

General Assembly

Amendment

January Session, 2025

LCO No. 9468



Offered by:

REP. MARTINEZ, 22nd Dist.

REP. LEMAR, 96th Dist.

REP. TURCO, 27th Dist.

REP. GENGA, 10th Dist.

SEN. MARONEY, 14th Dist.

To: House Bill No. **5428**

File No. 587

Cal. No. 361

"AN ACT CONCERNING MOBILE MANUFACTURED HOME PARKS."

- 1 Strike everything after the enacting clause and substitute the
- 2 following in lieu thereof:
- 3 "Section 1. Section 21-64 of the general statutes is repealed and the
- 4 following is substituted in lieu thereof (*Effective October 1, 2025*):
- 5 As used in this chapter:
- 6 (1) "Ancillary fee" (A) means any fee to be paid to the owner under
- 7 the rental agreement, (B) includes, but is not limited to, any fee imposed
- 8 to (i) maintain a pet in the dwelling unit or on the premises, or (ii)
- 9 maintain a washing machine in the dwelling unit, and (C) does not
- 10 include any rent, any security deposit or any late charge;

12 (2) "Consumer price index" means the consumer price index, annual 12 average, for all urban consumers: United States city average, all items, 13 published by the United States Department of Labor, Bureau of Labor 14 Statistics, or its successor, or, if the index is discontinued, an equivalent 15 index published by a federal authority, or, if no such index is published,

- a comparable index published by the United States Department of
- 17 Labor, Bureau of Labor Statistics;
- 18 (3) "Department" means the Department of Consumer Protection;
- 19 (4) "Dwelling unit" means a mobile manufactured home;
- 20 (5) "Licensee" means any person licensed to operate and maintain a mobile manufactured home park under the provisions of this chapter;
 - [(1)] (6) "Mobile manufactured home" means a detached residential unit having three-dimensional components which are intrinsically mobile with or without a wheeled chassis or a detached residential unit built on or after June 15, 1976, in accordance with federal manufactured home construction and safety standards, and, in either case, containing sleeping accommodations, a flush toilet, tub or shower bath, kitchen facilities and plumbing and electrical connections for attachment to outside systems, and designed for long-term occupancy and to be placed on rigid supports at the site where it is to be occupied as a residence, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems;
- [(2)] (7) "Mobile manufactured home park" or "park" means a plot of ground upon which two or more mobile manufactured homes, occupied for residential purposes are located;
- [(3)] (8) "Mobile manufactured home space or lot" means a plot of ground within a mobile manufactured home park designed for the accommodation of one mobile manufactured home;
- 40 [(4) "Licensee" means any person licensed to operate and maintain a

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41 mobile manufactured home park under the provisions of this chapter;

- 42 (5) "Resident" means a person who owns, or rents and occupies, a 43 mobile manufactured home in a mobile manufactured home park;
- 44 (6) "Department" means the Department of Consumer Protection;
- [(7)] (9) "Park owner" or "owner" means a licensee or permittee or any person who owns, operates or maintains a mobile manufactured home
- 47 park;
- 48 [(8) "Dwelling unit" means a mobile manufactured home;]
- 49 [(9)] (10) "Person" means an individual, corporation, limited liability
- 50 company, the state or any political subdivision thereof, agency, business
- 51 trust, estate, trust, partnership or association, two or more persons
- 52 having a joint or common interest, and any other legal or commercial
- 53 entity;
- [(10)] (11) "Premises" means a dwelling unit and facilities and
- 55 appurtenances therein and grounds, areas and facilities held out for the
- use of residents generally or whose use is promised to the resident;
- [(11)] (12) "Rent" means all periodic payments to be made to the
- 58 owner under the rental agreement;
- [(12)] (13) "Rental agreement" means all agreements, written or oral,
- and valid rules and regulations adopted under subsection (d) of section
- 61 21-70, as amended by this act, embodying the terms and conditions
- 62 concerning the use and occupancy of a dwelling unit or premises; and
- 63 (14) "Resident" means a person who owns, or rents and occupies, a
- 64 mobile manufactured home in a mobile manufactured home park.
- 65 Sec. 2. Section 21-70 of the general statutes is repealed and the
- 66 following is substituted in lieu thereof (*Effective October 1, 2025*):
- 67 (a) The Commissioner of Consumer Protection shall adopt

68 regulations, in accordance with the provisions of chapter 54, providing 69 for a disclosure statement which shall be used by mobile manufactured 70 home park owners. The disclosure statement shall be a plain language 71 summary of the rights and obligations listed in this chapter and shall 72 not add to or diminish the rights and obligations provided by this 73 chapter. Such disclosure statement shall include at least the following 74 information: (1) The monthly rental fee and all considerations payable 75 by the resident to the owner, including, but not limited to, any ancillary 76 fee; (2) the length of the rental term; (3) the amount of land granted by 77 the rental agreement; (4) an enumeration of goods and services to be 78 provided to the resident, including those goods and services to be 79 provided free of charge or in exchange for payment of an ancillary fee; 80 (5) notice if the owner plans to terminate the operation of the park 81 during the term of the rental agreement; (6) a statement of conditions to 82 be complied with by the owner and resident in the event of the sale of 83 the mobile manufactured home by the resident, including aesthetic 84 standards for resale, which conditions shall not be altered by the owner 85 after the rental agreement has been entered into; (7) the rights of 86 residents regarding eviction under section 21-80, as amended by this act; 87 (8) the rights of residents regarding the resale of a mobile manufactured 88 home under section 21-79; (9) the rights of residents in the event that 89 alterations of the rules concerning the resident's use and occupancy of 90 the premises under subsection (b) of this section are to be made; (10) 91 notice that outstanding property taxes may be owed on the mobile 92 manufactured home; and (11) notice that there may be liens and other 93 encumbrances on the mobile manufactured home and that the resident 94 or purchaser should check with the town clerk, tax assessor and tax 95 collector to determine whether any taxes are due on the mobile 96 manufactured home and within any liens or encumbrances on the 97 mobile manufactured home exist. Owners shall provide each 98 prospective resident, before any rental agreement is entered into, and 99 each resident, at the time of the first renewal of [his] such resident's 100 rental agreement which occurs after the effective date of the regulations 101 providing for a disclosure statement, with a completed disclosure 102 statement. No rental agreement entered into on or after the effective date

of the regulations providing for a disclosure statement shall be enforceable until the requirements of this subsection are met. A copy of such statement shall be signed by the resident at the time of the rental, acknowledging receipt of a completed, signed copy and such completed, signed copy shall be kept on file by the owner for a period of four years after such resident vacates the park.

