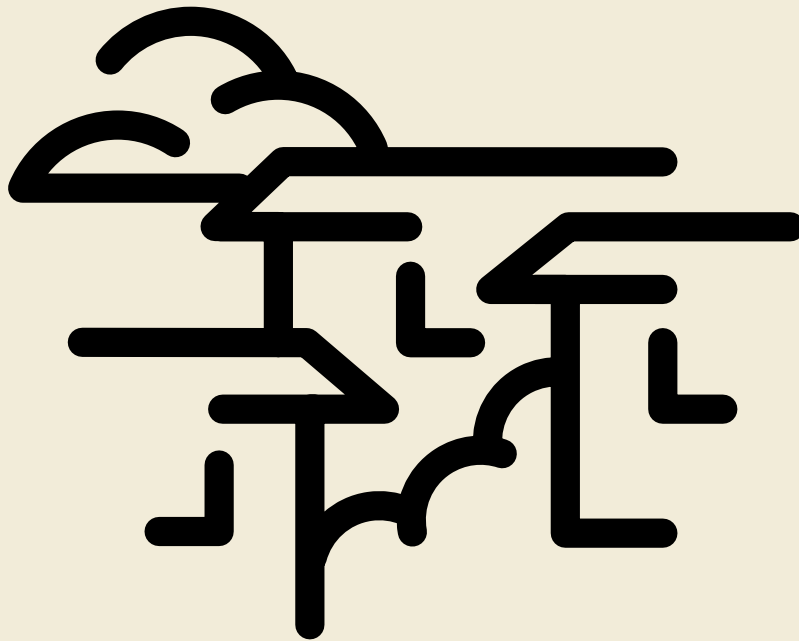


**The
Manufactured Home Parks
Handbook**



**From the Office of
Minnesota Attorney General
Mike Hatch**

www.ag.state.mn.us

The Manufactured Home Parks Handbook

This handbook explains the Minnesota laws concerning manufactured home park residents and park owners. A right or privilege guaranteed by law cannot be waived. (1) For specific advice or assistance residents and park owners may contact the organizations listed at the back of this book beginning on Page 22, or a private attorney.

Cites to Minnesota statutes may be found beginning on Page 27. The cites are in parenthesis and noted throughout the text.

This handbook was published in St. Paul, Minnesota in May 2005. This handbook is available in other formats upon request.

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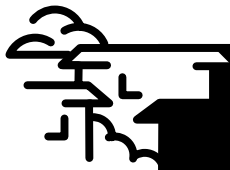


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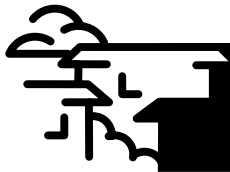
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Purchasing a Manufactured Home

Licensing and Bonding of Dealers and Manufacturers

Manufactured home dealers must have a license and surety bond. (2) The license must be prominently displayed on the premises. (3) Banks, savings and loans, real estate brokers, and businesses that repossess manufactured homes are not required to have a license or a bond. (4)

The Commissioner of the Department of Labor and Industry licenses people who meet the application and bond requirements. (5) Certificates are issued by the Commissioner to anyone who is granted a license. (6) The Commissioner may deny, suspend, or revoke any license. (7) If a park violates the surety bond requirement, and a resident is harmed, the resident may take legal action against the park. (8)

Warranties

Every new manufactured home sold in Minnesota has an implied warranty that the home conforms to applicable federal and state laws. (9) Every manufactured home also has an implied warranty of merchantability and fitness for permanent housing in Minnesota's climate. (10) Manufacturers or dealers may also make express warranties on a manufactured home, but they cannot limit any implied warranties. (11)

Warranties are valid for one year from the date the new home is delivered to the consumer. (12) When a home owner wants to make a claim covered by either an express or implied warranty, the home owner must notify the dealer, or the manufacturer, within a reasonable time after discovering the problem, but no later than 90 days after the

expiration of the warranty. (13) Either the manufacturer, or the dealer, or both of them working together, must repair the manufactured home at its site within a reasonable amount of time after receiving notice from the owner. (14)

Building Codes

Manufactured homes must meet national construction standards. (15) If the manufactured home is constructed after July 1, 1972, and before June 15, 1976, the home must meet the American National Standards Institute code. (16) If the manufactured home is constructed after June 14, 1976, it must meet the U.S. Department of Housing and Urban Development (HUD) standards. (17) In order to be sold, the home must have a label as required by the Secretary of HUD. (18) When a home is sold it will also contain a seal issued by the Commissioner of the Department of Labor and Industry. (19) And, if possible, the home will also have a certificate from the manufacturer or dealer assuring compliance with these codes. (20)

It is a misdemeanor to alter a certified manufactured home so that it violates building codes. (21) It is also a misdemeanor to construct or install a home in violation of the building codes listed above. (22)

The Commissioner enforces the manufactured home installation rules. (23) The Commissioner may:

- charge reasonable fees for inspections, seals, and other enforcement costs. (24)
- adopt rules governing the installation of manufactured homes. (25)
- adopt rules governing the construction, installation, and certification of manufactured home accessory structures (this means any factory-built building or structure which is an

addition or supplement to a manufactured home). (26)

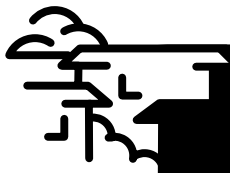
- require any code violation to be corrected within 40 days. (27)

A person who fails to correct a manufactured home building code violation in 40 days, or interferes with the duties of the Commissioner of the Department of Labor and Industry, is guilty of a misdemeanor. (28)

Additionally, anyone who violates any of these laws is liable to the State of Minnesota for a civil penalty of \$1,000 for each offense, not to exceed \$1,000,000. (29)

Tire and Axle Scam

Often companies will go through a manufactured home park offering to buy tires and axles from residents. A resident should be careful, it may be illegal to sell them. It could also create problems, such as moving the home in the future or buying replacements. Finally, a chance exists that the company will move on and leave the resident without compensation or goods.



Duties of the Park Owner and Manager

Park owners and their designated managers must perform specific duties required by state law. (30) Duties include being licensed, complying with state law and local ordinances, and properly maintaining the park. (31)

License

A manufactured home park owner must have a license from the Minnesota Department of Health or the local County Health Department. (32) This license must be conspicuously displayed in the office of the manufactured home park. (33)

A park owner or manager must apply for this license and the Department of Health must inspect the manufactured home park and grant a license if all Department of Health requirements are met. (34)

If the Commissioner of the state Department of Health denies a license application, the park owner or manager may appeal the decision. The person who is appealing the decision must request a hearing by notifying the Commissioner within 20 days after the license is denied. (35)

Compliance with Health Regulations

If a person is injured, or threatened with injury because a health or safety rule is violated, the person may contact the Department of Health to file a complaint. The Department of Health can require the park to comply, or assist the park in correcting the violation. An injured person may also file a private lawsuit. (36)

Attendant

An owner or attendant must maintain the park, facilities and equipment. If the park contains more than 50 lots, the park owner or the attendant must be available at all times in case of emergency. (37)

Storm Shelters and Evacuation

Storm shelters or evacuation plans provide residents with access to safe shelter in cases of bad weather. (38) Storm shelter plans vary depending on the size of a park and when the park was originally licensed. (39)

Parks with fewer than ten homes must provide either a shelter on the premises or a plan for evacuation to a nearby shelter. (40) The plan or shelter should be developed with the assistance and approval of the park's local municipality.

Parks with ten or more homes, licensed prior to March 1, 1988, must provide either a shelter on the premises, or evacuation plans to a storm shelter close to the park. (41) The shelter or evacuation plan must have been approved by the park's local municipality by March 1, 1989, and a copy submitted to the state Department of Health. The park owner must give all residents a copy of the evacuation or shelter plan. (42)

Parks with ten or more homes, licensed after March 1, 1988, must provide a storm shelter within the park. (43)

Shelters constructed after March 1, 1988, must comply with the state building code. (44) The state Department of Labor and Industry enforces the state's building code and has jurisdiction over the

proper construction of storm shelters. The state Department of Health has jurisdiction over whether the shelter or shelter plan is adequate to meet the needs of park residents.

