

**HOUSE BILL NO. 1229**

Introduced by

Representatives Louser, Maragos, Streyle

Senator O. Larsen

1 A BILL for an Act to create and enact a new chapter to title 47 of the North Dakota Century  
2 Code, relating to the cost of utility services charged to tenants of a mobile home park; and to  
3 provide a penalty.

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

5 **SECTION 1.** A new chapter to title 47 of the North Dakota Century Code is created and  
6 enacted as follows:

7 **Definitions.**

8 As used in this chapter:

- 9 1. "Administrative fee" means the actual cost to the landlord of billing.
- 10 2. "Landlord" means the owner or agent responsible for operating and managing a  
11 mobile home park.
- 12 3. "Mobile home" has the meaning provided in section 23-10-01.
- 13 4. "Mobile home park" has the meaning provided in section 23-10-01.
- 14 5. "Mobile home lot" means a parcel of land within a mobile home park designated by the  
15 landlord to accommodate one mobile home and its accessory buildings and to which  
16 the required sewer and utility connections are provided by the mobile home park.
- 17 6. "Tenant" means any person owning a mobile home who is renting a mobile home lot in  
18 a mobile home park under a rental agreement.
- 19 7. "Utility services" includes electric, gas, water, or sewer services.

20 **Mobile home park - Cost of utility service - Records.**

- 21 1. A landlord of a mobile home park may purchase utility services on behalf of the  
22 tenants of a mobile home park.
- 23 2. The landlord may not charge a tenant more than the cost per unit amount paid by the  
24 landlord to the utility service supplier, except for a reasonable administrative fee.

1       3.   The landlord shall provide tenants access to the records of meter readings taken at  
2       the mobile home lot of the tenant.

3       4.   The landlord may not charge a tenant for the cost of utility services for common areas  
4       within the mobile home park.

5       **Administrative fee - Disclosures.**

6       1.   A landlord may charge a tenant a reasonable administrative fee for the cost to the  
7       landlord associated with providing the utility service to the mobile home park. The  
8       reasonable administrative fee may not exceed ten percent of the cost to the landlord to  
9       provide the utility service.

10      2.   The landlord shall give notice to the tenant and disclose the amount of the initial  
11      administrative fee and any subsequent changes to the amount of the administrative  
12      fee in the written rental agreement pursuant to chapter 47-16.

13      **Itemized bills.**

14      A landlord of a mobile home park who purchases utility services on behalf of the tenants of  
15      the mobile home park shall provide each tenant with a monthly itemized bill that includes:

16      1.   A list of charges for each individual utility service;

17      2.   The cost per unit for each individual utility service;

18      3.   The amount of each utility consumed by each individual residential unit;

19      4.   The amount of the administrative fee charged by the landlord to administer the utility  
20      services;

21      5.   The amount of rent due, separate from the charges for utility services and the charges  
22      for administrative fees; and

23      6.   The unit measurement of the utility services.

24      **Penalty.**

25      A person who violates a provision of this chapter is subject to a civil penalty not exceeding  
26      five hundred dollars for each violation. A person who violates this chapter has thirty days to  
27      remedy the violation before becoming liable for a civil penalty.