski Ave, Burlington, VT 05401 ♦ Phone: 802-660-3455x 204, ♦ Fax: 802-651-4179

♦ Web: [www.cvoeo.org/htm/Housing/mobileHome/mobile\\_home.html](http://www.cvoeo.org/htm/Housing/mobileHome/mobile_home.html)

## 1) INTRODUCTION

If you own a mobile home in a mobile home park or are about to move into one, Vermont law has some protections for you. The mobile home park law is found in 10 V.S.A. Chapter 153 of Vermont's statutes. It covers many issues from park closures to lot rent increases. It has been amended several times since it was first established in the early 1970's largely through the organized efforts of park residents to improve their housing situation and increase their legal rights.

**A mobile home park is a parcel of land or adjacent parcels with the same owner, which contains, or is designated, laid out or adapted to accommodate, more than two mobile homes (excluding land used solely on a seasonal basis for vacation or recreational mobile homes, and certain agricultural worker homes).** This handbook contains general information for mobile home owners or purchasers about renting a lot in a mobile home park.

The information in this pamphlet also applies to people who rent both the lot and the mobile home from the park owner. These mobile home renters are covered by both the mobile home park law and the landlord-tenant law when the two laws are consistent. The mobile home park law eviction section applies to these renters, and provides more protection than the landlord-tenant law.

Landlord-tenant law applies to evictions of people who sublet the mobile home from a homeowner who is not the park owner. If you fall in this latter category and have specific questions about your legal rights, you should talk to a lawyer. Free or low-cost legal resources and contact information for Vermont Tenants /CVOEO can be found at the end of this document.

This document will give you an overview of the laws that protect Vermont's mobile home park residents. If you believe your rights are being violated, call the Mobile Home Project immediately to consider action steps you can take to restore them. The phone number can be found on the cover page of this publication as well as under the Table of Contents.

## 2) COMMUNICATING WITH THE PARK OWNER

If you experience any difficulties with your lot or the park, the most critical action to take is to **communicate with the park owner by certified letter and keep copies of everything.** This is required by law in order to "repair and deduct" and is essential if you withhold rent or pursue legal action against your park owner. Because certified mail requires the recipient to sign a receipt, it is proof that you have followed the law and given adequate notice of things that need to be repaired or actions you plan to take. An e-mail communication will not be considered valid if the case must go to court. Any complaints must be mailed or hand delivered. Call the Mobile Home Project for assistance *before* taking any action.

### 3) LEASES

The law requires the park owner to give you a copy of the proposed written lease **before** you agree to live in the park. This is so you will have enough time to review the lease before entering into an agreement. Before signing the lease, you should read it carefully so you understand what it means. The law requires that all lease terms be fair and reasonable. Both lessor (park owner) and lessee (homeowner) must sign the lease. **The lease must contain:**

- The date it begins
- All charges for rent and utilities
- The names and addresses of the park owners
- A reference to any rules and regulations of the park
- Whether you need the owner's permission to sublet
- How much notice you must give before you end the lease
- A statement that the owner is complying with Vermont housing discrimination law

The law says any lease term that is not uniformly applied to all mobile home residents in a park shall be unenforceable. (An exception to this rule is that park owners may establish 'categories' of lots or leaseholders if they have a valid reason. For example a park may have two different rent categories if some lots in the park are much larger than others, or if they have added amenities.) The law also states a lease may not require you to give up any rights provided by Mobile Home Park law, or by any other provision of state or federal law or regulation.

**The park owner must give you a copy of the lease at the beginning of your tenancy**, signed by both the park owner and the homeowner, and give you a copy of your current lease any time that you request a copy. The law does not require that you receive a copy of the lease every year. **The park owner can change the lease, but only if the changes:**

- Are applied equally to all residents of the park (for example, the park owner cannot allow one person to have pets and not allow you to have pets\*),
- Are fair and reasonable, and
- Are given to the leaseholders at least 30 days before the change occurs, (60 days for utility charge increases or lot rent increases).

\* Note: Service animals are not considered pets.