Association must make reasonable efforts to notify the owner of the emergency relief proceeding at least 24 hours in advance. (54)

Drains, Water Supply and Lots

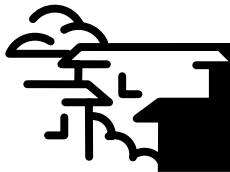
Manufactured home parks must be well drained and have an adequate supply of safe water. (45) The park must make sure homes are properly placed within the park, and the lots are divided correctly. (46)

Tenant's Remedies Act

The Tenant's Remedies Act allows a resident or a non-profit neighborhood organization to jointly sue a park landlord or park owner for repairs or lack of services. (47) The most common neighborhood organization formed by manufactured home park residents is a "Resident Association." Resident Associations are formed to resolve matters related to living conditions in the park. (48)

A Resident Association can demand to have an inspection done by local authorities to determine if health or housing regulations or the state building code are being violated. (49) The inspector will inform the Resident Association, in writing, of any code violations. The inspector will determine how much time the park will be allowed to correct the violations. (50) If the violations are not corrected, the owner must be given 14 days' notice before the Resident Association can take action. (51) Once proper notice has been given, an action may be brought in district court, in the county where the manufactured park is located, for existing violations. (52)

If the violation is a case of emergency (i.e., loss of running water, hot water, heat, electricity, sanitary facilities or other essential services) then a resident or Resident Association can file an emergency relief proceeding. (53) The resident or Resident



Rental Agreements

Requirements of a Rental Agreement

The lease, or rental agreement, is the contract between the park owner and the resident. Leases are always negotiable. But, remember, negotiations must take place before the lease is signed by either party.

A copy of the rental agreement, the Notice required by state law, the written procedures and criteria used to evaluate a prospective tenant, and the mandatory Safety Feature Disclosure Form must be given to an applicant to review before the applicant is asked to sign them. (Text of the Notice and the Safety Feature Disclosure Form can be found on Pages 32-34) (55) The Notice required by state law and the Safety Feature Disclosure Form must be posted in a conspicuous and public location in the park. (56)

A rental agreement must meet the following criteria:

- It must be in writing. (57)
- It must be signed by the resident and the park owner or the owner's designated person. (58)
- It must specify the terms and conditions of the rental of the lot, including:
 - the location of the lot and its address or site number; (59)
 - the amount of rent per month and a statement of all personal property, services and facilities that the park owner agrees to provide to the resident; (60)
 - the rights, duties and obligations of the parties, and all rules applicable to the resident; (61)
 - the amount of any security deposit or other financial obligation imposed on the resident

by the park owner; (62) and

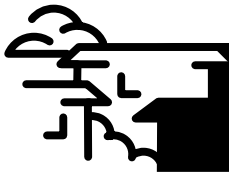
- the name of any person holding a security interest in the resident's home. (63)

Park owners are required to give each resident a signed copy of the rental agreement. (64) In addition, the Safety Feature Disclosure Form must be attached to the Notice. (65)

Serving Notice

When a park owner must give notice to residents, the following is considered "proper notice":

- personal service.
- mailing the notice to the last known mailing address of the resident.
- delivering the notice to the resident's home. (The notice must be left with someone of suitable age and discretion, or placed in a secure and conspicuous location at the home).
- sending certified mail. (This is effective even if the resident refuses delivery.) (66)



Park Rules

A park “rule” is any rental agreement provision, regulation, rule or policy established by a park owner to control or affect the behavior of residents. (67)

Proper Rules

Under Minnesota law, park leases, rules, and regulations must:

- be written in plain language. (68)
- be reasonable. A “reasonable rule” is one that:
 - promotes the convenience and safety of the residents. It also promotes the good appearance and efficient operation of the park, protects the park premises, and fairly distributes services and facilities. (69)
 - relates to the purpose for which it is adopted. (70)
 - is not retaliatory or discriminatory in nature. (71)
 - informs residents of acceptable and unacceptable behavior. (72)

Unreasonable Rules

Unreasonable rules are not allowed. (73) Unreasonable rules include (but are not limited to) the following:

- prohibiting a resident from putting a reasonably-sized “for sale” sign on their home. (74)
- requiring a resident to use the services of a particular dealer or broker for an in-park sale. (75)

- requiring a resident or prospective resident to buy goods or services from a particular vendor — including the park owner. (76)
- requiring more than one occupant of a home to have an ownership interest in that home. (77)

Changes to Park Rules

A park can change or modify its rules, but the law requires that:

- the park give residents 60 days written notice before the changes take effect. (78)
- all changes be reasonable. (79)
- any new rule that “substantially modifies” previous policies can only be enforced against new residents. (80)

Substantial Modifications to Park Rules

A substantial modification is a rule change that:

- significantly diminishes or eliminates the park owner’s material obligations. (81)
- significantly limits residents’ rights, privileges or freedom of action. (82)
- involves a significant new expense for a resident. (83)

If a new rule does not “substantially modify” a rule that was in effect when a resident signed a lease, the new rule is enforceable. (84)

The following rule change is an example of a substantial modification:

- a security deposit increase. (85)

The following are examples of rule changes that are not substantial modifications:

- a reasonable rent increase with 60 days' written notice and no more than two rent increases in 12 months. (86) (A reasonable rent increase is not a "rule" by definition.)
- a rule change required by government action. (87)
- a rule change requiring all residents to maintain their homes, sheds and other property in good repair and safe condition. (88)
- a rule change requiring total replacement of a resident's home, shed, or other property if repair is impractical, and total replacement is necessary. (89)

A park may attempt to evict a resident for violating a new or amended rule. (90) A court may consider the following factors when deciding if a new rule is a substantial modification or not:

- any new circumstances that have occurred since the original rule was adopted that make a rule change necessary. (91)
- any new benefits that residents receive because of the rule change. (92)

If a court finds the rule reasonable, and not a substantial modification of the original agreement, the court will order the resident to comply with the rule within 10 days. (93) If the resident does not comply, or violates the rule again, the resident may be evicted. (See Page 15 for eviction information.)

Illegal Rules

Parks cannot make rules that unreasonably conflict with the following rights of residents:

- **Privacy of a resident's home.**

A park's owner or employees may only enter a resident's home to respond to an emergency or to prevent damage to the manufactured home park. (94)

The park owner or employees may come onto a manufactured home park rental lot to inspect the lot, to supply necessary or agreed upon goods, services or repairs, or to show the lot to buyers, residents, workers, contractors or mortgagees. (95) Except in the case of an emergency, the park owner or employees cannot come onto a lot at unreasonable times, or in a way that unreasonably disrupts the resident's use and enjoyment of the lot. (96)

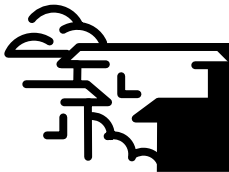
- **Guests and additions to a household.**

The park cannot require a resident to register or pay a fee for overnight or other short-term guests. (97) However, if someone comes to stay with a resident regularly or permanently, the park may require that person to apply to become a resident. (98) The park cannot deny, without good reason, an individual's application to join a household.