(b) No owner may offer a mobile manufactured home or a mobile manufactured home space or lot for rent without providing the prospective resident with a copy of an initial written rental agreement before the resident occupies such mobile manufactured home or lot. No owner may rent a mobile manufactured home or mobile manufactured home space or lot to a new resident until a written rental agreement has been signed by the resident and the owner. The initial rental agreement and all renewals offered to a prospective resident or resident by the owner shall be in writing. The term of each rental agreement and renewal shall not be less than one year unless the prospective resident or resident requests, in writing, a term for less than one year. If the owner fails to offer the resident a written renewal of a rental agreement, or if the owner offers a renewal but the resident fails or refuses to sign it, unless there is a disagreement as to the amount of the rent, the prior rental agreement shall be deemed to be extended for one year at the then prevailing park rental and the resident shall be bound by all terms of the prior rental agreement and any prevailing park rental adopted after the prior rental and all rules and regulations properly applicable to such prior rental agreement pursuant to subsection (d) of this section. If there is a disagreement as to the amount of the rent, unless the owner terminates the lease and brings an action of summary process, the prior rental agreement shall be deemed to be extended on a month-to-month basis at the last agreed-upon rent, and the resident shall be bound by all terms of the prior rental agreement and all rules and regulations properly applicable to such prior rental agreement pursuant to subsection (d) of this section. In such an event, the owner may bring an action of summary process pursuant to section 21-80, as amended by this act, or the resident may seek relief under section 47a-23c or sections

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7-148b to 7-148f, inclusive, as amended by this act, if applicable.

(c) Whenever a resident rents a mobile manufactured home or a mobile manufactured home space or lot in a mobile manufactured home park which is also a common interest community from a declarant, successor declarant or person acting on the declarant's or successor declarant's behalf, such declarant, successor declarant or person shall, prior to entering into a rental agreement, provide the resident with a written notice that the mobile manufactured home or the mobile manufactured home space or lot is located in a common interest community.

- (d) An owner, from time to time, may adopt a rule or regulation, however described, concerning the resident's use and occupancy of the premises. Such rule or regulation shall be enforceable against the resident only if: (1) [the] The purpose of the rule or regulation is to promote the convenience, safety or welfare of the residents, preserve the owner's property from abusive use or make a fair distribution of services and facilities held out for the residents generally; (2) such rule or regulation is reasonably related to the purpose for which it is adopted; (3) such rule or regulation applies to all residents on the premises in a fair manner, provided reasonable exemptions may be made for good cause; (4) such rule or regulation is sufficiently explicit in its prohibition, direction or limitation of the resident's conduct to fairly inform [him] the resident of what [he] the resident shall or shall not do to comply; [,] and (5) the resident has written notice of such rule or regulation at the time [he] the resident enters into the rental agreement or when such rule or regulation is adopted. A rule or regulation having the effect of substantially modifying the terms of a rental agreement previously entered into by a resident shall not apply to such rental agreement without the written consent of the resident.
- (e) Each owner shall file with the Department of Consumer Protection copies of the park's rental agreements, aesthetic standards to be complied with by the owner and resident in the event of the sale of the mobile manufactured home by the resident, and rules or regulations

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concerning the resident's use and occupancy of the premises. Any change in the documents required to be filed under this subsection, other than a change in rent, shall be filed with the Department of Consumer Protection. No rental agreements, aesthetic standards, or rules or regulations, and no changes in the terms or provisions of such documents, other than a change in rent, shall be effective until such documents or changes are filed with the Department of Consumer Protection.

- (f) (1) Any person making an application to appear before any municipal, state or federal agency with respect to any matter changing the land use of a specific mobile manufactured home park shall give written notice of the application by first class mail addressed to the affected units of the park or by personal delivery to the units not later than seven days after its filing. The notice shall state the reasons for which the application was filed.
- (2) Except as otherwise provided in subdivision (5) of this subsection, any mobile manufactured home park owner who intends to discontinue the use of the land as a mobile manufactured home park or to sell land used as a mobile manufactured home park to any person who intends to discontinue its use as a mobile manufactured home park shall give written notice by first class mail addressed to each mobile manufactured home unit or by personal delivery to each unit upon such land if such transaction will entail the discontinuance of the use of the land for mobile manufactured home park purposes. If an owner of a mobile manufactured home has given the park owner written notice that the owner resides in a place other than the owner's unit, notice shall be sent by first class mail to the address so provided. The notice shall include a statement advising the recipient of the intended discontinuance of use or sale and, except as otherwise provided in subdivision (5) of this subsection, shall be mailed or delivered at least one hundred twenty days prior to the discontinuance of the use of the land as a mobile manufactured home park. The notice may run concurrently with the notice required by subdivision (3) of subsection (a) of section 21-80 or

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subparagraph (E) of subdivision (1) of subsection (b) of section 21-80, as amended by this act. A copy of such notice from the park owner shall be sent to any association of residents of the mobile manufactured home park which has made a written request for such notice.