### 4) SECURITY DEPOSITS

A park owner cannot charge you money just to move into a park. A park owner can charge you a reasonable fee if she/he must perform some service to put your home on the lot. The park owner may also collect a security deposit.

Park owners must return your security deposit within 14 days from when you sell your home or remove it from the park. The park owner must provide a written statement that itemizes any deductions. Park owners may deduct some or all of a resident's security deposit (when the resident leaves) only for the following reasons:

- Non-payment of rent
- Damage (beyond normal wear and tear) to the park owner's property

- Non-payment of utility or other charges (that are normally paid to the park owner or utility company)
- Expenses for removal of any abandoned property that belonged to you

If a park owner fails to return the security deposit within 14 days, or to provide a list of itemized deductions, the park owner loses the right to deduct any portion of the security deposit. In addition, if the park owner willfully withholds or fails to return the security deposit, then a judge may order him/her to pay the tenant double the amount of security deposit withheld, plus reasonable costs and attorney fees if the tenant goes to small claims court.

## **5) DISCRIMINATION**

A park owner or agent cannot discriminate in the rental of a lot, the sale of a mobile home on a lot, the services provided in the park, or the financing of the home. A park owner cannot discriminate on the basis of a person's race, sex, sexual orientation, age, marital status, religion, color, national origin, disability, gender identity, because a person intends to occupy the home with minor children, or because a person is a recipient of public assistance. That means there can be no extra charges or rules that would discriminate against households with minor children or any other protected category of people, or restrict families with children to certain areas of the park.

The park owner cannot refuse to rent or sell to households based on age or to families with children unless the park qualifies as housing for the elderly under specific exemptions to the law. Generally 'adult only' parks are not permitted.

There are some exemptions to fair housing law for parks that meet specific criteria as elderly housing. For more information about these exemptions or about fair housing and housing discrimination protections in general you can contact the Vermont Human Rights Commission or the CVOEO Fair Housing Project. (Refer to the Resource List at end of this document for contact information).

## **6) LOT RENT INCREASE**

Any condition in a lease about charges for rent and utilities must remain in effect for at least one year (except in limited circumstances). The park owner must give you and the Commissioner of the Vermont Department of Economic, Housing and Community Development (DEHCD) at least sixty (60) days notice prior to any rent increase using the official rent increase form provided by DEHCD. A rent increase is valid only if every leaseholder and the Commissioner of DEHCD receives the notice at least 60 days before the start of the rent increase. Leaseholders moving into a park at any point in a one-year lease cycle may have a shorter-term lease.

If you get a lot rent increase you should read it carefully. Some increases can be challenged by requesting mediation. The percent of increase above which leaseholders have the right to request mediation is based on the U.S. Consumer Price Index (CPI) for all Urban Consumers, Housing Component, plus one percent. This threshold is clearly explained on

the form. **This threshold does not limit the amount of any rent increase, but it means that if the increase is higher, residents can exercise additional rights.**

The petition indicating a desire to seek mediation must be filed with the park owner and the Commissioner of DEHCD within 15 business days of receiving the notice of proposed lot rent increase. The petition must be signed by a majority of the park's leaseholders. It must also include a statement that the leaseholders dispute the increase and indicate who will act as the "Leaseholder's Representative". The Leaseholder Representative is the person who will represent the leaseholders' interests in the mediation session, and may be a resident or another person trusted by the residents. Leaseholders may choose more than one representative or an alternate, and may ask the Mobile Home Project to assist with mediation. The Mobile Home Project may be able to attend mediation with you.

If mediation fails to resolve the dispute, and the leaseholders claim the proposed increase is clearly excessive, then they may file a complaint in Superior Court. Residents' legal fees up to \$4,500 can be paid for out of the registration fee fund by DEHCD. The MHP has forms and assistance available to you if you are going through this process. Please contact us as soon as you receive the notice of proposed lot rent increase.