The park can set reasonable limits on the number of people who may permanently live in a manufactured home. (99) These limits may be based on the home's size and the number of rooms it contains. (100)

- **Freedom of expression.**

The park cannot prohibit a resident or anyone else from peacefully organizing, assembling, canvassing or distributing leaflets in the park for non-commercial purposes. But, just like a municipality, the park can set reasonable limits on the time, place and manner of these activities. Also, the park can prohibit commercial activities in the park, such as selling products door-to-door. (101)



Fees

Illegal Fees

The park cannot charge any fees based on:

- the number or age of the people who are living or staying with a resident. (102)
- the type of personal property, such as a washer or dryer, that a home contains. (103)
- the size of a home. (104)
- the fact a home is temporarily vacant. (105)

The law does not prevent a park owner from reducing or eliminating the rent for a resident with special needs. (106)

Legal Fees

Manufactured home parks may charge the following fees:

- **Rental fees.**
The park may charge a basic lot rental fee that is the same for all park households. (107) The park is allowed to charge extra for:
 - a larger lot. (108)
 - a better location. (109)
 - special services or facilities provided by the park. (110)
 - each pet a resident owns. (Up to \$4 per month may be charged per pet.) (111)
 - late rent, if this is specified in the rental agreement. (112)

The park must give residents 60 days' written notice of any rent increase. (113)

The park cannot increase the rent more than twice in 12 months. (114) Also, a rent increase is not valid if its purpose is to pay civil or criminal penalties imposed on the park owner by a court or government agency. (115)

- **Security Deposits.**

The park may require a security deposit of up to two months' rent. (116) By giving this deposit to the owner the resident is providing a guarantee that the resident will comply with the rental agreement. (117) The deposit also protects the park owner from damage caused by the resident, including damage that may occur during installation or removal of the home. (118) After the original security deposit is agreed upon, the security deposit may not be increased. (119) This would be a substantial modification of the original rental agreement and would not be enforceable. (120)

When a resident moves, the resident must leave a forwarding address with the park. The park has 21 days to return the resident's entire deposit, plus appropriate interest, or send the resident a letter explaining why some, or all, of the security deposit is being withheld. (121)

Interest Rate	Time frame
5 percent	8-1-73 to 6-30-84
5.5 percent	7-1-84 to 4-30-92
4 percent	5-1-92 to 3-21-96
3 percent	3-22-96 to 8-1-03
1 percent	8-2-03 to present

The park may keep all, or part, of a resident's security deposit if the resident has not paid some of the rent owed or has damaged park property. (122) If the resident does not agree with the park's reason for keeping the deposit, the resident may sue the park owner in Conciliation Court to recover the money. (123) (The Attorney General's Office publishes a free guide to Conciliation Court. Contact the Office to order a copy.) In court, the park owner must justify withholding the security deposit. (124) If the judge decides the owner knew it was wrong to withhold the money (called acting in "bad faith"), then the resident may be awarded the amount withheld, plus damages up to the amount withheld and up to \$200 in additional other damages. (125)

If a park owner does not provide a written explanation for keeping the deposit, then the deposit must be returned to the resident within two weeks after the resident has filed a complaint in court or the court will presume the owner is acting in "bad faith." (126)

The law does not allow residents to use their security deposit to pay rent. (127) Those residents who do may be taken to court and may have to pay the park owner the amount of rent withheld plus a penalty. (128) However, before the park owner can take a resident to court, the owner must give the resident a written demand for the rent and a notice that it is illegal to withhold it. (129)

- **Utility Fees.**

The park may charge residents for utility services that the park provides. (130) A "utility service" is defined as any electric, fuel oil, natural or propane gas, sewer, waste disposal, or water service. (131)

Unless the park owner has installed measuring devices which accurately meter each household's use of a utility, the park has to charge each household the same amount for the service. (132)

Under Minnesota law, if a park owner provides a utility service, the park owner may charge no more than:

- the rate the resident could pay directly for the same utility service in that market area; (133) or
- the rate charged within the same market area to single family dwellings. (134)

There is one exception regarding electricity. If a park owner provides electricity to residents by reselling electricity purchased from a public or municipal utility or electrical cooperative, and would lose money by following rate guidelines, the park owner may charge a higher rate. (135) This exception allows the park owner to bill residents at a rate that allows the park owner to break even. (136) However, the park owner may only charge residents the actual amount billed by the public utility or utility cooperative. Residents may not be billed for administrative, capital or other costs. (137)

- **Installation and Removal Fees.**

The park may provide and charge for home installation and removal services. (138) The park cannot require a resident to use these services unless the park offers them for free. (139) If a resident hires the park to install or remove the resident's home, the contract for this service must be in writing. (140)

- **Maintenance Fees.**

The park can charge a resident for a resident's lot maintenance if the work is required by the lease, park rules, or state or local law, and the resident does not do the work. (141) The park owner may do the

maintenance and charge the resident a reasonable cost, plus a fee of up to \$10, if: (142)

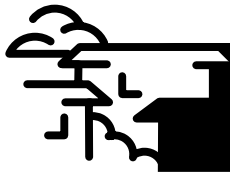
- before doing the work, the park gives the resident written notice explaining what work needs to be done, why, and a deadline. (143) The notice must explain that if the resident does not do the work by the deadline, the park will do the work and send the resident a written notice or bill. (144)
- failure to do the required maintenance endangers park facilities or other residents. In this case the park owner may give the resident a written notice requiring immediate compliance. If immediate compliance is essential, the park owner may skip the written notice and charge the resident a reasonable cost anyway. (145) The park owner has the same right to collect these charges as the owner has to collect rent owed by the resident. (146)

A written notice for work done by the park must include:

- the work performed. (147)
 - the date the work was done. (148)
 - the total cost and the way in which this cost was computed. (149)
 - the deadline for the resident's payment (this cannot be less than 30 days after the resident receives the notice). (150)
- **Processing Fees.**
The park can charge an application processing fee, not to exceed \$25, to people who want to buy a home from a park resident and want the home to remain in the park. (151)

Under Minnesota law a park is prohibited from charging any other “entrance” or

“transfer” fees for the right to become a park resident, or for the right to sell or buy a manufactured home already located in the park. (152)



Eviction

Actions For Which a Resident May Be Evicted

There are eight reasons a resident can be evicted from a manufactured home park. (153) Minnesota law allows a park to ask a resident to move for the following reasons:

- **A resident is late paying rent or utility charges owed to the park.**
The park has to give the resident, and anyone the park knows has a mortgage on the resident's home, a written notice ten days before taking action. (154) Either the resident or the mortgage-holder must pay the amount due within the ten days, or the park can ask the resident to move. (155)
- **A resident fails to comply with a law or government rule relating to manufactured home parks.**
The park must write to the resident and explain what the resident is doing wrong. (156) The resident must then begin obeying the law or regulation within the time allowed or within a reasonable amount of time. (157)
- **A resident breaks the terms of the lease or the park's rules.**
The park must provide a resident with written notice of the problem which specifies the date, time and nature of the alleged rule violation. (158) The resident must comply with the lease or rules within 30 days after receiving the written notice. (159) This 30-day timeframe does not apply to nonpayment of rent. (160) Nonpayment of rent requires compliance within 10 days after the resident receives written

notice. (161)

- **A resident repeatedly breaks important terms of the lease or park rules, or repeatedly breaks laws or governmental rules relating to manufactured home parks.**

The park has to give a resident written notice of the violations and a written warning that any future violation could result in eviction. (162) If the resident commits a violation within six months of receiving the notice, the park can ask the resident to move immediately. (163)

For example, if a resident breaks important park rules, gets a 30-day warning, obeys the rules for 30 days, breaks the rules again, and gets another warning, then the park may give the resident written notice that future violations will be cause for eviction. If the resident then commits another serious violation within six months, the park can ask the resident to move. (164)

- **A resident does something in the manufactured home park that endangers other residents or park personnel, seriously damages park property, or substantially annoys other residents.**
The park can give a resident written notice and ask the resident to move within 30 days. (165) The notice must state the time, date and nature of the annoyance, damage or endangerment. (166) The park may ask a resident to move immediately if the resident again endangers or substantially annoys people or seriously damages park property after the resident has received the 30-day notice. (167) The park owner does

not need to produce evidence of a criminal conviction to evict a resident. (168)

- **All or part of the manufactured home park is going to close.**

The owner must give residents nine months advance notice before the park will close. (169) The park owner has additional responsibilities to residents when closing a park. (170) If part of the park will remain open, a resident has the right to move within the park, providing a lot is available and the home fits the size and zoning of the lot. (171)

If the park is converting to a condominium, residents have additional rights under Minnesota law. (172) The nine-month advance notice must tell residents the park is closing to convert to a condominium. (173) Additionally, 120 days before the end of the nine months, the park owner must serve residents with a purchase agreement for the sale of a condominium. (174) Condominium sales are governed by Minnesota Statute § 515A.4-110(b) (2004). (175)

- **The park owner is making improvements to the park that will substantially benefit the health and safety of the residents and it is necessary to remove a resident's home to complete the work.**