- (3) Except as otherwise provided in subdivision (5) of this subsection, within one hundred twenty days after the notice provided for in subdivision (2) of this subsection has been mailed, any association representing twenty-five per cent or more of the units in the park, including an association formed after the issuance of the notice, may notify the owner of the park that [it] the association is interested in purchasing the mobile manufactured home park. A copy of such notice may be filed on the land records of the town in which the mobile manufactured home park is located. If such notice is given, except as otherwise provided in subdivision (5) of this subsection, the association shall have three hundred sixty-five days after the notice required in subdivision (2) of this subsection has been given to purchase the park through negotiation or the method set forth in subdivision (4) of this subsection. Upon the request of the association, the Department of Housing shall assist the association in developing financing for the purchase of the park.
- (4) If the association and the park owner cannot agree upon a purchase price, the association shall have the right to purchase the property: (A) If the association matches the essential provisions of any existing bona fide offer to purchase the park made by another potential purchaser which offer by such other purchaser the owner is prepared to accept; or (B) if there is no such offer, at a purchase price to be established by an appraiser chosen by the association and the park owner. If the two parties cannot agree upon one appraiser, either party may notify the other, in writing, of such disagreement, and the association shall choose an appraiser, the park owner shall choose an appraiser, and the two appraisers shall choose a third appraiser, which three appraisers shall establish a value of the park. If the park owner refuses to select an appraiser within fifteen days of such notice, the

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Commissioner of Consumer Protection shall choose an appraiser for the park owner. The costs of all appraisers shall be paid equally by the association and the park owner. Except as otherwise provided in subdivision (5) of this subsection, if, within three hundred sixty-five days from the mailing of the notice required in subdivision (2) of this subsection, no agreement for such sale signed by the association and the park owner has been filed upon the land records, or if the association has not filed a certified statement to purchase the park at the appraised value which value shall also be certified on the land records by the appraiser or appraisers, the right provided in this subsection to purchase the park shall be void and any recorded notice filed pursuant to subdivision (3) of this subsection shall be void.

- (5) In any case in which a mobile manufactured home park with two hundred or more units in which a majority of residents have been given written notice, prior to June 10, 1999, of the intended discontinuance of the use of the land as a mobile manufactured home park, regardless of whether one or more of such notices or the service of such notices is subsequently deemed invalid or ineffective: [,] (A) [any] Any subsequent notice of such intended discontinuance that is given or required to be given after June 23, 1999, by the owner pursuant to this subsection; [,] and (B) any notice given or action taken pursuant to this subsection after June 23, 1999, by any association representing twenty-five per cent or more of the units in the park shall be subject to the time limitations contained in this subsection that were in effect immediately prior to June 23, 1999.
- Sec. 3. Section 21-70a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
 - (a) A mobile manufactured home park resident who owns a mobile manufactured home and is required to remove the home from the park because of a change in use of the land on which said mobile manufactured home is located shall be entitled to receive from the mobile manufactured home park owner (1) relocation expenses to a mobile manufactured home park satisfactory to the resident within one

269 hundred miles of the existing park site up to a maximum of (A) seven 270 thousand dollars if the notice given pursuant to subdivision (3) of 271 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of 272 subsection (b) of section 21-80, as amended by this act, expires before 273 October 1, 2000, regardless of whether such notice was given before or 274 after June 23, 1999, [or] (B) subject to the provisions of subsection (b) of 275 this section, ten thousand dollars if the notice given pursuant to 276 subdivision (3) of subsection (a) of section 21-80 or subparagraph (E) of 277 subdivision (1) of subsection (b) of section 21-80, as amended by this act, 278 expires on or after October 1, 2000, but before October 1, 2025, regardless 279 of whether such notice was given before or after June 23, 1999, or (C) 280 twenty thousand dollars if the notice given pursuant to subdivision (3) 281 of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) 282 of subsection (b) of section 21-80, as amended by this act, expires on or 283 after October 1, 2025, regardless of whether such notice was given before or after October 1, 2025, or (2) in the event a satisfactory site is not 284 285 available onto which the mobile manufactured home may be relocated, 286 the sum of (A) seven thousand dollars if the notice given pursuant to 287 subdivision (3) of subsection (a) of section 21-80 or subparagraph (E) of 288 subdivision (1) of subsection (b) of section 21-80, as amended by this act, 289 expires before October 1, 2000, regardless of whether such notice was 290 given before or after June 23, 1999, [or] (B) subject to the provisions of 291 subsection (b) of this section, ten thousand dollars if the notice given 292 pursuant to subdivision (3) of subsection (a) of section 21-80 or 293 subparagraph (E) of subdivision (1) of subsection (b) of section 21-80, as 294 amended by this act, expires on or after October 1, 2000, but before 295 October 1, 2025, regardless of whether such notice was given before or 296 after June 23, 1999, or (C) twenty thousand dollars if the notice given 297 pursuant to subdivision (3) of subsection (a) of section 21-80 or 298 subparagraph (E) of subdivision (1) of subsection (b) of section 21-80, as 299 amended by this act, expires on or after October 1, 2025, regardless of 300 whether such notice was given before or after October 1, 2025.

(b) Notwithstanding the provisions of subsection (a) of this section, in any case in which a mobile manufactured home park containing two

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hundred or more units in which a majority of residents have been given written notice, prior to June 23, 1999, pursuant to subdivision (3) of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of subsection (b) of section 21-80, as amended by this act, regardless of whether one or more of such notices or the service of such notices is subsequently deemed invalid or ineffective, the amount of the relocation or compensatory payments required to be paid to such resident under the provisions of this section shall not exceed seven thousand dollars, regardless of whether a subsequent valid notice or notices are properly served subsequent to June 23, 1999, and such subsequent notice or notices expire on or after October 1, 2000, but before October 1, 2025.