In addition, under lot rent increase law, major capital improvements must be separated out as a surcharge. The cost of capital improvements, such as water or sewer infrastructure, over \$2,500 may be passed on to the leaseholders, but only as a surcharge, and for a specified period of time. The surcharge must be applied so as to minimize the financial burden on the park residents. Once the improvements have been paid for, the surcharge expires. The amount of the monthly surcharge, estimated cost of the work including any interest paid by the park owner if the owner took out a loan, and the duration of the surcharge must be a part of the notice to leaseholders, and is included in determining whether the threshold for mediation rights has been exceeded.

## **7) HEALTH AND SAFETY**

Mobile home residents, like other residential tenants in Vermont, are protected under law by a 'Warranty of Habitability.' Under this section of the law park owners must keep their parks "safe, clean and fit for human habitation." This includes safe electrical service, drinkable water, and sewage disposal, all to a location on each lot from which the service can be connected to the mobile home. In the case of water and sewer pipes, the park owner is responsible for maintenance of pipes up to the point where they surface from the ground beneath the home. The park owner is responsible for the electric service to the mobile home including the 'feeder line' from a nearby 'shut off'. A park owner cannot require a resident to pay to upgrade the electric service from the pole to the home.

The law also requires the park owner to provide safe roads and common areas. If you feel that a condition with your water, sewer, or electric system is not safe or in compliance with the Warranty, or other laws such as building, zoning, and electrical codes, notify the park owner in writing and keep a copy of the letter. Specific details about the Warranty can be found in Part III of the DEHCD's Housing Division Rules.

If the problem is not fixed in a reasonable amount of time, you should contact your local health officer or appropriate state agency and ask them to inspect the park. If there is a

violation of the Warranty of Habitability, the defect substantially affects your health or safety, and the park owner has received written notice of the problem, you may be able to:

- Withhold rent until the problem is resolved
- Obtain a court order
- Recover damages, costs, and reasonable attorney fees
- Terminate the rental agreement on reasonable notice

**(Seek legal advice before pursuing these options.)**

The Mobile Home Project has noted that failure to notify a park owner *in writing* of a problem is a common obstacle to achieving a positive resolution to park issues. You will greatly enhance the enforceability of your rights if you put complaints in writing and keep a copy for your files.

The duties of the Agency of Natural Resources (ANR) include jurisdiction and enforcement of water supply and septic systems at all mobile home parks, regardless of when they were built. Pursuant to Chapter 64 in Title 10 of the Vermont statutes, if a mobile home park water or septic system fails, the park owner must get a permit and correct the problem, regardless of previous grandfathering or other exemptions.

**A failed water system** is a drinking water supply that does not meet drinking water quality standards, as defined by ANR. The water must be safe for humans to drink, wash, bathe, prepare food, etc. and it must be in adequate supply and pressure for normal daily use.

**A failed septic system** is a wastewater system that;

- Is uncovered or allows septic materials to surface up onto the ground,
- Leaks septic material into surface water, or allows/causes septic to backup into the mobile homes,
- Causes contamination of the water supply, or
- Otherwise creates a health hazard.

A brief failure which is fixed appropriately and recovers, or a minor problem which is repaired quickly and works, is not considered a failed system. However, if a problem occurs over and over, or is not fixed, or occurs on a seasonal basis each year, then the system is considered failed under the law and appropriate action must be taken to fix it.

When a public health hazard exists, the owner will still be required to take immediate temporary steps, such as fencing off the area, applying lime, and/or pumping the system while the long-term correction is being designed and constructed. If a water or septic system has failed, the owner must have an engineer design the proposed solution, and obtain a permit from the state. The state will require the proposed corrections to meet state standards, or come as close as possible. The state will then require the owner to make the corrections as proposed. If an owner refuses or fails to correct, the state may take enforcement action, which may include fines, imprisonment, or both.

ANR may allow some flexibility in the design of the corrected system, especially in cases where the normally required standards would be prohibitive or impossible to achieve. The law recognizes that the cost of fixing such systems is usually significant, but also requires the agency to consider the importance of preserving existing mobile home park lots, and the priority for protecting human health and the environment.

