



General Assembly

Amendment

January Session, 2023

LCO No. 8550



Offered by:

SEN. MOORE, 22nd Dist.

REP. LUXENBERG, 12th Dist.

To: Subst. Senate Bill No. 988

File No. 194

Cal. No. 134

**"AN ACT CONCERNING THE PURCHASE OF A MOBILE
MANUFACTURED HOME PARK BY ITS RESIDENTS."**

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 Section 21-64 of the general statutes is repealed and the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, 2023*):

5 As used in this chapter and sections 2 and 3 of this act:

6 (1) "Mobile manufactured home" means a detached residential unit
7 having three-dimensional components which are intrinsically mobile
8 with or without a wheeled chassis or a detached residential unit built on
9 or after June 15, 1976, in accordance with federal manufactured home
10 construction and safety standards, and, in either case, containing
11 sleeping accommodations, a flush toilet, tub or shower bath, kitchen
12 facilities and plumbing and electrical connections for attachment to
13 outside systems, and designed for long-term occupancy and to be

14 placed on rigid supports at the site where it is to be occupied as a
15 residence, complete and ready for occupancy, except for minor and
16 incidental unpacking and assembly operations and connection to
17 utilities systems;

18 (2) "Mobile manufactured home park" or "park" means a plot of
19 ground upon which two or more mobile manufactured homes, occupied
20 for residential purposes are located;

21 (3) "Mobile manufactured home space or lot" means a plot of ground
22 within a mobile manufactured home park designed for the
23 accommodation of one mobile manufactured home;

24 (4) "Licensee" means any person licensed to operate and maintain a
25 mobile manufactured home park under the provisions of this chapter;

26 (5) "Resident" means a person who owns, or rents and occupies, a
27 mobile manufactured home in a mobile manufactured home park;

28 (6) "Department" means the Department of Consumer Protection;

29 (7) ["Owner"] "Park owner" or "owner" means a licensee or permittee
30 or any person who owns, operates or maintains a mobile manufactured
31 home park;

32 (8) "Dwelling unit" means a mobile manufactured home;

33 (9) "Person" means an individual, corporation, limited liability
34 company, the state or any political subdivision thereof, agency, business
35 trust, estate, trust, partnership or association, two or more persons
36 having a joint or common interest, and any other legal or commercial
37 entity;

38 (10) "Premises" means a dwelling unit and facilities and
39 appurtenances therein and grounds, areas and facilities held out for the
40 use of residents generally or whose use is promised to the resident;

41 (11) "Rent" means all periodic payments to be made to the owner

42 under the rental agreement;

43 (12) "Rental agreement" means all agreements, written or oral, and
44 valid rules and regulations adopted under subsection (d) of section 21-
45 70, embodying the terms and conditions concerning the use and
46 occupancy of a dwelling unit or premises.

47 Sec. 2. (NEW) (*Effective October 1, 2023*) (a) Any owner of a mobile
48 manufactured home park who intends to sell, lease or transfer land used
49 as a mobile manufactured home park to any person, except a sale, lease
50 or transfer governed by subsection (f) of section 21-70 of the general
51 statutes, shall give written notice to the owner of each dwelling unit
52 upon such land by certified mail with a return receipt requested, by first
53 class mail with tracking and by personal delivery. Such notice shall
54 include (1) a statement advising the recipient of the notice of the
55 intended sale, lease or other transfer of the park, (2) a statement of the
56 residents' rights under this section and the deadlines for exercising such
57 rights, and (3) the price, terms and conditions of any offer the park
58 owner has conditionally accepted or plans to accept concerning the
59 park, or a copy of any written contract or offer executed by the park
60 owner concerning the park, and shall be mailed and delivered at least
61 forty-five days prior to the proposed sale or lease of the park, except that
62 for a sale, lease or transfer of a park occurring before October 1, 2025,
63 such notice shall be mailed and delivered at least sixty days prior to such
64 proposed sale or lease. A park owner may accept an offer for the sale,
65 lease or transfer of the land before providing a copy of such notice as
66 long as the agreement is conditioned upon giving the residents the
67 notice and the opportunity to purchase required by this section.

68 (b) A copy of any notice required pursuant to subsection (a) of this
69 section shall be simultaneously sent by first class mail to (1) any
70 association of residents of the park that has made a written request for
71 any such notice to the park owner, (2) the Department of Housing, (3)
72 the Connecticut Housing Finance Authority, and (4) the Department of
73 Consumer Protection. If an owner of any dwelling unit has given the
74 park owner written notice that the unit owner resides in a place other

75 than the owner's unit, the park owner shall also send such notice by first
76 class mail to the address provided by such unit owner.