- (c) The owner of a mobile manufactured home park, who intends to close the park, shall notify, in writing, the Commissioner of Consumer Protection, the Commissioner of Housing and the chief elected official in the town in which the park is located at least ninety days prior to refusing to renew any leases because of the impending closing, or on any earlier date the owner gives any notice of the closing of the park as may be required by the general statutes.
- Sec. 4. Section 21-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- (a) The department may revoke, suspend, place conditions on or refuse to renew any license to operate a mobile manufactured home park for a violation of any provision of this chapter or any regulations issued hereunder or any other state or local law or regulation, after hearing, except that if the department upon investigation finds a licensee is not providing adequate sewerage facilities, electrical, plumbing or sanitary services, water supply or fire protection, suspension of the license shall be automatic, provided such licensee shall be entitled to a hearing before the department not later than thirty days after such suspension. A license may be reinstated or reissued if the circumstances leading to the violation have been remedied and the park is being maintained and operated in full compliance with this

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chapter and the regulations hereunder. Each officer, board, commission or department of the state or any local government shall assist the department with technical data on sewerage facilities, electrical, plumbing or sanitary services, water supply or fire protection and shall submit such data to the department for the department's use in any hearing held pursuant to this section. In addition to revoking, suspending, placing conditions on, or refusing to renew any license to operate a mobile manufactured home park, the department may, following an administrative hearing, impose a fine of not less than fifty nor more than three hundred dollars for each day that such violation exists. In connection with any investigation the Commissioner of Consumer Protection or the commissioner's authorized agent may administer oaths, issue subpoenas, compel testimony and order the production of books, records and documents. Each owner shall retain all leases, disclosure statements, rules and regulations required under this chapter for at least four years after any resident to whom they relate vacates the park.

- (b) (1) If an inspection by the department reveals a violation of any provision of this chapter or any regulation issued under this chapter, the cost of all reinspections necessary to determine compliance with any such provision shall be assumed by the owner, except that if a first reinspection indicates compliance with such provision, no charge shall be made.
- (2) As part of an inspection or investigation, the department may order an owner of a mobile manufactured home park to obtain an independent inspection report, at the sole cost of the owner, that assesses the condition and potential public health impact of a condition at the park, including, but not limited to, the condition of trees and electrical, plumbing or sanitary systems.
- (3) (A) In ordering an owner of a mobile manufactured home park to obtain an independent inspection report under this subsection, the department may require (i) the person completing such report to have training or be licensed in a particular area related to the ordered

inspection, and (ii) that such report specifically address particular areas of, or issues affecting, the park that are of concern to the department.

- (B) In the event that the department requires the person completing an independent inspection report under this subsection to have training or be licensed in a particular area, the department shall include such requirement in the first order the department issues to the mobile manufactured home park owner requiring such report.
- (C) The mobile manufactured home park owner shall submit proof of compliance with the provisions of this subdivision at the time the owner submits to the department the independent inspection report required under this subsection.
- (4) If the department orders a mobile manufactured home park owner to obtain an independent inspection report as part of the owner's application for a license, or for renewal of a license, to operate a mobile manufactured home park, the department shall issue such order to such owner at the electronic mail address such owner most recently provided to the department in such owner's application. Such order shall provide a description of the condition or conditions that require further assessment by such owner.
- (5) A mobile manufactured home park owner shall obtain and submit to the department an independent inspection report required under this subsection not later than thirty days after the department issued the order requiring such report or a later date approved, in writing, by the commissioner or the commissioner's designee.
- (6) Each independent inspection report required under this subsection shall include (A) an assessment of (i) all conditions outlined in the department's order requiring such report that impact public health and safety for the purpose of assessing the risk that such conditions pose to public health and safety, and (ii) the severity of the conditions described in subparagraph (A)(i) of this subdivision, and (B) a detailed plan of action to remedy each condition described in

400 subparagraph (A)(i) of this subdivision.

(7) Not later than ten days after a mobile manufactured home park owner receives an independent inspection report required under this subsection, the mobile manufactured home park owner shall provide to the department, in writing, a detailed plan to remedy the assessed condition, which plan shall include, at a minimum, a specific timeline, proposed contractors and a budget.

- (c) In addition to any other available remedies, the provisions of section 47a-14h shall be available to all residents in a mobile manufactured home park including residents who own their own units.
- (d) The department may issue an order to any owner determined to be in violation of any provision of this chapter or any regulation issued under this section after an inspection of a mobile manufactured home park, providing for the immediate discontinuance of the violation or timely remediation of such violation. Any owner of a mobile manufactured home park who fails to comply with any orders contained in a notice of violation resulting from a reinspection of such park not later than thirty days after issuance of such notice, including confirmation of active licensure, shall be fined five hundred dollars per violation and shall follow the procedures specified in section 51-164n.
 - (e) Not later than January 1, 2026, when the department receives a complaint submitted by a resident regarding a suspected violation of any provision of this chapter, any regulation adopted pursuant to this chapter or any other state or local law or regulation concerning mobile manufactured home parks, the department shall promptly provide the resident with an acknowledgment that the department has received such complaint, which acknowledgment shall include, at a minimum, (1) a summary, or a link to an Internet web site displaying a summary, of the rights and responsibilities of residents, and (2) contact information for the Connecticut Manufactured Home Owners Alliance or its successor, if such organization or successor exists, including, but not limited to, a link to such organization's or successor's Internet web