## 8) ROAD CONDITIONS

Roads are a common concern in parks. Park owners and residents often disagree as to whether the park owner is fulfilling his legal obligation to provide safe roads within the park. Mobile home park law states: "A mobile home park owner shall maintain roads within the mobile home park ("park roads") reasonably free from hazards and in a manner that ensures safe and reliable ingress, egress and use without unreasonable interruption on a year-round basis, including the adequate and timely removal of snow and mitigation of icy conditions. Park roads shall be maintained reasonably free of potholes or depressions in which surface water can accumulate and constitute a health and safety hazard." [Housing Division Rules, Part III, #12]

If you believe the roads in your park have deteriorated to an unacceptable condition, contact the Mobile Home Project to discuss strategies to seek improvements.

## 9) REPAIR AND DEDUCT

In some instances you may make minor repairs and deduct the costs from your rent. Before taking such action, written notice should be sent to the park owner by Certified Mail with receipt requested. This will prove that the park owner received notice of the issue. If you send the park owner written notice of the problem, and the park owner does not repair a minor defect, or comply with the lease or Vermont law within 30 days of your written notice, you may make the repair or order the service, and deduct it from the rent paid to the park owner. However **the cost of the repair may not exceed one-half of one month's rent**. The law prohibits you from doing major work on water, sewer, or electrical systems. You need to send a written copy of the cost of the repair or service you are deducting when you send in your reduced rent.

## 10) EVICTIONS

Mobile home owners (and renters who rent the mobile home from the park owner) are protected by a "just cause eviction" law. **You can only be evicted if the park owner can show that:**

- You haven't paid your rent and the park is in good condition,
- You have seriously violated the terms of your lease, or
- She or he is closing part of the park or the entire park.

The lease may allow the park owner to require a home to be removed from the park for health, safety, or aesthetic reasons under limited circumstances. To evict a leaseholder the park owner must give you notice. The notice must be sent by registered or certified mail and it must give you the reasons for the eviction. If back rent is owed, the notice must also state that you have 20 days to pay any back rent due. It must also tell you the date by which the park owner wants you to leave the park. If the leaseholder has already received a non-payment or substantial violation notice in the past 6 months, the park owner is not required to notify you a second time by certified mail.

The park owner must go to court to evict you. If you do not leave the park by the date stated in the notice, the only legal way for the park owner to evict you is by starting a lawsuit and asking a court for an Order. The lawsuit begins when a constable or sheriff serves you a paper called a Summons and Complaint. If you receive a Summons and Complaint, read them carefully and consult a lawyer without delay.

It is illegal for the park owner to move your mobile home without your permission or a written court order. It is also illegal for the park owner to turn off your heat, electricity, water, or other utilities or harass you so that you will leave. If you believe you are being evicted illegally, you may bring a suit against the park owner and seek recovery damages.

## **11) RETALIATION BY PARK OWNER**

**A park owner may not retaliate by threatening eviction, changing the terms of the lease, or bringing or threatening to bring a court case against you for:**

- Written complaints to government agencies that enforce regulation of health and safety
- Written complaints to park owner of violation of the mobile home law
- Organizing, or becoming a member of, a resident's association

In a case of retaliation you may recover damages and reasonable attorney's fees through the courts.

## **12) PARK SALES**

If the owner decides to sell the park, she/he must give notice of intent to sell to all leaseholders who own mobile homes in the park as well as the Commissioner of DEHCD. The notice must be sent by certified mail and include; the price, terms and conditions of the proposed sale, a list of the affected leaseholders, and the status of the park's compliance with State laws and permits. The leaseholders have 45 days following this notice to get together, review their options, and decide whether they intend to consider purchasing the park. Generally, DEHCD will organize an initial meeting to explain your options, and will contact potential non-profits about their interest in purchasing the park on the resident's behalf.

Options include forming a cooperative to purchase the park directly, choosing a non-profit group to negotiate and purchase the park in the public interest, or doing nothing. If, during the 45-day day period, the owner receives notice in writing that a majority of the mobile home owners intend to consider a purchase, then the park owner cannot commit to selling the park to anyone else for 90 days following the 45 day period for a total of 135 days.

