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Testimony in Opposition to LD 365 (“An Act to Establish a 3 Month Moratorium on the Sale of Mobile Home Parks”)

J. Andrew Cashman on behalf of the Maine Association of REALTORS®

May 14, 2025

Senator Curry, Representative Gere and members of the Joint Select Committee on Housing and Economic Development, my name is Andy Cashman. I am the Founder of Resolve Government Relations. We represent the Maine Association of REALTORS®, a professional trade association established in 1936 with over 6,500 members statewide. REALTORS® protect private property rights, build Maine communities, and grow our state’s economy. Our members represent buyers and sellers involved in both residential and commercial real estate transactions. Our membership also includes industry affiliates, such as lenders, closing agents, title agents, appraisers, building inspectors, surveyors, etc. The Maine Association is chartered by the National Association of REALTORS® (NAR), the largest trade association in the country.

The Maine Association of REALTORS® opposes the amendment to LD 365. The amended bill would establish an emergency three-month moratorium on the sale of mobile home parks, prohibiting any sales or transfers prior to October 31, 2025. Moratoriums limit the supply of housing, restrict development opportunities, and contribute to higher costs of housing over time.

Property owners wanting to sell their property should be able to do so under current law. A moratorium restricts the fundamental rights of property owners to sell or transfer their assets. Maine property owners should be able to transfer ownership of their property regardless of the property’s current use. Restrictions on the sale of real estate could cause additional concerns, impacting more than just the property owner. For example, if a mobile home park owner is facing a financial hardship and is unable to sell their property due to the moratorium, they may incur additional expenses and in turn, possibly a default on a mortgage lien.

One of the fundamental rights of private property ownership is the ability to transfer property which sellers do for many reasons beyond the oversight of the Legislature. LD 365 would place an unreasonable burden on the transfer of property based on its use and would intentionally interfere with existing real estate contracts. It would ultimately restrict an owner’s ability to freely operate within the marketplace.

As stewards of protecting private property rights, we believe that property owners should be able to use, dispose and transfer real property how they see fit, to include for investment or



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business use. Additional burdens on buyers and sellers add to the cost of the transfer of real estate, resulting in market stagnation and increased strain on the housing market.

While we understand that the current housing market is challenging, property owners of mobile home parks should not be held to a different standard than other businesses operating in Maine. Owners have the right to transfer their property at a time and manner of their choosing and an emergency moratorium in response to temporary market conditions is inappropriate.

MAR opposes laws, rules, and regulations that impose unreasonable restraints and limitations on the ownership, use, and transfer of real property. For these reasons, we respectfully urge you to vote Ought Not to Pass on LD 365. Thank you for your time and consideration.