- 432 site.
- Sec. 5. Subsection (b) of section 21-80 of the general statutes is
- 434 repealed and the following is substituted in lieu thereof (*Effective October*
- 435 1, 2025):
- (b) (1) Notwithstanding the provisions of section 47a-23, an owner
- 437 may terminate a rental agreement or maintain a summary process action
- against a resident who owns a mobile manufactured home only for one
- 439 or more of the following reasons:
- 440 (A) Nonpayment of rent, utility charges or reasonable incidental
- 441 services charges;
- 442 (B) Material noncompliance by the resident with any statute or
- 443 regulation materially affecting the health and safety of other residents
- or materially affecting the physical condition of the park;
- 445 (C) Material noncompliance by the resident with the rental
- agreement or with rules or regulations adopted under section 21-70, as
- 447 amended by this act;
- (D) Failure by the resident to agree to a proposed rent increase,
- provided the owner has complied with all provisions of subdivision (5)
- 450 of this subsection; or
- 451 (E) A change in the use of the land on which such mobile
- 452 manufactured home is located, provided all of the affected residents
- 453 receive written notice (i) at least three hundred sixty-five days before
- 454 the time specified in the notice for the resident to quit possession of the
- 455 mobile manufactured home or occupancy of the lot if such notice is
- 456 given before June 23, 1999, or (ii) at least five hundred forty-five days
- before the time specified in the notice for the resident to quit possession
- of the mobile manufactured home or occupancy of the lot if such notice
- is given on or after June 23, 1999, regardless of whether any other notice
- under this section or section 21-70, as amended by this act, has been
- 461 given before June 23, 1999; provided nothing in subsection (f) of section

21-70, as amended by this act, section 21-70a, as amended by this act, subsection (a) of this section, this subdivision and section 21-80b shall be construed to invalidate the effectiveness of or require the reissuance of any valid notice given before June 23, 1999.

(2) An owner may not maintain a summary process action under subparagraph (B), (C) or (D) of subdivision (1) of this subsection, except a summary process action based upon conduct which constitutes a serious nuisance or a violation of subdivision (9) of subsection (b) of section 21-82, prior to delivering a written notice to the resident specifying the acts or omissions constituting the breach and that the rental agreement shall terminate upon a date not less than thirty days after receipt of the notice. If such breach can be remedied by repair by the resident or payment of damages by the resident to the owner and such breach is not so remedied within twenty-one days, the rental agreement shall terminate except that (A) if the breach is remediable by repairs or the payment of damages and the resident adequately remedies the breach within said twenty-one-day period, the rental agreement shall not terminate, or (B) if substantially the same act or omission for which notice was given recurs within six months, the owner may terminate the rental agreement in accordance with the provisions of sections 47a-23 to 47a-23b, inclusive. For the purposes of this subdivision, "serious nuisance" means (i) inflicting bodily harm upon another resident or the owner or threatening to inflict such harm with the present ability to effect the harm and under circumstances which would lead a reasonable person to believe that such threat will be carried out, (ii) substantial and wilful destruction of part of the premises, (iii) conduct which presents an immediate and serious danger to the safety of other residents or the owner, or (iv) using the premises for prostitution or the illegal sale of drugs. If the owner elects to evict based upon an allegation, pursuant to subdivision (8) of subsection (b) of section 21-82, that the resident failed to require other persons on the premises with the resident's consent to conduct themselves in a manner that will not constitute a serious nuisance, and the resident claims to have had no knowledge of such conduct, then, if the owner establishes

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that the premises have been used for the illegal sale of drugs, the burden shall be on the resident to show that the resident had no knowledge of the creation of the serious nuisance.

- (3) Notwithstanding the provisions of section 47a-23, termination of any tenancy in a mobile manufactured home park shall be effective only if made in the following manner:
 - (A) By the resident giving at least thirty days' notice to the owner; or
- (B) By the owner giving the resident at least sixty days' written notice, which shall state the reason or reasons for such termination, except that, when termination is based upon subparagraph (A) of subdivision (1) of this subsection, the owner need give the resident only thirty days' written notice, which notice shall state the total arrearage due provided, the owner shall not maintain or proceed with a summary process action against a resident who tenders the total arrearage due to the owner within such thirty days and who has not so tendered an arrearage under this subparagraph during the preceding twelve months.
- (4) Except as otherwise specified, proceedings under this section shall be as prescribed by chapter 832.
- (5) Nothing in this subsection shall prohibit an owner from increasing the rent at the termination of the rental agreement if (A) the owner delivers a written notice of the proposed rent increase to the resident at least [thirty] <u>ninety</u> days before the start of a new rental agreement; (B) the proposed rent is consistent with rents for comparable lots in the same park, <u>provided the proposed rent shall not increase at a rate that exceeds (i) the percentage change in the most recently published consumer price index for the preceding twelve-month period plus one per cent, or (ii) the rate approved by the Mobile Manufactured Home Council pursuant to subsection (c) of section 21-84a, as amended by this act; and (C) the rent is not increased in order to defeat the purpose of this subsection.</u>
- Sec. 6. Section 21-83 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) An owner and a resident may include in a rental agreement terms and conditions not prohibited by law, including rent, term of the agreement and other provisions governing the rights and obligations of the parties. No rental agreement shall contain the following:

- (1) Any provision by which the resident agrees to waive or forfeit rights or remedies under this chapter and sections 47a-21, as amended by this act, 47a-23 to 47a-23b, inclusive, 47a-26 to 47a-26h, inclusive, 47a-35b inclusive, 47a-41a, 47a-43 and 47a-46, or under any section of the general statutes or any municipal ordinance, unless such section or ordinance expressly states that such rights may be waived;
- 538 (2) Any provision which permits the owner to terminate the rental 539 agreement for failure to pay rent unless such rent is unpaid when due 540 and the resident fails to pay rent within nine days thereafter;
 - (3) Any provision which permits the owner to collect a penalty fee for late payment of rent without allowing the resident a minimum of nine days beyond the due date in which to remit or which provides for the payment of rent in a reduced amount if such rent is paid prior to the expiration of such grace period;
 - (4) Any provision which permits the owner to charge a penalty for late payment of rent in excess of five per cent of the total rent due for the mobile manufactured home space or lot or four per cent of the total rent due for the mobile manufactured home and mobile manufactured home space or lot;
 - (5) Any provision which allows the owner to increase the total rent or change the payment arrangements during the term of the rental agreement;
- (6) Any provision allowing the owner to charge an amount in excess
 of one month's rent for a security deposit or to retain the security deposit
 upon termination of the rental agreement if the resident has paid [his]