During this 90-day period, the owner must negotiate in good faith with the resident group, or the resident-chosen non-profit for the purchase and sale of the park. The resident group or non-profit must also negotiate in good faith.

## **13) PARK CLOSINGS**

If a park owner intends to close a park and sell the land on which the park sits for another use, he or she is required to **give a sale notice** to the park's mobile home owners before

issuing a **closure notice**. If your park is closing or is being sold, you will receive notice from the park owner on a standard state form that must be distributed to every park resident and sent to the Commissioner of DEHCD. When this happens, the Mobile Home Project will help coordinate the next steps for you and your neighbors. *Lot rents may not be increased for the 6-month period prior to, and during a closure notice, but a park owner may request an exemption if necessary to address an urgent health or safety issue in the park.*

The park owner must give the closure notice 18 months in advance of closure. The mobile home park owner can proceed with closure of the park without penalty at the end of the 18 month period if:

- 1) The mobile home park home owners decide not to exercise their right to buy the park within the 45 day legal time limit; *or*
- 2) If negotiations with the mobile home owners, or their chosen nonprofit housing agency, do not result in a sale of the park; *or*
- 3) If the park owner files a notice in the Land Records that he or she will not sell the land for at least five years from the date of the closure notice.

If circumstances change later, the park owner may appeal to the Commissioner for relief from the five-year waiting period. The penalty for closing a park and selling the land within five years if the park owner did not give the required sale notice beforehand is \$10,000 or 50 percent of the gain realized on the sale, payable to the State.

A park owner must give each affected resident and the Commissioner of the DEHCD notice by certified mail at least 18 months prior to any lot or park closure which would result in eviction of a resident or removal of any or all of the mobile homes. The Commissioner may allow a shorter notice period if the change in use is necessary to assure the health, safety or welfare of the park residents.

The park owner **can evict leaseholders for nonpayment of rent or for lease violations** during the pending closure of a park. The park owner may bring actions for possession against any residents who have not moved after the 18 month notice period and the only defense against such an action is improper notice of the park closure.

Law in effect as of July 1, 2008, allows the DEHCD Commissioner to require a park owner to pay up to \$3,500 toward residents' moving costs if the park owner gives a closure notice within one year of having received a notice from an official of a violation of the state's health, safety or environmental laws or habitability requirements - unless the park owner can demonstrate that he or she does not have the ability to pay.

## **14) CONDOMINIUM CONVERSION**

A park owner who wishes to convert the park to condominium ownership is required to give each resident six months notice of intent to convert. This notice must state the price of each unit and describe the condition of the park, the expected cost of operating the park as a condominium development, the cost of any expected repairs, and any problems which may affect the habitability or use of the park. If 70% of the residents vote to allow conversion, then the park owner will send a notice to all leaseholders giving them six months' notice to decide whether to buy their individual lots as condominium units. Residents who do not buy their lot will have the right to continue as tenants, and their rent can only be increased as

condominium fees are increased. Residents who choose to remain as tenants are protected by the Vermont laws protecting other mobile home park residents.

## **15) SUBLETTING**

A lease may not prohibit subletting. You are free to rent your mobile home or lot so long as the sublessee meets the criteria of the park owner's lease terms and the park owner is notified in writing and gives permission. The park owner must respond in writing within 30 days to a request for permission to sublet. The written request must state the prospective sublessee's name and current address. The park owner cannot unreasonably withhold permission to sublet. Vermont law gives a park owner the right to pursue eviction if someone sells, rents, or sublets a mobile home or lot without the park owner's written permission. Law also requires the park owner to give a copy of the current lease to any leaseholder upon request.

Bottom line: You should always notify the park owner in writing of your intent to sublet.

## **16) SELLING A MOBILE HOME**

Effective September 1, 2010 anyone selling a mobile home in a park must use a revised Vermont Mobile Home Uniform Bill of Sale to record the transfer of the mobile home. A Uniform Bill of sale can be found on the DEHCD website listed in the Resources List at the end of this guide.

