

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

S.P. 477 - L.D. 1145

An Act to Protect Residents Living in Mobile Home Parks

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §9094-A, sub-§1, as repealed and replaced by PL 2023, c. 378, §1, is amended to read:

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

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

B. Either:

- (1) The price, terms and conditions for which the owner of the mobile home park intends to sell the mobile home park; or
- (2) The price, terms and conditions of any acceptable offer the owner of the mobile home park has received for the mobile home park, including a signed copy of the written offer that contains a description of the property. The owner may redact the name, address, contact information or other identifying information of the party making the offer.

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

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

Sec. 2. 10 MRSA §9094-A, sub-§3-A, as enacted by PL 2023, c. 378, §4, is repealed and the following enacted in its place:

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

A. An owner of a mobile home park shall consider any offer from a group of mobile home owners or a mobile home owners' association received by the 60th day after the date the notice containing the information required by subsection 1 is mailed as required by subsection 1 and received by the Maine State Housing Authority as long as the mobile home owners of at least 51% of the mobile homes in the mobile home park that are occupied by the mobile home owner or a family member of the mobile home owner sign a petition or otherwise indicate in writing that they support making the offer.

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

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

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

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

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

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

H. If an owner of a mobile home park accepts the offer made by a group of mobile home owners or a mobile home owners' association, the group of mobile home owners or the mobile home owners' association must obtain appropriate financing and a

commercially reasonable time to close on the sale before the 90th day after the execution date of the purchase and sale agreement.

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

J. If a purchase and sale agreement between a mobile home park owner and a group of mobile home owners or a mobile home owners' association does not result in a purchase and the mobile home park owner offers to sell the mobile home park at a different price or with different terms and conditions or receives a subsequent offer to purchase at a different price or with different terms and conditions that the mobile home park owner intends to accept, the requirements of this section apply separately to each subsequent offer.

Sec. 3. 10 MRSA §9094-A, sub-§6 is enacted to read:

6. Assignment of rights. A group of mobile home owners or a mobile home owners' association that has rights under this section may, upon a majority vote, assign those rights to the following entities as long as the entity agrees to continue operating the property as a mobile home park:

A. The municipality in which the mobile home park is located;

B. The Maine State Housing Authority or a municipal housing authority established under Title 30-A, section 4721 whose area of operation, as defined in Title 30-A, section 4702, subsection 1, includes the municipality in which the mobile home park is located; or

C. A nonprofit organization.