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the resident's rent in full as of the date of termination and has caused no damage to the property of the owner or to waive the resident's right to the interest on the security deposit pursuant to section 47a-21, as

- 560 <u>amended by this act;</u>
- 561 (7) Any provision allowing the owner to charge an entrance fee to a resident assuming occupancy;
- 563 (8) Any provision allowing the owner to charge ancillary fees in an aggregate amount that exceeds fifteen dollars annually;
- [(8)] (9) Any provision authorizing the owner to confess judgment on a claim arising out of the rental agreement;
- 567 [(9)] (10) Any provision which waives any cause of action against or 568 indemnification from an owner, by a resident for any injury or harm 569 caused to such resident, [his] such resident's family or [his] such 570 <u>resident's</u> guests, or to [his] <u>such resident's</u> property, or the property of 571 [his] <u>such resident's</u> family or [his] <u>such resident's</u> guests resulting from 572 any negligence of the owner, [his] such owner's agents or [his] such 573 owner's assigns in the maintenance of the premises or which otherwise 574 agrees to the exculpation or limitation of any liability of the owner 575 arising under law or to indemnify the owner for that liability or the costs 576 connected therewith;
- [(10)] (11) Any provision permitting the owner to dispossess the resident without resort to court order;
- [(11)] (12) Any provision consenting to the distraint of the resident's property for rent;
- [(12)] (13) Any provision agreeing to pay the owner's attorney's fees in excess of fifteen per cent of any judgment against the resident in any action in which money damages are awarded; or
- [(13)] (14) Any provision which denies to the resident the right to treat as a breach of the agreement, a continuing violation by the owner,

substantial in nature, of any provision set forth in the rental agreement or of any state statute unless the owner discontinues such violation within a reasonable time after written notice is given by the resident by registered or certified mail.

- 590 (b) A provision prohibited by this chapter included in a rental agreement is unenforceable.
- 592 Sec. 7. Section 21-84a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 594 (a) (1) There is established, within the Department of Consumer 595 Protection, a Mobile Manufactured Home [Advisory] Council 596 composed of fourteen regular members and two alternate members as 597 follows: [One member of the Connecticut Real Estate Commission, one 598 employee of the Department of Housing and one employee of the 599 Connecticut Housing Finance Authority to be appointed by the 600 Governor; an attorney-at-law specializing in mobile manufactured 601 home matters to be appointed by the speaker of the House of 602 Representatives; one town planner and one representative of the 603 banking industry to be appointed by the Governor; three mobile 604 manufactured home park owners, one to be appointed by the Governor, 605 one to be appointed by the minority leader of the Senate and one to be 606 appointed by the minority leader of the House of Representatives; a 607 representative of the mobile manufactured home industry to be 608 appointed by the majority leader of the House of Representatives; three] 609 (A) Seven regular members appointed by the Governor, (i) one of whom 610 shall be a member of the Connecticut Real Estate Commission, (ii) one 611 of whom shall be an employee of the Department of Housing, (iii) one of whom shall be an employee of the Connecticut Housing Finance 612 613 Authority, (iv) one of whom shall be a town planner, (v) one of whom shall be a representative of the banking industry, (vi) one of whom shall 614 615 be a mobile manufactured home park owner, and (vii) one of whom 616 shall be a senior citizen who is either a resident of a mobile 617 manufactured home park or a representative of other senior citizens 618 who reside in mobile manufactured home parks; (B) one regular

member appointed by the speaker of the House of Representatives, who shall be an attorney-at-law specializing in mobile manufactured home matters; (C) one regular member appointed by the majority leader of the House of Representatives, who shall be a representative of the mobile manufactured home industry; (D) one regular member appointed by the minority leader of the House of Representatives, who shall be a mobile manufactured home park owner; (E) one regular member appointed by the minority leader of the Senate, who shall be a mobile manufactured home park owner; (F) three regular members who are mobile manufactured home park tenants or representatives of such tenants, each from different geographic areas of the state, one to be appointed by the Governor, one to be appointed by the president pro tempore of the Senate and one to be appointed by the majority leader of the Senate; and [a senior citizen, who is either a resident of a mobile manufactured home park or a representative of other senior citizens who reside in mobile manufactured home parks, to be appointed by the Governor. The mobile manufactured home park owners and the representative of the mobile manufactured home industry (G) two alternate members appointed by the Governor, (i) one of whom shall be a mobile manufactured home park owner, and the chairperson of the council may designate such alternate member to serve in lieu of any absent regular member appointed pursuant to subparagraph (A)(vi) of this subdivision or subparagraphs (C) to (E), inclusive, of this subdivision, and (ii) one of whom shall be a mobile manufactured home park tenant or a representative of such tenants, and the chairperson of the council may designate such alternate member to serve in lieu of any absent regular member appointed pursuant to subparagraph (F) of this subdivision.