The Uniform Bill of Sale must contain:

- The name *and* mailing address of both the seller and the buyer
- Name and address of the park or property owner where the mobile home is located
- Whether the sale will be a retail installment transaction (rent-to-own)
- Any liens on the mobile home
- If the home is being sold "as is" with an itemized list of any deficiencies

Before you sell your home, you must notify the park owner by certified or registered mail of the proposed buyer's name and address. If you do not follow this process the owner may try to prevent the sale of your home. After receiving your notice, the park owner has 21 days to approve or deny a buyer. If the buyer is rejected, the park owner must state in writing to the buyer why he or she does not qualify. If the park owner does not respond within 21 days the sale may proceed. If the park owner refuses to approve the buyer and you think this refusal is unreasonable, you should contact a lawyer. The only way to proceed with the sale may be to take the park owner to court quickly.

Ownership of a mobile home becomes final after the following process is completed:

1. Seller gives a completed, but not signed, Uniform Bill of Sale to the Town Clerk *before* selling the mobile home,
2. Seller gives a completed, but not signed, Uniform Bill of Sale to the park or property owner at least 21 days before the sale of the mobile home,

3. The Town Clerk endorses the Uniform Bill of Sale if all property taxes on the mobile home that have come due have been paid,
4. If the mobile home is to be moved out of town, Town Clerk endorses the Uniform Bill of Sale if all property taxes assessed for the year have been paid.
5. **Sale of the mobile home happens only after the Town Clerk endorses the Uniform Bill of Sale and the buyer is approved for residency in the park** (assuming the home is not being moved out of the park),
6. At the sale, the seller, buyer and a witness sign and date the Uniform Bill of Sale,
7. The buyer files the fully executed Uniform Bill of Sale with the Town Clerk within 10 days. In most cases, a Property Transfer Tax Return is also required.

This procedure is to be followed to move a mobile home from one town to another, even if not being sold. However, it does not apply to mobile homes that are financed as real property, abandoned mobile homes transferred by Court order, or mobile homes in “inventory” of a dealer or manufacturer that are on a sales lot and are not hooked up to utilities.

As of July 1, 2008, Vermont law gives legal recourse to an individual who buys a mobile home in a park and discovers the seller did not give the park owner the required notice. The law states that: “The seller may be held liable by the purchaser or prospective purchaser for failure to comply with this section [of the law].” The law still requires the park owner to approve a qualified buyer regardless of whether the seller gave the proper notice but failure to provide proper notice is not a valid reason to deny the purchaser residency in the park.

Park owners are required to give potential leaseholders of a mobile home park a copy of the lease to review before agreeing to the terms. Unless the applicant objects in writing prior to occupying the home, it is assumed that the applicant has accepted the lease.

## **17) RENT-TO-OWN TRANSACTIONS**

A Rent-to-Own agreement is defined as any agreement where someone makes payments for the right to use a mobile home over a period of time and has the option, or is required, to become the owner of the mobile home for little or no extra cost. Under the new legislation, effective September 1, 2010, there will be no question as to whether a person owns the mobile home or is renting the mobile home. Under a Rent-to-Own agreement, a valid transfer of ownership occurs only if there is 1) a written contract in accordance with 9 V.S.A, Chapter 59, and 2) a Mobile Home Uniform Bill of Sale is filed. Until both of these conditions are met, the agreement is considered a lease and the ‘buyer’ is considered to be renting the home and is therefore protected under landlord-tenant law.

This is an important distinction. If the resident of the home is considered a renter then the home owner is responsible for maintaining the home according to landlord-tenant law. If the resident is considered the home owner, then the agent receiving the rent-to-own payments would have to go through the foreclosure process to regain ownership of the home.

## **18) ABANDONED HOMES**

Park owners can remove or sell abandoned homes if they follow a certain legal procedure. **For a home to be abandoned it must:**

- Seem abandoned to a reasonable person,
- Be at least 30 days behind in lot rent and,
- The park owner must be unable to contact the resident or owner.