77 (c) Not later than forty-five days after the notice provided for in
78 subsection (a) of this section has been mailed or personally delivered,
79 or, before October 1, 2025, not later than sixty days after such notice has
80 been mailed or personally delivered, whichever delivery method is
81 later, any association representing more than fifty per cent of the units
82 in the park that are occupied by the owners of such dwelling units or
83 one or more of the owner's immediate family members, as defined in
84 section 20-670 of the general statutes, including an association formed
85 after the issuance of such notice, may notify the park owner that such
86 association is interested in purchasing the park. A copy of any such
87 notice from such association may be filed on the land records of the
88 municipality in which the park is located. Except as provided in
89 subsection (e) of this section, if such notice is given by such association,
90 the association shall have one hundred eighty days after the notice
91 required in subsection (a) of this section has been mailed or personally
92 delivered, whichever is later, to purchase and close upon the sale of the
93 park. Upon the request of such association, the Department of Housing
94 and the Connecticut Housing Finance Authority shall assist the
95 association in developing financing for the purchase of the park.

96 (d) If the association and the park owner cannot otherwise agree
97 upon a purchase price for the park, the association shall have the right
98 to purchase the property upon the same, price, terms and conditions of
99 any existing bona fide offer to purchase the park made by another
100 potential purchaser if the park owner has accepted such offer or intends
101 to accept such offer. No park owner shall unreasonably refuse to enter
102 into, or unreasonably delay the execution of or closing upon, a purchase
103 and sale agreement with an association that has made a bona fide offer
104 to match the same price, terms and conditions of an offer for which
105 notice is required to be given pursuant to this section. If, not later than
106 forty-five days after the notice provided for in subsection (a) of this
107 section has been mailed or personally delivered, or, before October 1,
108 2025, not later than sixty days after such notice has been mailed or

109 personally delivered, whichever delivery method is later, no agreement
110 for the sale of the park executed between the association and the park
111 owner has been filed upon the land records of the municipality in which
112 the park is located, the right provided in this subsection to purchase the
113 park shall be void and any recorded notice filed pursuant to subsection
114 (c) of this section shall be void.

115 (e) If an association that meets the more than fifty per cent unit
116 ownership requirement in subsection (c) of this section desires to make
117 an offer to purchase the park, but the offer for which notice is required
118 to be given involves the sale of more than one mobile manufactured
119 home park or involves purchase of a controlling interest in the park by
120 a stock transfer or other noncash instrument, and the association cannot
121 match such offer, the association may submit to the park owner a
122 proposed purchase and sale agreement concerning the park in which
123 such association is located within the applicable time period prescribed
124 by said subsection. In such case, the park owner shall consider the
125 association's offer but shall not be bound to sell to the association nor
126 shall the park owner be required to delay completion of a sale to another
127 entity.

128 (f) The park owner and the park residents shall at all times have a
129 duty to act and bargain in good faith with each other.

130 (g) An association of residents that has rights under this section may,
131 at its election, assign such rights to (1) the municipality in which such
132 association is located, (2) a housing authority located in such
133 municipality, (3) an agency of the state, or (4) a nonprofit organization,
134 for the purpose of continuing the use of the property as a mobile
135 manufactured home park.

136 (h) The requirements of this section shall apply separately to each
137 substantially different offer to sell or purchase a mobile manufactured
138 home park.

139 (i) This section shall not apply if:

140 (1) The sale, lease or transfer is to an immediate family member of the
141 owner or to a trust, the beneficiaries of which are immediate family
142 members of the owner;

143 (2) The transfer is by gift, devise or required by operation of law;

144 (3) The sale, lease or transfer is by a partnership or a limited liability
145 company to one or more of its partners or members;

146 (4) The conveyance of an interest in the park is incidental to the
147 financing of such park;

148 (5) The lease is the lease of a lot within the mobile manufactured
149 home park to a person who will live in a mobile manufactured home on
150 such lot;

151 (6) The sale, lease or transfer is between joint tenants or tenants in
152 common;

153 (7) The transfer is made by a business entity to a subsidiary or affiliate
154 of such entity;

155 (8) The sale is made by eminent domain; or

156 (9) The mobile manufactured home park is comprised of fewer than
157 fifteen lots.

158 (j) The exclusions set forth in subsection (i) of this section shall not
159 carry over to any subsequent resale, lease or transfer of a park unless
160 such subsequent resale, lease or transfer independently meets the
161 criteria set forth in said subsection.

162 Sec. 3. (NEW) (*Effective October 1, 2023*) An owner of a mobile
163 manufactured home park that sells, leases or transfers such park to
164 residents of the park in compliance with the requirements of section 2
165 of this act or subsection (f) of section 21-70 of the general statutes shall
166 be exempt from the payment of any state or municipal conveyance tax
167 otherwise due under chapter 223 of the general statutes based on the

168 sale price of the park, provided (1) the entity purchasing the mobile
 169 manufactured home park is owned by more than fifty per cent of the
 170 residents of the park or an organization to which the rights of the
 171 residents have been assigned pursuant to subsection (g) of section 2 of
 172 this act, and (2) the sale requires the continued maintenance of the
 173 property as a mobile manufactured home park. For such a sale, the
 174 buyer of the park shall be liable for the municipal portion of the
 175 conveyance tax and for fifty per cent of the state portion of such tax,
 176 unless the buyer is otherwise exempt by law from such conveyance tax.
 177 The transaction shall otherwise be exempt from the balance of such tax."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	21-64
Sec. 2	<i>October 1, 2023</i>	New section
Sec. 3	<i>October 1, 2023</i>	New section