The park must give residents who will be affected written notice 90 days before work will begin. This notice must explain how the improvements will benefit the residents. (176) Residents have the right to move within the park, if the homes fit the size and zoning of the available lots. (177)

- **A resident gives false information in the lease application.**

The park can ask a resident to move immediately if the resident has given false

information in the lease application. However, a park may only evict residents for this reason if the park acts within one year of the date the resident started to pay rent. (178)

If the park asks a resident to move, but the resident feels he or she has a legal right to stay, the resident can refuse to move. (179) In order to evict a resident the park must go to court. (180) If the court decides in favor of the park, the court will order the resident to move. (181)

Defenses to Eviction

There are four defenses a resident can use to respond to a park owner's eviction action. (182) These include:

- A resident being evicted for nonpayment of rent has a defense if the money owed is being charged illegally by the park owner. (183)
- A resident being evicted for nonpayment of rent has a defense if a park owner did not give proper notice of a rent increase, or increased the rent more than two times in 12 months. (184)
- A resident being evicted due to a rule violation has a defense if the rule is unreasonable. (185)
- A resident being evicted because the landlord is retaliating may use the landlord's retaliation as a defense. (186)

Right to Redemption

A resident has a right to redemption up to two times each year. (187) This means a resident evicted for nonpayment of rent may stay in the park if the resident pays all money owed to the park, including rent and attorney's fees. (188) A park owner who has given proper eviction notice does not waive the notice by accepting rent. (189)

Eviction Proceedings

To evict a resident, a park owner or a court must issue a “Writ of Restitution,” or a “Conditional Writ.” (190) These writs provide different timelines for eviction:

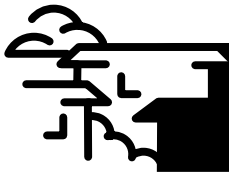
- Under a Writ of Restitution a resident must be allowed a reasonable period of time (up to seven days) to arrange to remove the resident’s home from the lot. (191)
- Under a Conditional Writ a resident must be allowed to reside in the park for a reasonable period (up to seven days). However, the resident’s home is allowed to remain on the lot for 60 days to allow for an in-park sale of the home. (192)

Parks Cannot Retaliate

A park owner cannot retaliate against a resident for making a good faith effort to exercise the resident’s rights. (193) The park cannot increase rent, decrease services, change the rental agreement, evict the resident, or threaten to do any of these things simply because a resident has:

- complained in good faith to the park owner or to a government agency or official. (194)
- attempted in good faith to exercise rights under the lease, park rules or any law or government rule. (195)
- participated in the activities of a resident association. (196) Resident associations are organized for the purpose of resolving matters relating to living conditions in the park. (197)

If the park tries to evict a resident within 90 days after the resident has taken any of these actions, the park has to prove in court that the eviction was not retaliatory. Even after 90 days have passed, if the resident can show evidence that the reason for the eviction is retaliation, the burden is on the park to prove otherwise. (198)



In-Park Sale of a Manufactured Home

An in-park sale occurs when a resident sells the resident's home to a buyer who wants the home to remain in the same park. (199) A resident has the right to sell the home within the park regardless of the home's age.

The park cannot:

- charge more than a \$25 application processing fee when a resident wants to sell a home within the park. (200)
- require a resident to sell the home to the park. (201)
- require a resident to use the park as a listing or selling agent. (202) If a park owner is licensed as a dealer, a park owner may agree in writing to broker the in-park sale of a resident's home. (203)

The park can:

- charge up to \$25 for processing a prospective buyer's application to become a resident. (204)
- allow a home to remain vacant for 90 days or longer as specified by park rules. (205)
- require rent to be paid on time and the lot to be properly maintained. (206)
- approve a buyer as a resident. (207)

When selling a home through a broker, the broker must be a licensed manufactured home dealer or a licensed real estate broker. (208) A resident can sell the home they own and live in. No person may sell a manufactured home made after July 1, 1972, unless the home complies with the manufactured home building code. (209)

If a home or lot does not meet existing park rules, the park can require the owner to follow the rules before the park approves the sale of the home. (210) However, the park cannot, as a condition of sale, impose a new rule that requires major or expensive changes unless a part of the home or shed is so dilapidated that total replacement is necessary. (211)

Park's Approval of A Buyer For Residency

The park has the right to approve a buyer as a resident. (212) The seller must tell the prospective buyer, in writing, that the sale is subject to final approval by the park. (213)

When the prospective buyer seeks to become a resident, the park owner may require the prospective buyer to submit certain information. (214) The required information may include:

- the purchase price of the home. (215)
- the amount of monthly payments on the home. (216)
- any relevant documentation necessary to verify the information. (217)
- the creditworthiness of the prospective buyer. (218)

The park must comply with the following when processing a buyer's application:

- The park must explain, in writing, its decision-making process for approving or rejecting new residents. (219)
- The park must make copies of this explanation available without charge and include a copy with rental applications. (220)

- The written policies for approving or rejecting residents must be reasonable and apply uniformly to all applicants. (221)
- If the park owner requires a personal interview, the park owner must be available for interviews at reasonable times. (222)
- The park must make a decision within 14 days after receiving the buyer's completed application. If a delay occurs, the park must give the seller and the buyer a written explanation and make a decision as soon as possible. (223)
- The park cannot be any stricter in approving a prospective buyer than it is in approving other prospective residents. (224)
- If the park denies a buyer's application, the denial must be reasonable. (225) The park owner cannot deny residency to a prospective buyer for any reason prohibited by federal, state or local law. (226)
- If a buyer gives the park a written request for an explanation of the park's decision, the park must provide it within three days. (227)
- Proper exit windows that meet the standards of the American National Standard Institute, 1972 Standard A119.1, must be installed in the home within one year of the sale. (232)
- Aluminum electrical wiring must conform with the Consumer Product Safety Commission's recommendations; Gypsum board lining or similar fire-resistant material must be installed in the furnace enclosure and hot water heater compartment; any wood stove or fireplace must be properly installed; and blocking supports must be provided if old supports do not meet state and federal standards. These repairs must be done within three years of buying the home. (233)

Before beginning work, home owners should find out what local or state building codes apply and be sure to obtain the proper permits before installing safety features.

Following installation of the necessary safety features, and before approval of an in-park sale, the buyer must have the home inspected by a building inspector. (234) The inspector will make sure the home complies with maintenance standards. (235) The resident must get a certificate of inspection from the inspector and give the certificate to the park owner. The inspector may charge up to \$50 for the inspection. (236) The park owner may not charge a fee for this inspection. (237) The park owner may require a resident or prospective buyer to take action necessary to bring the lot or home into compliance. (238)

The park owner may require a prospective buyer to agree to rules different from those that applied to the resident who is selling the home. (239) However, the park owner cannot enforce any rule adopted or amended after the resident entered into the rental agreement that would:

Safety Disclosure and Repairs

To sell a manufactured home within the park, the seller must fill out a Safety Feature Disclosure Form (See Appendix Form 2) and give it to prospective buyers. (228) A park owner must provide a resident with a copy of this form upon request. (229)

As this Safety Feature Disclosure Form indicates, Minnesota law requires anyone who buys a manufactured home through an in-park sale to make certain repairs: (230)

- Within 30 days of purchasing the home, the buyer must install smoke detectors and fire extinguishers as required by the Minnesota State Health Department and State Building Code. (231)

- significantly increase the difficulty or time involved in selling the home. (240)
- significantly decrease the price at which the home can be sold. (241)
- involve any other significant cost for either the resident or buyer, except the cost to bring the home into compliance with preexisting maintenance rules. (242) However, if a home, shed, or other structure has become so dilapidated that repair is impractical and total replacement is necessary, the park may require replacement. (243)

Buyers who do not comply with these requirements are in violation of park rules. (244)

Rights of Repossessing Parties

A manufactured home can be repossessed under two circumstances:

- if a resident defaults on a security agreement that holds the manufactured home as collateral. (245)
- if a resident defaults on the security agreement for the manufactured home itself. (246)

The party repossessing the home has the right to sell the home through an in-park sale if the following conditions are met:

- After repossessing the home the secured party must notify the park owner that the home has been repossessed. (247)
- The park owner must receive this notice before the park owner has begun eviction proceedings. (248)
- The secured party must pay up to three months of the resident's past due rent. (249) This liability for past rent does not include late fees. (250)
- The secured party must make monthly rent payments until the park owner approves a buyer for the repossessed home. (251)

- The secured party must comply with all park rules relating to lot and home maintenance. (252)

A secured party offering a home for an in-park sale may be evicted for the same reasons a resident could be evicted. (253)

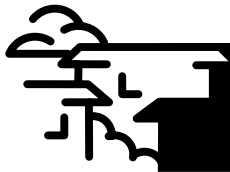
To repossess a home, the reposessor must bring the resident to court in the county where the home is located, rather than any county the reposessor might choose. (254)

Removal of a Home After Repossession

When a secured party repossesses a manufactured home and removes the home from the park, the secured party owes the park owner rent for the period beginning with repossession and ending on the last calendar day of the month the home is removed. (255) However, the secured party would not owe past due rent prior to the time the secured party accepted voluntary repossession or took action if: (256)

- Within seven days after accepting repossession, the secured party notifies the park owner in writing that the home is being repossessed. (257)
- The secured party pays each month's lot rent as it becomes due. (258)
- The secured party removes the home from the park within seven days after repossessing it. (259)

If the secured party fails to meet any of these conditions, the secured party would owe the park owner up to three months of past due rent, excluding late fees or other charges. (260)



Park Closing

A park owner must follow certain steps before closing a park. (261) The park owner must provide a “closure statement” to the local planning agency and each resident nine months before the planned closing. (262) The “closure statement” says the park is closing, lists replacement housing within 25 miles of the park, and gives cost estimates for moving homes from the park. (263)

A public hearing will be held to review the closure statement and determine the impact of the park closing. (264) The municipality must mail residents a notice, at least ten days before the hearing, stating the time, place, and purpose of the hearing. (265) Residents may not be required to move until 60 days after the conclusion of the public hearing. (266) The park owner may have to pay reasonable relocation costs to the displaced residents. (267) In some instances, the municipality may have other parties, including the municipality, pay relocation costs for the displaced residents. (268) A “displaced resident” includes residents and members of the resident’s household as of the date the closure statement is submitted. (269)

If a person purchasing a manufactured home park intends to close or change it within one year of the purchase agreement, the person must notify the park owner in writing. (270) The park owner must then give each resident a 45-day notice of the purchaser’s intent to close or convert the park. (271) The 45-day written notice must:

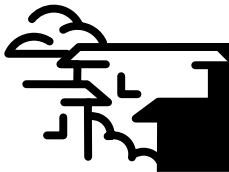
- state the park owner will provide information on the price, terms and conditions of the buyer’s offer. (272)
- be sent by first class mail to all residents. (273)

- indicate that the notice to residents begins on the postmark date and runs for 45 days. (274)

During the notice period, 51 percent of the residents in the park may work together to meet the buyer’s cash price and purchase the park themselves to keep it as a manufactured housing community. (275) The park owner must accept the counter offer from the residents if it meets the cash price of the first offer. (276)

Notice of Sale

If a park owner is selling a manufactured home park and advertising it for sale through a publication, newspaper or Realtor, the park owner must, at the same time, give a written notice to all residents of the park. (277) If time is required to sell the park, the owner is only required to provide residents with written notice once each year. (278)



For More Information

This section is designed to provide additional resources to manufactured home park owners, managers, residents and dealers. The following agencies provide varying services to those involved with manufactured home parks.

General Resources

For a copy of "The Manufactured Home Parks Handbook," or assistance with a consumer complaint or problem:

Attorney General's Office

Consumer Division
Suite 1400
445 Minnesota Street
St. Paul, MN 55101
(651) 296-3353
1-800-657-3787
TTY: (651) 297-7206
TTY: 1-800-366-4812

Brochure available:

All Parks Alliance for Change (APAC)

2395 University Ave. W.
St. Paul, MN 55114
(651) 644-5525

Brochure available:

Minnesota Manufactured Housing Association

1540 Humboldt Avenue, Suite 205
St. Paul, MN 55118
(651) 450-4700

Complaint information about retail sales of manufactured homes, dealers, manufacturers, and parks; brochure available:

Better Business Bureau

2706 Gannon Road
St. Paul, MN 55116
(651) 699-1111
1-800-646-6222

Conciliation Courts

Currently, claims of up to \$7,500 may be brought in Conciliation Court; brochures and forms are available from individual courts:

Aitkin	(218) 927-7350
Anoka	(763) 422-7376
Becker	(218) 846-7305
Beltrami	(218) 333-4120
Benton	(320) 968-5205
Big Stone	(320) 839-2536
Blue Earth	(507) 389-8284
Brown	(507) 233-6670
Carlton	(218) 384-9139
Carver	(952) 361-1420
Cass	(218) 547-7200
Chippewa	(320) 269-7774
Chisago	(651) 213-0485
Clay	(218) 299-5065
Clearwater	(218) 694-6177
Cook	(218) 387-3610
Cottonwood	(507) 831-4551
Crow Wing	(218) 824-1310
Dakota	(651) 438-8100
Dodge	(507) 635-6260
Douglas	(320) 762-3033
Faribault	(507) 526-6273
Fillmore	(507) 765-3356
Freeborn	(507) 377-5153
Goodhue	(651) 267-4800

Grant (218) 685-4825
 Hennepin (612) 348-2713
 Houston (507) 725-5806
 Hubbard (218) 732-5286
 Isanti (763) 689-2292
 Itasca (218) 327-2870
 Jackson (507) 847-4400
 Kanabec (320) 679-6400
 Kandiyohi (320) 231-6206
 Kittson (218) 843-3632
 Koochiching (218) 283-1160
 Lac qui Parle (320) 598-3536
 Lake (218) 834-8330
 Lake of the Woods (218) 634-1451
 Le Sueur (507) 357-2251
 Lincoln (507) 694-1355
 Lyon (507) 537-6734
 Mahnommen (218) 935-2251
 Marshall (218) 745-4816
 Martin (507) 238-3205
 McLeod (320) 864-1281
 Meeker (320) 693-5230
 Mille Lacs (320) 983-8313
 Morrison (320) 632-0327
 Mower (507) 437-9465
 Murray (507) 836-6163
 Nicollet (507) 931-6800
 Nobles (507) 372-8263
 Norman (218) 784-5458
 Olmsted (507) 285-8108
 Otter Tail (218) 739-2271
 Pennington (218) 683-7023
 Pine (320) 629-5634
 Pipestone (507) 825-6730
 Polk (218) 281-2332
 Pope (320) 634-5222
 Ramsey (651) 266-8230
 Red Lake (218) 253-4281
 Redwood (507) 637-4020
 Renville (320) 523-3680
 Rice (507) 332-6107
 Rock (507) 283-5020
 Roseau (218) 463-2541
 Scott (952) 496-8200
 Sherburne (763) 241-2800
 Sibley (507) 237-4051
 St. Louis (218) 726-2430

Stearns (320) 656-3620
 Steele (507) 444-7700
 Stevens (320) 589-7289
 Swift (320) 843-2744
 Todd (320) 732-7800
 Traverse (320) 563-4343
 Wabasha (651) 565-3012
 Wadena (218) 631-7633
 Waseca (507) 835-0540
 Washington (651) 430-6263
 Watonwan (507) 375-1236
 Wilkin (218) 643-7172
 Winona (507) 457-6385
 Wright (763) 682-7539
 Yellow Medicine (320) 564-3325

Building Codes

To find out more about warranties, sales, construction, and building codes:

Minnesota Department of Labor and Industry
 Building Codes and Standards Division
 Manufactured Structures Section
 443 Lafayette Road North
 St. Paul, MN 55155-4341
 (651) 284-5068

Home and Park Licensing

Local counties may also do licensing:

Minnesota Department of Health
 Environmental Health Services
 Orville L. Freeman Building
 625 Robert Street North
 P.O. Box 64975
 St. Paul, MN 55164-0975
 (651) 201-4510