(2) Each regular member appointed pursuant to subparagraph (A)(vi) of subdivision (1) of this subsection or subparagraphs (C) to (E), inclusive, of subdivision (1) of this subsection, and the alternate member appointed pursuant to subparagraph (G)(i) of subdivision (1) of this subsection, shall be appointed from a list submitted to the appointing authorities by the Connecticut Manufactured Housing Association or its successor, if such organization or successor exists. [The mobile

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653 manufactured home park tenants or tenant representatives and the 654 senior citizen]

- (3) Each regular member appointed pursuant to subparagraph
 (A)(vii) of subdivision (1) of this subsection or subparagraph (F) of
 subdivision (1) of this subsection, and the alternate member appointed
 pursuant to subparagraph (G)(ii) of subdivision (1) of this subsection,
 shall be appointed from a list submitted to the appointing authorities by
 the Connecticut Manufactured Home Owners Alliance or its successor,
 if such organization or successor exists.
- 662 (4) The Governor shall appoint a chairperson from among the <u>regular</u> 663 members of the council. [Members]
 - (5) Regular and alternate members shall serve for a term coterminous with the term of the Governor or until their successors are appointed, whichever is later. Any vacancy shall be filled by the appointing authority for the position which has become vacant. [Members]
- 668 (6) No regular or alternate member of the council shall [not] be compensated for [their] such member's services.
 - (7) Any [council] <u>regular</u> member who fails to attend three consecutive meetings <u>of the council</u>, or who fails to attend fifty per cent of all meetings <u>of the council</u> held during any calendar year, shall be deemed to have resigned from office.
 - (b) The [advisory] council shall: (1) Monitor the implementation of statutes and regulations affecting mobile manufactured homes; [,] (2) promote mobile manufactured homes in the state; [,] (3) conduct a public education program to (A) improve public perception and local acceptance of mobile manufactured homes, and (B) promote [them] mobile manufactured homes as affordable, decent, safe and sanitary housing; [, and] (4) study additional issues related to mobile manufactured homes; and (5) review and approve, modify or reject each application submitted pursuant to subsection (c) of this section in accordance with the provisions of said subsection.

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684 (c) (1) No mobile manufactured home park owner shall implement 685 any proposed rent increase at a rate that exceeds the rate set forth in 686 subparagraph (B)(i) of subdivision (5) of subsection (b) of section 21-80, 687 as amended by this act, unless:

- (A) At least ninety days before the effective date of such proposed rent increase, the owner submits an application to the council, in a form and manner prescribed by the council, which (i) demonstrates that the proposed rent increase is necessary and reasonable due to increases in (I) the operating expenses incurred by the owner in operating the mobile manufactured home park, (II) the real property taxes assessed by a municipality against the mobile manufactured home or the mobile manufactured home park and payable by the owner, and (III) any costs that are directly related to the amortized costs of capital improvements in the mobile manufactured home park, (ii) shall include an itemization of all funds allocated for deferred maintenance, and (iii) may include the owner's projected net revenue and profit margin following approval of such proposed rent increase;
- (B) Prior to a hearing on such application, the owner submits to the council any other information the council reasonably requires for the purposes of this section; and
- (C) The council, after notice and a hearing held in accordance with the provisions of this subsection, determines that such increase is necessary and reasonable considering the increased operating expenses, real property taxes and costs set forth in subparagraph (A)(i) of this subdivision.
- (2) Not later than fifteen days after the council receives a completed application submitted by an owner pursuant to subparagraph (A) of subdivision (1) of this subsection, the council shall: (A) Schedule a hearing date for such application, which hearing date shall be not later than thirty days after the council received such application; and (B) send a hearing notice to the owner in a form and manner prescribed by the council.

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716 (3) The owner shall provide each resident of the mobile manufactured 717 home park with at least five days' advance notice of the hearing date 718 scheduled by the council pursuant to subparagraph (A) of subdivision 719 (2) of this subsection, which notice shall be provided in a form and

manner prescribed by the council.

- (4) The council shall conduct a hearing on the owner's application in
 accordance with the provisions of chapter 54. Not later than thirty days
 after such hearing, the council shall: (A) Issue a written decision
 approving, modifying or rejecting such application; and (B) send notice
 of such decision to the owner and the residents in a form and manner
 prescribed by the council.
- 727 (5) Any party aggrieved by the decision of the council may appeal 728 therefrom to the Superior Court in accordance with the provisions of 729 section 4-183.
- Sec. 8. Section 7-148b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- (a) For purposes of this section and sections 7-148c to 7-148f, inclusive, "seasonal basis" means housing accommodations rented for a period or periods aggregating not more than one hundred twenty days in any one calendar year and "rental charge" includes any fee or charge in addition to rent that is imposed or sought to be imposed upon a tenant by a landlord.
 - (b) Any town, city or borough may, and any town, city or borough with a population of twenty-five thousand or more, as determined by the most recent decennial census, shall, through its legislative body, adopt an ordinance that creates a fair rent commission. Any such commission shall make studies and investigations, conduct hearings and receive complaints relative to rental charges on housing accommodations, except those accommodations rented on a seasonal basis, within its jurisdiction, which term shall include mobile manufactured homes and mobile manufactured home park lots, in

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747 order to control and eliminate excessive rental charges on such 748 accommodations, and to carry out the provisions of sections 7-148b to 749 7-148f, inclusive, as amended by this act, section 47a-20 and subsection 750 (b) of section 47a-23c. The commission, for such purposes, may compel 751 the attendance of persons at hearings, issue subpoenas and administer 752 oaths, issue orders and continue, review, amend, terminate or suspend 753 any of its orders and decisions. The commission may be empowered to 754 retain legal counsel to advise it.

- (c) Any town, city or borough required to create a fair rent commission pursuant to subsection (b) of this section shall adopt an ordinance creating such commission on or before July 1, 2023. Not later than thirty days after the adoption of such ordinance, the chief executive officer of such town, city or borough shall (1) notify the Commissioner of Housing that such commission has been created, and (2) transmit a copy of the ordinance adopted by the town, city or borough to the commissioner.
- (d) Any two or more towns, cities or boroughs not subject to the requirements of subsection (b) of this section may, through their legislative bodies, create a joint fair rent commission.
- 766 (e) Notwithstanding the provisions of subsections (a) to (d), inclusive, 767 of this section, no fair rent commission shall accept any complaint 768 relative to any proposed increase in the rental charges on a mobile 769 manufactured home or a mobile manufactured home park lot within its 770 jurisdiction if (1) the fair rent commission received such complaint on or 771 after October 1, 2025, and (2) such complaint is for a proposed rent 772 increase at a rate that exceeds the rate set forth in subparagraph (B)(i) of 773 subdivision (5) of subsection (b) of section 21-80, as amended by this act.
- Sec. 9. Subsection (i) of section 47a-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 776 1, 2025):
- 777 (i) On and after July 1, 1993, each landlord other than a landlord of a

