

HOUSE BILL 242

N1

01r0811

By: **Delegates Hixson, Cardin, Gilchrist, Howard, Ivey, Doory, Kaiser, Murphy, Rice, Stukes, and F. Turner**
Introduced and read first time: January 25, 2010
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Mobile Home Park – Rental Agreement – Term of Payment**

3 FOR the purpose of providing that a rental agreement for a site in a mobile home park
4 may not require an annual payment of rent; providing that a prospective
5 resident may request, and a park owner may agree to, an annual payment of
6 rent for the site; altering the allowable terms of payment required to be
7 contained in a rental agreement; and generally relating to the term of payment
8 in a rental agreement for a mobile home park site.

9 BY repealing and reenacting, without amendments,
10 Article – Real Property
11 Section 8A–101(a) and (i)
12 Annotated Code of Maryland
13 (2003 Replacement Volume and 2009 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Real Property
16 Section 8A–201
17 Annotated Code of Maryland
18 (2003 Replacement Volume and 2009 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Real Property**

22 8A–101.

23 (a) In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (i) "Rental agreement" means any written understanding between a resident
2 and park owner whereby the resident is entitled to place his mobile home on a site in
3 the park for payment of consideration to the park owner.

4 8A-201.

5 (A) Before a current or prospective resident signs a rental agreement or
6 occupies the premises a park owner shall:

7 (1) Provide the prospective resident with a written notice identifying
8 the availability, capacity, and connection fee of all utility services at the proposed site
9 in order to assure the proper and adequate installation of the mobile home. The
10 prospective resident shall furnish to the park owner a written acknowledgment of this
11 notification and acceptance of the site as proposed.

12 (2) Deliver a copy of the rules and an explanation of any provision for
13 amendment of the rule.

14 (3) Deliver a copy of the rental agreement which shall contain the
15 following:

16 (i) A specific identification of the site to be leased;

17 (ii) A term of tenancy of at least 1 year;

18 (iii) A stipulation of:

19 1. The total amount of annual rental for the site;

20 2. The term of payment, whether monthly, quarterly, **OR**
21 semiannually[, or annually];

22 3. The amount due for each installment;

23 4. The amount of any late payment fee; and

24 5. All park fees, in a manner that identifies the service
25 to be provided for each park fee;

26 (iv) A description of each general obligation of the resident and
27 park owner;

28 (v) A description of each service, facility, and utility service that
29 the park owner will provide;

30 (vi) A description of any termination and renewal option;

1 (vii) The text of § 8A-202(c) of this subtitle, which defines
2 “qualified resident”; and

3 (viii) A specific reference to this title as the law that governs the
4 relationships between the resident and park owner.

5 **(B) (1) A RENTAL AGREEMENT MAY NOT REQUIRE AN ANNUAL**
6 **PAYMENT OF RENT FOR A SITE.**

7 **(2) A PROSPECTIVE RESIDENT MAY REQUEST AND A PARK OWNER**
8 **MAY AGREE THAT THE RESIDENT MAKE AN ANNUAL PAYMENT OF RENT FOR THE**
9 **SITE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2010.