## **19) PRIVACY AND ACCESS**

In general, park owners may enter your mobile home lot with your consent. The park owner may also enter your lot between 7:00 am and 7:00 pm with at least 12 hours notice prior to entering your lot for the following purposes:

- To inspect the lot,
- To make necessary or agreed upon repairs,
- To supply agreed services, or
- To exhibit the lot to prospective or actual purchasers, tenants, workers or contractors.

A park owner may enter your lot without this notice if there is an emergency. The park owner may also enter a lot without this notice if they are making repairs and discover it will be necessary to enter the lot to continue working on the repairs. However in this case they must first try to get your permission. A park owner may not enter your home without your permission unless he/she reasonably believes there is an immediate danger to some person or property, or interruption of utility services.

## **20) RESIDENT ASSOCIATIONS**

You have the legal right to meet with your neighbors and form a resident association. In some parks, the residents' association negotiates directly with the park owner about lease terms, rent increases, and other problems. In other parks, associations have worked with non-profit corporations to buy the park or develop resident management. Still other residents form associations to work together to provide activities for children, clean up the park, or to build a stronger community. For more information about how you can form a resident association contact the MHP.

A park owner may not take action against residents for creating or becoming a member of a resident association (See 11. Retaliation by Park Owner, pg 8).

## **21) PARK OWNER VIOLATIONS**

You can sue a park owner who does not obey mobile home park laws. Before you sue, **it is always important to give the park owner written notice of your grievances.** The notice must be sent by certified mail, it must give the reason you intend to sue, and it must be mailed at least 30 days before a lawsuit begins. If you plan to sue the park owner, contact a lawyer before taking any action.

## 22) PARK REGISTRATION

All mobile home park owners must register with the DEHCD on a yearly basis. DEHCD collects an annual fee of up to \$9.00 per occupied lot, which the park owner may pass on to the leaseholders. This fee is used to coordinate mobile home park issues, to pay for the services of a mediator in lot rent increase disputes, and up to \$4,500 in legal costs for resident groups who take a rent dispute to court, and other costs of administering mobile home park law. DEHCD issues a report every three years about all mobile home parks in the state. This report is available from DEHCD, or by calling the Mobile Home Project.

## 23) RESOURCES LIST

### 1. The Three Coordinated Statewide Housing Services Programs of CVOEO:

**Mobile Home Project (MHP):** Offers housing assistance and referral services, helps organize resident associations, and provides individual advocacy to park residents. Contact the MHP if you:

- Are facing a park sale, park closing, or lot rent increase
- Want assistance with forming or revitalizing a resident association
- Need advice and assistance about problems in your park
- Require more information about the laws effecting parks, or need help with planning a strategy to deal with a complicated problem in your park.
- Are having financial difficulties and are facing possible eviction or foreclosure

The MHP also provides public education about mobile home parks and mobile home park living. The MHP encourages public discussion of issues facing park residents, advocates for the development of programs and services for park residents, and provides workshops and training on various mobile home park issues.

Phone: 802-660-3455 ext. 204

Website: [www.cvoeo.org/htm/Housing/mobileHome/mobile\\_home.html](http://www.cvoeo.org/htm/Housing/mobileHome/mobile_home.html)

Address: CVOEO Mobile Home Project, 294 North Winooski Ave., Burlington, VT 05401

**Vermont Tenants (VTI):** Source of information, training, advice, referral and advocacy for renters. VTI produces the Renting in Vermont handbook.

Phone: 802-864-0099 (A tenant hotline voice mail system).

Website: [www.cvoeo.org/htm/Housing/tenants/tenantsHome.html](http://www.cvoeo.org/htm/Housing/tenants/tenantsHome.html)

**Fair Housing Project (FHP):** Works to eradicate housing discrimination in Vermont through education, outreach, and enforcement of fair housing laws.

Phone: 802-651-0551 ext. 202

Website: [www.cvoeo.org/htm/Housing/fair\\_housing/fair\\_housing.html](http://www.cvoeo.org/htm/Housing/fair_housing/fair_housing.html)

## **2. Free Legal Services (for income-eligible clients)**

### **Vermont Legal Aid**

Offices throughout the state offer legal assistance to income-eligible tenants.

