

**FIRST ENGROSSMENT
with House Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2198

Introduced by

Senator Holmberg

1 A BILL for an Act to create and enact a new section to chapter 35-20 of the North Dakota
2 Century Code, relating to creation of a landlord's lien on a mobile home.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 35-20 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Landlord's mobile home lien.** A landlord of a mobile home lot has a lien for storage
7 and removal of any mobile home left on the lot after the tenant has vacated the premises after
8 an eviction or the expiration of the lease term. A lien under this section does not have priority
9 over a prior perfected security interest in the property. A holder of a lien under this section may
10 retain possession of the mobile home subject to the lien until the amount due is paid. A
11 lienholder may sell a mobile home thirty days after the lienholder mails notice of the lien to the
12 owner of the mobile home and secured parties of record. After the sale, the lienholder shall
13 forward to the former owner any money resulting from the sale of the mobile home in excess of
14 the amount owed to the lienholder for storage and removal of the mobile home. If the location
15 of the former mobile home owner is not known, any money from a sale in excess of the amount
16 owed is presumed abandoned under chapter 47-30.1.