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Date: (Filing No. S- )

**HOUSING AND ECONOMIC DEVELOPMENT**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 477, L.D. 1145, “An Act to Protect Residents Living in Mobile Home Parks”

Amend the bill by inserting after the title and before the enacting clause the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** current law requires a mobile home park owner that intends to accept an offer to purchase the mobile home park to notify the mobile home owners in the mobile home park and give the mobile home owners time to make an offer to purchase the mobile home park;

**Whereas,** current law allows a mobile home park owner to reject an offer from at least 51% of the mobile home owners to purchase the mobile home park even if the offer is at the same price and has equal or superior terms and conditions as the offer the mobile home park owner intends to accept;

**Whereas,** the sale of mobile home parks as part of an investment portfolio is increasing in the State and often results in an increase in lot rent and fees to the mobile home owners who live in the mobile home park;

**Whereas,** this increase in rent and fees is reducing the affordability of mobile home ownership, further exacerbating the housing crisis in the State;

**Whereas,** mobile home park owners are currently considering competing offers for the sale of mobile home parks as part of an investment portfolio and from a group of mobile home owners;

**Whereas,** this legislation must take effect before the expiration of the 90-day period in order to address these issues;

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as

1 immediately necessary for the preservation of the public peace, health and safety; now,  
2 therefore,'

3 Amend the bill by striking out everything after the enacting clause and inserting the  
4 following:

5 **'Sec. 1. 10 MRSA §9094-A, sub-§1,** as repealed and replaced by PL 2023, c. 378,  
6 §1, is amended to read:

7 **1. Notice required.** The owner of a mobile home park shall give written notice of  
8 the intent to sell the mobile home park to each owner of a mobile home in the mobile home  
9 park and to the Maine State Housing Authority. The owner of the mobile home park may  
10 not make a final unconditional acceptance of an offer for the sale of the mobile home park  
11 earlier than the 60th day after the date the notice ~~was mailed as required by this subsection~~  
12 containing the information required by this subsection is mailed as required by this  
13 subsection and received by the Maine State Housing Authority. The notice must include:

14 A. A statement that a group of mobile home owners or a mobile home owners'  
15 association of the mobile home park has a first option to purchase the mobile home  
16 park and may make an offer to purchase the mobile home park within 60 days of the  
17 mailing date of the notice ~~date the notice containing the information required by this~~  
18 subsection is mailed in accordance with this subsection and received by the Maine State  
19 Housing Authority; and

20 B. Either:

21 (1) The price, terms and conditions for which the owner of the mobile home park  
22 intends to sell the mobile home park; or

23 (2) The price, terms and conditions of any acceptable offer the owner of the mobile  
24 home park has received for the mobile home park, including a signed copy of the  
25 written offer that contains a description of the property. The owner may redact the  
26 name, address, contact information or other identifying information of the party  
27 making the offer.

28 If an owner of a mobile home park intends to accept an offer to purchase the mobile home  
29 park and the mobile home park is to be included in an investment portfolio by the purchaser,  
30 the price, terms and conditions specific to the mobile home park must be specified in the  
31 notice required by this subsection.

32 The notice must be mailed by certified mail, return receipt requested, to each mobile home  
33 owner at the mobile home owner's home address and to the Maine State Housing Authority.

34 **Sec. 2. 10 MRSA §9094-A, sub-§3-A,** as enacted by PL 2023, c. 378, §4, is  
35 repealed and the following enacted in its place:

36 **3-A. Group of mobile home owners or mobile home owners' association first**  
37 **option to purchase.** A group of mobile home owners or a mobile home owners'  
38 association has the first option to purchase a mobile home park, and the owner of a mobile  
39 home park shall consider an offer from a group of mobile home owners or a mobile home  
40 owners' association subject to the following conditions.

41 A. An owner of a mobile home park shall consider any offer from a group of mobile  
42 home owners or a mobile home owners' association received by the 60th day after the  
43 date the notice containing the information required by subsection 1 is mailed as

1       required by subsection 1 and received by the Maine State Housing Authority as long  
2       as the mobile home owners of at least 51% of the mobile homes in the mobile home  
3       park that are occupied by the mobile home owner or a family member of the mobile  
4       home owner sign a petition or otherwise indicate in writing that they support making  
5       the offer.

6       B. An owner of a mobile home park shall negotiate in good faith with a group of  
7       mobile home owners or a mobile home owners' association concerning a purchase offer  
8       made under this subsection.

9       C. An offer made by a group of mobile home owners or a mobile home owners'  
10       association must include a purchase and sale agreement.

11       D. If the proposed purchase and sale agreement from a group of mobile home owners  
12       or a mobile home owners' association matches the price and otherwise has equal or  
13       superior terms and conditions of the offer the mobile home park owner has  
14       conditionally accepted or plans to accept, the group of mobile home owners or the  
15       mobile home owners' association must have the first option to purchase the mobile  
16       home park at the price, terms and conditions stated in its purchase and sale agreement.

17       E. A mobile home park owner may not unreasonably refuse to enter into or  
18       unreasonably delay the execution of or closing on a purchase and sale agreement with  
19       a group of mobile home owners or a mobile home owners' association that has proposed  
20       a bona fide purchase and sale agreement to meet the price and equal or superior terms  
21       and conditions of an offer for which notice is required to be given under subsection 1.

22       F. Notwithstanding the requirement that the offer from a group of mobile home owners  
23       or a mobile home owners' association be on equal or superior terms and conditions, a  
24       mobile home park owner may not reject a proposed purchase and sale agreement solely  
25       on the basis of the inclusion of a financing contingency.

26       G. A group of mobile home owners or a mobile home owners' association may not be  
27       required to pay a nonrefundable deposit at the time of execution of a purchase and sale  
28       agreement as a condition of acceptance.

29       H. If an owner of a mobile home park accepts the offer made by a group of mobile  
30       home owners or a mobile home owners' association, the group of mobile home owners  
31       or the mobile home owners' association must obtain appropriate financing and a  
32       commercially reasonable time to close on the sale before the 90th day after the  
33       execution date of the purchase and sale agreement.

34       I. If a group of mobile home owners or a mobile home owners' association fails to  
35       secure financing necessary for the purchase and sale agreement during this 90-day  
36       period, or such longer period as the parties may agree to, or fails to close on the sale in  
37       compliance with the purchase and sale agreement executed by the parties, the mobile  
38       home park owner has no further duties under this section with respect to the proposed  
39       sale, lease or transfer of the mobile home park.

40       J. If a purchase and sale agreement between a mobile home park owner and a group  
41       of mobile home owners or a mobile home owners' association does not result in a  
42       purchase and the mobile home park owner offers to sell the mobile home park at a  
43       different price or with different terms and conditions or receives a subsequent offer to  
44       purchase at a different price or with different terms and conditions that the mobile home



7. The Maine State Housing Authority, a municipal housing authority, a municipality where the park is located or a nonprofit organization may be assigned the first option to purchase provided to the mobile home owners under the bill.

**(See attached)**