- Burlington: 264 North Winooski Avenue, Burlington, Vermont 05402
- Montpelier: 7 Court Street, Montpelier, Vermont 05601
- St. Johnsbury: 177 Western Avenue, Suite 1, St. Johnsbury, Vermont 05819
- Rutland: 57 North Main Street, Rutland, Vermont 05701
- Springfield: 56 Main Street, Suite 301, Springfield, Vermont 05156

Phone: 1-800-889-2047

Website: [www.vtlegalaid.org/](http://www.vtlegalaid.org/)

### **Legal Services Law Line of Vermont, Vermont Law Help**

Provides legal information for income-eligible residents in the State of Vermont. This includes user friendly self-help information on topics such as divorce and tenants rights, Medicaid and food stamps, employment and education, as well as information about free legal services in Vermont.

Website: [www.vtlawhelp.org/Home/PublicWeb](http://www.vtlawhelp.org/Home/PublicWeb)

## **3. State Agencies**

### **Vermont Department of Economic, Housing and Community Development (DEHCD):**

Administers mobile home park law, park registration, and rent mediation.

Phone: 1-800-622-4553 or 802-828-3211

Fax: 802-828-2928

Website: [www.dhca.state.vt.us/Housing/mhs.htm](http://www.dhca.state.vt.us/Housing/mhs.htm) (Includes direct links to the Mobile Home Park laws, HUD Consumer Handbook on mobile homes, and many other links.)

### **Agency of Natural Resources:**

**Water Supply Division:** Oversees public water systems and monitors water testing.

Phone: 802-241-3400

**Wastewater Division:** Oversees septic and wastewater systems.

Phone: 802-241-3822

### **Vermont Department of Health (VDH), Division of Environmental Health:**

Enforces State Health Code, primarily issues regarding water, sewage and rubbish.

Phone: 802-863-7333 or 800-464-4343 ext. 7333

An online list of Local Health Officers and contact information may be found on a page of the VDH web site at the following website: [www.healthvermont.gov/local/tho/tho\\_list.aspx](http://www.healthvermont.gov/local/tho/tho_list.aspx)

**Vermont Department of Public Safety, Fire Safety Division:** Inspects electric hook-ups in parks, and inspects rented mobile homes for fire safety.

Phone: 800-640-2106

Website: <http://www.dps.state.vt.us/fire/licensing/Electrical.htm>

**Vermont Human Rights Commission (HRC):**

The HRC protects people from unlawful discrimination in housing, state government employment and public accommodations. The HRC enforces laws, mediates disputes, educates the public, provides information and referrals, and advances public policies on human rights.

Address: 135 State Street, Drawer 33, Montpelier, Vermont 05633-6301

Phone: 800- 416-2010 Fax: 802-828-2481

Website: [www.hrc.state.vt.us](http://www.hrc.state.vt.us)

E-mail: [human.rights@hrc.state.vt.us](mailto:human.rights@hrc.state.vt.us)

**4. Other Resources**

**Vermont Housing Finance Agency (VHFA):**

VHFA offers a Limited Refinance Program that allows homeowners to replace high interest rate mobile home loans. In addition, borrowers can finance the cost of mobile home improvements and all closing costs associated with the loan. To be eligible, a mobile home must:

- Sit on land owned by the homeowner; or
- Reside in a non-profit or cooperatively owned mobile home park; or
- Be relocated to one or the other eligible location

Eligible mobile homes must be permanently affixed to land.

Phone: 802-864-5743

Website: [www.vhfa.org](http://www.vhfa.org)

**US Department of Agriculture – Rural Development (USDA-RD):**

Federal agency that offers one percent loans to mobile home owners to perform general repairs to improve or modernize their homes. Eligible homes sit on land owned by the homeowner or in a non-profit or cooperatively owned park. Grant funds for the same purposes are available to applicants age 62 or over.

Phone: 802-828-6012

Website: [www.rurdev.usda.gov/vt](http://www.rurdev.usda.gov/vt)