Legal Aid Services

Legal Aid Services provide legal assistance to financially disadvantaged persons. Each Legal Aid office has criteria to determine when a person qualifies for legal assistance at minimum to no cost. Some Legal Aid offices provide assistance only within certain areas of the state or to certain groups of individuals — see specific listings for more information. Brochures and other resources may be obtained at most Legal Aid offices:

Legal Aid Service of Northeastern Minnesota

Administrative office

Duluth

424 West Superior Street, Suite 302
Duluth, MN 55802
(218) 726-4800
TTY: (218) 726-4826
1-800-622-7266
(Serves Carlton, Cook, Kanabec, Lake, Pine and southern St. Louis counties)

Local offices

Brainerd

14091 Baxter Drive, Suite 116
Baxter, MN 56425-7997
(218) 829-1701 (voice and TTY)
1-800-933-1112
(Serves Aitkin, Cass, and Crow Wing counties)

Grand Rapids

201 Fourth Street N.W.
Grand Rapids, MN 55744
(218) 327-8857
1-800-708-6695 (voice and TTY)
(Serves Itasca and Koochiching counties)

Pine City

235 Main Street South
Pine City, MN 55063
(320) 629-7166
1-800-382-7166 (voice and TTY)
(Serves Kanabec and Pine counties)

Virginia

Olcott Plaza, Suite 150
820 North Ninth Street
Virginia, MN 55792
(218) 749-3270 (voice and TTY)
1-800-886-3270
(Serves northern St. Louis County)

Legal Services of Northwest Minnesota

Alexandria Legal Services

1114 Broadway
Alexandria, MN 56308
(320) 762-0663
1-800-450-2552
(Serves Douglas, Grant, Otter Tail, Pope, Stevens, Traverse and Wadena [no seniors])

Bemidji

215 Fourth Street N.W.
P.O. Box 1883
Bemidji, MN 56619
(218) 751-9201
1-800-450-9201
(Serves Beltrami, Clearwater, Hubbard, Lake of the Woods and Mahnomen counties)

Moorhead

1015 Seventh Avenue North
P.O. Box 838
Moorhead, MN 56560
(218) 233-8585
1-800-450-8585
(Serves Becker, Clay, Kittson, Marshall, Norman, Pennington, Polk, Red Lake, Roseau and Wilkin counties)

Anishinabe Legal Services

P.O. Box 157
Cass Lake, MN 56633
(218) 335-2223
1-800-422-1335
(Serves Indian and non-Indian residents of Leech Lake, Red Lake and White Earth Reservations)

Judicare of Anoka County

1201 89th Avenue N.E., Suite 310
Blaine, MN 55434
(763) 783-4970

Legal Aid Society of Minneapolis**Downtown Minneapolis**

430 First Avenue North, Suite 300
Minneapolis, MN 55401-1780
(612) 332-1441
(612) 334-5970 (new clients)
TTY: (612) 332-4668
(Serves Hennepin County)

North Minneapolis

2100 Plymouth Avenue North, Room 114
Minneapolis, MN 55411
(Serves North and Northeast Minneapolis)

South Minneapolis

2929 Fourth Avenue South, Suite 201
Minneapolis, MN 55408
(Serves South Minneapolis)

Mid-Minnesota Legal Assistance**Cambridge**

East Central Legal Service
140 North Buchanan Street, Suite 176
Cambridge, MN 55008
(763) 689-2849
1-800-622-7772
(Serves Chisago and Isanti counties; also serves senior citizens in Anoka, Kanabec, Mille Lacs and Pine counties)

St. Cloud

St. Cloud Area Legal Services
830 West St. Germain, Suite 300
P.O. Box 886
St. Cloud, MN 56302
(320) 253-0121 (voice and TTY)
1-888-360-2889 (voice and TTY)
(Serves Benton, Mille Lacs, Morrison, Sherburne, Stearns, Todd and Wright counties)

Willmar

620 Litchfield Avenue S.W., Suite 101
P.O. Box 1866
Willmar, MN 56201-1866
(320) 235-9600
TTY: (320) 235-9602
1-888-360-3666 (clients only)
(Serves Big Stone, Chippewa, Kandiyohi, Lac Qui Parle, Lincoln, Lyon, Meeker, Renville, Swift and Yellow Medicine counties)

Legal Assistance of Olmsted County

1812 Second Street S.W.
Rochester, MN 55902
(507) 287-2036

Southern Minnesota Regional Legal Services**Administrative office****St. Paul**

166 East Fourth Street, Suite 200
St. Paul, MN 55101
(651) 228-9823

Local offices**Albert Lea**

132 North Broadway
Albert Lea, MN 56007
(507) 377-2831
1-800-223-0280 (clients only)
(Serves Faribault, Freeborn, Mower, Rice and Steele counties)

Refugee, Immigrant and Migrant Services**Southern Minnesota Regional Legal Services**

450 North Syndicate Street, Suite 325
St. Paul, MN 55104
(651) 291-2837, (651) 255-0797
1-800-652-9733 (clients only)
(Limited advice and representation in housing matters)

Mankato

12 Civic Center Plaza, Suite 3000
Mankato, MN 56002-3304
(507) 387-5588
1-800-247-2299 (clients only)
1-888-575-2954 (new clients)
(Serves Blue Earth, Brown, Martin, McLeod,
Niccollet, Le Sueur, Sibley, Waseca and Watonwan
counties)

Prior Lake

15815 Franklin Trail S.E., Suite 309
Prior Lake, MN 55372
(952) 440-1040
(Serves Carver, Dakota and Scott counties)

St. Paul

166 East Fourth Street, Suite 200
St. Paul, MN 55101
(651) 222-4731 (new legal problems)
(651) 222-5863
(Serves Ramsey and Washington counties)

East Side and American Indian Branch Office

579 Wells Street, #100
St. Paul, MN 55101
(651) 771-4455
(651) 495-0473 (clients only)
(Serves Ramsey & Washington counties)

Winona

66 East Third Street, Suite 204
Winona, MN 55987-3478
(507) 454-6660
1-800-372-8168 (clients only)
1-888-575-2954 (new clients)
(Serves Dodge, Fillmore, Goodhue, Houston,
Olmsted, Wabasha and Winona counties)

Worthington

421 Tenth Street
Worthington, MN 56187
(507) 372-7368
1-800-233-0023 (clients only)
1-888-575-2954 (new clients)
(Serves Cottonwood, Jackson, Murray, Nobles,
Pipestone, Redwood and Rock counties)

Legal Services Advocacy Project

Midtown Commons
2324 University Avenue West, Suite 101
St. Paul, MN 55114
(651) 222-3749

Legislature

*Contact your legislators if you have questions
about changes in the law or wish to propose
changes to state law:*

House Information

(651) 296-2146

Senate Information

(651) 296-0504

**Mediation and Dispute
Resolution**

*The following agencies provide Alternative
Dispute Resolution mechanisms for resolving
problems. The costs and fees vary:*

Alternative Dispute Resolution Services

1421 S.E. Third Avenue
Rochester, MN 55904-7947
(507) 287-2249

Dispute Resolution Center

974 West Seventh Street
St. Paul, MN 55102
(651) 292-7791
(Serves Ramsey County and east metro area)

Mediation Services for Anoka County

2520 Coon Rapids Boulevard, Suite 100
Coon Rapids, MN 55433
(763) 422-8878
(Serves Anoka County)
Mid-Minnesota Legal Assistance

Minneapolis Mediation Program

310 East 38th Street, Suite 221

Minneapolis, MN 55409

(612) 822-9883

(Serves Minneapolis and the village of St. Anthony)

North Hennepin Mediation Program Inc.

3300 Bass Lake Road, Suite 212

Brooklyn Center, MN 55429

(763) 561-0033

(Serves northern and northwestern portions of Hennepin County)

U.S. Department of Housing and Urban Development (HUD)

Provides brochures and housing programs. HUD also handles most low-income public housing assistance claims and programs:

HUD

451 7th Street S.W.

