

Testimony in Support of
SENATE BILL NO. 2243
Senate Industry & Business Committee
February 8, 2023

Chairman Larsen, members of the Senate Industry & Business Committee, for the record my name is Kent French. I am the Legislative Committee Chair for the North Dakota Manufactured Housing Association. Unfortunately, I am unable to attend the hearing in person. However, I will present this testimony and information virtually, if possible. Otherwise, I have asked that a representative from Kelsch Ruff Kranda Nagle & Ludwig Law Firm of Mandan, our lobbyists for the North Dakota Manufactured Housing Association, appear and be available to provide my testimony to you today on behalf of the North Dakota Manufactured Housing Association (NDMHA).

NDMHA is in support of SB 2243, which is in follow-up to 2159, a Bill passed last session, that established certain mobile home tenant rights that are codified in Section 47-10-26 NDCC. At the end of my written testimony is a brief "Summary of Requirements Established Within SB 2243" for your reference.

NDMHA is a state trade association representing all segments of the manufactured housing industry, including: manufactured home builders, suppliers, retailers, community developers, owners and managers, insurers and financial services companies. NDMHA works to promote fair laws and regulations, increase and improve financing options, promote a positive image of manufactured housing, provide technical analysis and counsel, promote industry professionalism and remove zoning barriers to the use of manufactured housing. Through these various programs and activities, NDMHA seeks to promote the use of manufactured housing to consumers, developers, lenders, community operators, insurers, the media and public officials in an effort so more Americans can realize their dream of affordable home ownership.

NDMHA supports SB 2243 for a number of reasons: This Bill is an effort to clarify and fix problems that have been expressed regarding the new mobile home tenant rights law that was passed in 2021, Section 47-10-26 NDCC. The Bill responds to numerous complaints that I received from residents living in mobile home park communities across the state that were purchased by out-of-state corporations. The complaints came from individual residents that have written or called me to express on-going concerns with communication problems and efforts to circumvent the intent and rights passed for park residents last session.

Initially, this Bill attempts to address the on-going problem and complaint about lack of clarity with the identification of the park community ownership and management, as well as reasonable communication opportunities between the residential tenant of a park community and the park community ownership and management.

I personally have been involved with the development of three park communities in North Dakota and have been in the manufactured housing industry for over 50 years. For many of those years, I chose to live in the communities that I managed and in the housing units that I sold. I cared for and respected the residents and I too lived by the rules and the lot rent that was put in place.

I'm promoting SB 2243 on behalf of the NDMHA to address the on-going concerns and complaints of the mobile home park community residents. I ask for your favorable support of SB 2243. Accordingly, on behalf of the NDMHA, I would urge a **DO PASS** recommendation for **SB 2243**. I would be happy to try to answer any questions.

Summary of Requirements Within SB 2243

SECTION 1 - On Page 1 - Lines 10 to 14:

Modifies Section 23-10-06.2 NDCC regarding the issuance and transfer of a license by the Department of Health and Human Services to include a requirement of providing clear details with the identification of the new mobile home park owner.

SECTION 2 - On Page 2 - Lines 16 to 18:

Modifies Section 47-10-28 NDCC regarding the requirement of the new mobile home park community owner to provide, upon request, a mobile home park tenant with the existing lease terms.

SECTION 2 - On Page 2 - Lines 19 to 22:

Modifies Section 47-10-28 NDCC regarding the requirement to provide a mobile home park tenant with the identity and contact information of the legal entity that owns the mobile home park; and the telephone number for the property manager or designated site agent.

SECTION 2 - On Page 3 - Lines 25 to 27:

Modifies Section 47-10-28 NDCC regarding a requirement to provide a minimum of 90 days notice before a rent increase is effective for a month-to-month tenancy.

SECTION 2 - On Page 4 - Lines 9 to 14:

Modifies Section 47-10-28 NDCC regarding the penalty for violation would be \$5,000 or actual damages, and the possible suspension or revocation of the license under Section 23-10-12 with rent suspension until the license is reinstated.