

Sixtieth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2264

Introduced by

Senators Taylor, Hacker, Potter

Representatives Delmore, Hawken, Onstad

1 A BILL for an Act to amend and reenact section 23-10-13 of the North Dakota Century Code,
2 relating to sale of a mobile home park.

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

4 **SECTION 1. AMENDMENT.** Section 23-10-13 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-10-13. Change in use or closure of mobile home park.**

7 1. Before executing an agreement to purchase a mobile home park, the purchaser
8 shall notify the park owner, in writing, if the purchaser intends to close the mobile
9 home park or convert the park to another use within one year of the execution of
10 the agreement. The park owner shall provide a resident of each mobile home with
11 a forty-five-day written notice of the purchaser's intent to close the park or convert
12 it to another use. The notice must state that the park owner will provide
13 information on the cash price and the terms and conditions of the purchaser's offer
14 to residents requesting the information. The notice must be sent by first-class mail.
15 The notice period begins on the postmark date affixed to the notice and ends
16 forty-five days after the postmark date. During the notice period, the owners of at
17 least fifty-one percent of the mobile homes in the park or a nonprofit organization
18 that has the written permission of the owners of at least fifty-one percent of the
19 mobile homes in the park to represent them in the acquisition of the park have the
20 right to meet the cash price and execute an agreement to purchase the park for the
21 purposes of keeping the park as a mobile housing community. The park owner
22 must accept the offer if it meets the cash price or equivalent cash offer and the
23 same terms and conditions set forth in the purchaser's offer except that the seller is
24 not obligated to provide owner financing.

1 2. If the purchaser of a mobile home park decides to convert the park to another use
2 within one year after purchase of the park, the purchaser shall offer the park for
3 purchase by the residents of the park. For purposes of this subsection, the date of
4 purchase is the date of the transfer of the title to the purchaser. The purchaser
5 shall provide a resident of each mobile home with a written notice of the intent to
6 close the park. The notice must be sent by first-class mail. The owners of at least
7 fifty-one percent of the mobile homes in the park or a nonprofit organization that
8 has the written permission of the owners of at least fifty-one percent of the mobile
9 homes in the park to represent them in the acquisition of the park have forty-five
10 days from the postmark date of the notice to execute an agreement for the
11 purchase of the park at a cash price or equivalent cash price equal to the original
12 purchase price paid by the purchaser plus any documented expenses relating to
13 the acquisition and improvement of the park property, together with any increase in
14 value due to appreciation of the park. The cash price must be paid within ninety
15 days of the date of the purchase agreement.

16 3. If subsections 1 and 2 do not apply, if the owner of a mobile home park applies for
17 the rezoning of a park, the owner shall post a notice of the proposed rezoning in
18 the park at least five days before the public hearing on the rezoning. In addition,
19 the owner of a mobile home park shall notify all tenants in that park in writing of a
20 change in use at least one hundred eighty days before the change in use. A
21 change in use is a change in the park that would alter any portion of the park which
22 is used to lease to mobile home owners so that the portion will no longer be leased
23 to mobile home owners. The owner or manager may not increase rent within
24 ninety days before giving notice of a change in use for the portion of the park to
25 which the change will apply.