Washington D.C. 20410

(612) 370-3000

www.hud.gov

U.S. Department of Veteran's Affairs

Provides information, loans and insurance to veterans who wish to purchase manufactured homes:

Department of Veterans Affairs

810 Vermont Ave. N.W.

Washington D.C. 20420

1-800-827-1000

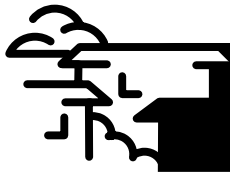
Statutory Cites

- 1 Minn. Stat. § 327C.02 subd. 4 (2004).
- 2 Minn. Stat. § 327B.04 subd. 1 (2004).
- 3 Minn. Stat. § 327B.09 subd. 3 (2004).
- 4 Minn. Stat. § 327B.04 subd. 1 (2004);
Minn. Stat. § 327B.04 subd. 5 (2004).
- 5 Minn. Stat. § 327B.04 subd. 3 (2004).
- 6 Minn. Stat. § 327B.04 subd. 6 (2004).
- 7 Minn. Stat. § 327B.04 subd. 1 (2004).
- 8 Minn. Stat. § 327B.05 subd. 1 (2004).
- 9 Minn. Stat. § 327B.02 subd. 1 (2004).
- 10 Minn. Stat. § 327B.02 subd. 1 (2004).
- 11 Minn. Stat. § 327B.02 subd. 2 (2004).
- 12 Minn. Stat. § 327B.03 subd. 1 (2004).
- 13 Minn. Stat. § 327B.03 subd. 2 (2004).
- 14 Minn. Stat. § 327B.03 subd. 3 (2004).
- 15 Minn. Stat. § 327.32 (2004).
- 16 Minn. Stat. § 327.31 subd. 3 (2004).
- 17 Minn. Stat. § 327.31 subd. 3 (2004).
- 18 Minn. Stat. § 327.32 subd. 1(b) (2004).
- 19 Minn. Stat. § 327.32 subd. 1(a) (2004).
- 20 Minn. Stat. § 327.32 subd. 1 (2004).
- 21 Minn. Stat. § 327.32 subd. 3 (2004).
- 22 Minn. Stat. § 327.34 (2004).
- 23 Minn. Stat. § 327.33 subd. 1 (2004).
- 24 Minn. Stat. § 327.33 subd. 2 (2004).
- 25 Minn. Stat. § 327.33 subd. 4 (2004).
- 26 Minn. Stat. § 327.33 subd. 5 (2004).
- 27 Minn. Stat. § 327.34 subd. 1•(d) (2004).
- 28 Minn. Stat. § 327.34 subd. 1(d), (e)
(2004).
- 29 Minn. Stat. § 327.35 (2004).
- 30 Minn. Stat. § 327C (2004).
- 31 Minn. Stat. § 327C (2004).
- 32 Minn. Stat. § 327.15 (2004); Minn. Stat. §
327.16 (2004).
- 33 Minn. Stat. § 327.15 (2004).
- 34 Minn. Stat. § 327.16 subd. 3 (2004).
- 35 Minn. Stat. § 327.16 subd. 6 (2004);
Minn. Stat. § 144.99 subd. 10 (2004).
- 36 Minn. Stat. § 327.14-.28 (2004).
- 37 Minn. Stat. § 327.20 subd. 1(1) (2004).
- 38 Minn. Stat. § 327.20 subd. 1(6), (7)
(2004).
- 39 Minn. Stat. § 327.20 subd. 1(6), (7)
(2004).

40	Minn. Stat. § 327.20 subd. 1(6) (2004).	85	Minn. Stat. § 327C.02 subd. 2 (2004).
41	Minn. Stat. § 327.20 subd. 1(7) (2004).	86	Minn. Stat. § 327C.06 (2004).
42	Minn. Stat. § 327C.01 subd. 1c (2004).	87	Minn. Stat. § 327C.02 subd. 2 (2004).
43	Minn. Stat. § 327.205 (2004).	88	Minn. Stat. § 327C.02 subd. 2 (2004).
44	Minn. Stat. § 327.205 (2004).	89	Minn. Stat. § 327C.02 subd. 2 (2004).
45	Minn. Stat. § 327.20 subd. 1(2), 1(4) (2004).	90	Minn. Stat. § 327C.09 subd. 4 (2004).
46	Minn. Stat. § 327.20 subd. 1(3) (2004).	91	Minn. Stat. § 327C.02 subd. 2(a) (2004).
47	Minn. Stat. § 566.20 (2004).	92	Minn. Stat. § 327C.02 subd. 2(b) (2004).
48	Minn. Stat. § 327C.01 subd. 9a (2004).	93	Minn. Stat. § 327C.02 subd. 2a (2004).
49	Minn. Stat. § 566.19 (2004).	94	Minn. Stat. § 327C.14 subd. 1 (2004).
50	Minn. Stat. § 566.19 subd. 2 (2004).	95	Minn. Stat. § 327C.14 subd. 2 (2004).
51	Minn. Stat. § 566.19 subd. 4 (2004).	96	Minn. Stat. § 327C.14 subd. 2 (2004).
52	Minn. Stat. § 566.20 (2004).	97	Minn. Stat. § 327C.03 subd. 3 (2004).
53	Minn. Stat. § 566.205 (2004).	98	Minn. Stat. § 327C.01 subd. 9 (2004).
54	Minn. Stat. § 566.205 subd. 9 (2004).	99	Minn. Stat. § 327C.05 subd. 4 (2004).
55	Minn. Stat. § 327C.02 subd. 1, 5 (2004); Minn. Stat. § 327C.07 subd. 3a (2004).	100	Minn. Stat. § 327C.05 subd. 4 (2004).
56	Minn. Stat. § 327C.02 subd. 5 (2004).	101	Minn. Stat. § 327C.13 (2004).
57	Minn. Stat. § 327C.02 subd. 1 (2004).	102	Minn. Stat. § 327C.03 subd. 3 (2004).
58	Minn. Stat. § 327C.02 subd. 1 (2004).	103	Minn. Stat. § 327C.03 subd. 3 (2004).
59	Minn. Stat. § 327C.02 subd. 1(a) (2004).	104	Minn. Stat. § 327C.03 subd. 3 (2004).
60	Minn. Stat. § 327C.02 subd. 1(b) (2004).	105	Minn. Stat. § 327C.03 subd. 3 (2004).
61	Minn. Stat. § 327C.02 subd. 1(c) (2004).	106	Minn. Stat. § 327C.03 subd. 3 (2004).
62	Minn. Stat. § 327C.02 subd. 1(d) (2004).	107	Minn. Stat. § 327C.03 subd. 1 (2004); Minn. Stat. § 327C.03 subd. 3 (2004).
63	Minn. Stat. § 327C.02 subd. 1(e) (2004).	108	Minn. Stat. § 327C.03 subd. 3 (2004).
64	Minn. Stat. § 327C.01 subd. 1c (2004); Minn. Stat. § 327C.02 subd. 1 (2004).	109	Minn. Stat. § 327C.03 subd. 3 (2004).
65	Minn. Stat. § 327.07 subd. 3a (2004).	110	Minn. Stat. § 327C.03 subd. 3 (2004).
66	Minn. Stat. § 327C.02 subd. 3 (2004).	111	Minn. Stat. § 327C.03 subd. 3 (2004).
67	Minn. Stat. § 327C.01 subd. 10 (2004).	112	Minn. Stat. § 327C.03 subd. 3 (2004).
68	Minn. Stat. § 325G.31 (2004).	113	Minn. Stat. § 327C.06 subd. 1 (2004).
69	Minn. Stat. § 327C.01 subd. 8(a) (2004).	114	Minn. Stat. § 327C.06 subd. 3 (2004).
70	Minn. Stat. § 327C.01 subd. 8(b) (2004).	115	Minn. Stat. § 327C.06 subd. 2 (2004).
71	Minn. Stat. § 327C.01 subd. 8(c) (2004).	116	Minn. Stat. § 327C.03 subd. 4 (2004).
72	Minn. Stat. § 327C.01 subd. 8(d) (2004).	117	Minn. Stat. § 327C.03 subd. 4 (2004).
73	Minn. Stat. § 327C.05 subd. 1 (2004).	118	Minn. Stat. § 327C.03 subd. 4 (2004).
74	Minn. Stat. § 327C.05 subd. 2(a) (2004).	119	Minn. Stat. § 327C.02 subd. 2 (2004).
75	Minn. Stat. § 327C.05 subd. 2(c) (2004).	120	Minn. Stat. § 327C.02 subd. 2 (2004); Minn. Stat. § 327C.03 subd. 4 (2004);
76	Minn. Stat. § 327C.05 subd. 2(b) (2004).	121	Minn. Stat. § 327C.03 subd. 4 (2004);
77	Minn. Stat. § 327C.05 subd. 2(d) (2004).	122	Minn. Stat. § 327C.03 subd. 4 (2004);
78	Minn. Stat. § 327C.02 subd. 2 (2004).	123	Minn. Stat. § 327C.03 subd. 4 (2004);
79	Minn. Stat. § 327C.02 subd. 2 (2004) .	124	Minn. Stat. § 327C.03 subd. 4 (2004);
80	Minn. Stat. § 327C.02 subd. 2 (2004).	125	Minn. Stat. § 327C.03 subd. 4 (2004);
81	Minn. Stat. § 327C.01 subd. 11(a) (2004).	126	Minn. Stat. § 327C.03 subd. 4 (2004);
82	Minn. Stat. § 327C.01 subd. 11(b) (2004).	127	Minn. Stat. § 327C.03 subd. 4 (2004);
83	Minn. Stat. § 327C.01 subd. 11(c) (2004).	128	Minn. Stat. § 327C.03 subd. 4 (2004);
84	Minn. Stat. § 327C.02 subd. 2 (2004).	129	Minn. Stat. § 327C.03 subd. 4 (2004);
		130	Minn. Stat. § 327C.04 subd. 1 (2004).