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residential unit in any building owned or controlled by any educational institution and used by such institution for the purpose of housing students of such institution and their families, and each landlord or owner of a mobile manufactured home or of a mobile manufactured home space or lot or park, as such terms are defined in [subdivisions (1), (2) and (3) of section 21-64, as amended by this act, shall pay interest on each security deposit received by such landlord at a rate of not less than the average rate paid, as of December 30, 1992, on savings deposits by insured commercial banks as published in the Federal Reserve Board Bulletin rounded to the nearest one-tenth of one percentage point, except in no event shall the rate be less than one and one-half per cent. On and after January 1, 1994, the rate for each calendar year shall be not less than the deposit index, determined under this section as it was in effect during such year. On and after January 1, 2012, the rate for each calendar year shall be not less than the deposit index, as defined in section 36a-26, for that year. On the anniversary date of the tenancy and annually thereafter, such interest shall be paid to the tenant or resident or credited toward the next rental payment due from the tenant or resident, as the landlord or owner shall determine. If the tenancy is terminated before the anniversary date of such tenancy, or if the landlord or owner returns all or part of a security deposit prior to termination of the tenancy, the landlord or owner shall pay the accrued interest to the tenant or resident not later than twenty-one days after such termination or return. Interest shall not be paid to a tenant for any month in which the tenant has been delinquent for more than ten days in the payment of any monthly rent, unless the landlord imposes a late charge for such delinquency. No landlord shall increase the rent due from a tenant because of the requirement that the landlord pay on interest the security deposit.

Sec. 10. Subdivision (5) of section 52-352a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2025):

(5) "Homestead" means owner-occupied real property, co-op or

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mobile manufactured home, as defined in [subdivision (1) of] section 21-64, as amended by this act, used as a primary residence.

- Sec. 11. (NEW) (*Effective July 1, 2025*) (a) Not later than October 1, 2025, and annually thereafter, the owner of a mobile manufactured home park, as defined in section 21-64 of the general statutes, as amended by this act, shall submit a report to the local fire marshal disclosing the water capacity and flow of each fire hydrant located in such park.
 - (b) If the local fire marshal finds, after reviewing the report submitted pursuant to subsection (a) of this section, that any fire hydrant located in the mobile manufactured home park has insufficient water capacity or flow, or is otherwise not in working order, the local fire marshal shall report such local fire marshal's finding (1) in the form of a complaint to the Department of Consumer Protection, and (2) to the Mobile Manufactured Home Council established under section 21-84a of the general statutes, as amended by this act.
- Sec. 12. Subsection (d) of section 21-70b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2025):
 - (d) If the association and the park owner cannot otherwise agree upon a purchase price for the park, the association shall have the right to purchase the property upon the same, price, terms and conditions of any existing bona fide offer to purchase the park made by another potential purchaser if the park owner has accepted such offer or intends to accept such offer. No park owner shall [unreasonably] refuse to enter into [, or unreasonably delay the execution of or closing upon,] a purchase and sale agreement with an association that has made a bona fide offer to match the same price, terms and conditions of an offer for which notice is required to be given pursuant to this section unless the park owner has obtained advance written consent from the association. No park owner shall unreasonably delay the execution of, or closing upon, any such purchase and sale agreement. If, not later than ninety

days after the notice required in subsection (a) of this section has been mailed or personally delivered, whichever is later, no agreement for the sale of the park executed between the association and the park owner has been filed upon the land records of the municipality in which the park is located, the right provided in this subsection to purchase the park shall be void and any recorded notice filed pursuant to subsection (c) of this section shall be void.

- Sec. 13. (*Effective from passage*) (a) Not later than August 1, 2025, the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection, or their designees, shall convene a working group to study and develop recommendations to improve and expedite the disposition of mobile manufactured homes, including, but not limited to, by way of probate proceedings.
- (b) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection, or their designees, shall serve as chairpersons of the working group.
 - (c) Not later than January 1, 2026, the working group shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection. Such report shall disclose the results of the study conducted, and recommendations developed, pursuant to subsection (a) of this section. The working group shall terminate on the date that it submits such report or January 1, 2026, whichever is later.
 - Sec. 14. (*Effective July 1, 2025*) (a) As used in this section, "mobile manufactured home park" and "park owner" have the same meanings as provided in section 21-64 of the general statutes, as amended by this act.
- (b) The Department of Economic and Community Development may

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establish a mobile manufactured home park revolving loan fund and a grant program for providing grants to park owners to repair or replace critical infrastructure at mobile manufactured home parks."

| This act shall take effect as follows and shall amend the following | | |
|---|------------------------|-------------|
| sections: | | |
| | | |
| Section 1 | October 1, 2025 | 21-64 |
| Sec. 2 | October 1, 2025 | 21-70 |
| Sec. 3 | October 1, 2025 | 21-70a |
| Sec. 4 | October 1, 2025 | 21-71 |
| Sec. 5 | October 1, 2025 | 21-80(b) |
| Sec. 6 | October 1, 2025 | 21-83 |
| Sec. 7 | October 1, 2025 | 21-84a |
| Sec. 8 | October 1, 2025 | 7-148b |
| Sec. 9 | October 1, 2025 | 47a-21(i) |
| Sec. 10 | October 1, 2025 | 52-352a(5) |
| Sec. 11 | July 1, 2025 | New section |
| Sec. 12 | <i>October 1, 2025</i> | 21-70b(d) |
| Sec. 13 | from passage | New section |
| Sec. 14 | July 1, 2025 | New section |

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