131	Minn. Stat. § 327C.01 subd. 12 (2004).	177	Minn. Stat. § 327C.09 subd. 8 (2004).
132	Minn. Stat. § 327C.04 subd. 2 (2004).	178	Minn. Stat. § 327C.09 subd. 7 (2004).
133	Minn. Stat. § 327C.04 subd. 3(a) (2004).	179	Minn. Stat. § 327C.11 subd. 1 (2004).
134	Minn. Stat. § 327C.04 subd. 3(b) (2004).	180	Minn. Stat. § 327C.11 (2004).
135	Minn. Stat. § 327C.04 subd. 4 (2004).	181	Minn. Stat. § 327C.11 subd. 3 (2004);
136	Minn. Stat. § 327C.04 subd. 4 (2004).		Minn. Stat. § 327C.11 subd. 4 (2004).
137	Minn. Stat. § 327C.04 subd. 4 (2004).	182	Minn. Stat. § 327C.10 (2004).
138	Minn. Stat. § 327C.03 subd. 2 (2004).	183	Minn. Stat. § 327C.10 subd. 1 (2004).
139	Minn. Stat. § 327C.03 subd. 2 (2004).	184	Minn. Stat. § 327C.10 subd. 2(a), (b)
140	Minn. Stat. § 327C.03 subd. 2 (2004).		(2004).
141	Minn. Stat. § 327C.03 subd. 5 (2004).	185	Minn. Stat. § 327C.10 subd. 3 (2004).
142	Minn. Stat. § 327C.03 subd. 5 (2004).	186	Minn. Stat. § 327C.10 subd. 4 (2004).
143	Minn. Stat. § 327C.03 subd. 5(a), (b)	187	Minn. Stat. § 327C.11 subd. 1 (2004).
	(2004).	188	Minn. Stat. § 327C.11 subd. 1 (2004).
144	Minn. Stat. § 327C.03 subd. 5(c) (2004).	189	Minn. Stat. § 327C.11 subd. 2 (2004).
145	Minn. Stat. § 327C.03 subd. 5 (2004).	190	Minn. Stat. § 327C.11 subd. 3 (2004);
146	Minn. Stat. § 327C.03 subd. 5 (2004).		Minn. Stat. § 327C.11 subd. 4 (2004).
147	Minn. Stat. § 327C.03 subd. 5 (2004).	191	Minn. Stat. § 327C.11 subd. 3 (2004).
148	Minn. Stat. § 327C.03 subd. 5 (2004).	192	Minn. Stat. § 327C.11 subd. 4 (2004).
149	Minn. Stat. § 327C.03 subd. 5 (2004).	193	Minn. Stat. § 327C.12 (2004).
150	Minn. Stat. § 327C.03 subd. 5 (2004).	194	Minn. Stat. § 327C.12 (a) (2004).
151	Minn. Stat. § 327C.07 subd. 1 (2004).	195	Minn. Stat. § 327C.12 (b) (2004).
152	Minn. Stat. § 327C.07 subd. 1 (2004).	196	Minn. Stat. § 327C.12 (c) (2004).
153	Minn. Stat. § 327C.09 subd. 1 (2004).	197	Minn. Stat. § 327C.01 subd. 9a (2004).
154	Minn. Stat. § 327C.09 subd. 2 (2004).	198	Minn. Stat. § 327C.12 (b) (2004).
155	Minn. Stat. § 327C.09 subd. 2 (2004).	199	Minn. Stat. § 327C.01 subd. 2 (2004).
156	Minn. Stat. § 327C.09 subd. 3 (2004).	200	Minn. Stat. § 327C.07 subd. 1 (2004).
157	Minn. Stat. § 327C.09 subd. 3 (2004).	201	Minn. Stat. § 327C.07 subd. 1 (2004).
158	Minn. Stat. § 327C.09 subd. 4 (2004).	202	Minn. Stat. § 327C.07 subd. 1 (2004).
159	Minn. Stat. § 327C.09 subd. 4 (2004).	203	Minn. Stat. § 327C.07 subd. 1 (2004).
160	Minn. Stat. § 327C.09 subd. 4 (2004).	204	Minn. Stat. § 327C.07 subd. 1 (2004).
161	Minn. Stat. § 327C.09 subd. 2 (2004).	205	Minn. Stat. § 327C.07 subd. 5 (2004).
162	Minn. Stat. § 327C.09 subd. 6 (2004).	206	Minn. Stat. § 327C.07 subd. 5 (2004).
163	Minn. Stat. § 327C.09 subd. 6 (2004).	207	Minn. Stat. § 327C.07 subd. 3 (2004).
164	Minn. Stat. § 327C.09 subd. 6 (2004).	208	Minn. Stat. § 327B.04 subd. 1 (2004).
165	Minn. Stat. § 327C.09 subd. 5 (2004).	209	Minn. Stat. § 327C.32 subd. 1 (2004).
166	Minn. Stat. § 327C.09 subd. 5 (2004).	210	Minn. Stat. § 327C.07 subd. 4 (2004).
167	Minn. Stat. § 327C.09 subd. 5 (2004).	211	Minn. Stat. § 327C.07 subd. 4 (2004).
168	Minn. Stat. § 327C.09 subd. 5 (2004).	212	Minn. Stat. § 327C.07 subd. 3 (2004).
169	Minn. Stat. § 327C.095 subd. 1 (2004).	213	Minn. Stat. § 327C.07 subd. 6 (2004).
170	Minn. Stat. § 327C.095 (2004).	214	Minn. Stat. § 327C.07 subd. 3 (2004).
171	Minn. Stat. § 327C.095 subd. 1 (2004).	215	Minn. Stat. § 327C.07 subd. 3 (2004).
172	Minn. Stat. § 327C.095 subd. 5 (2004).	216	Minn. Stat. § 327C.07 subd. 3 (2004).
173	Minn. Stat. § 327C.095 subd. 5 (2004).	217	Minn. Stat. § 327C.07 subd. 3 (2004).
174	Minn. Stat. § 327C.095 subd. 5 (2004).	218	Minn. Stat. § 327C.07 subd. 3 (2004).
175	Minn. Stat. § 327C.095 subd. 5 (2004);	219	Minn. Stat. § 327C.07 subd. 2(a) (2004).
	Minn. Stat. § 515A.4-110(b) (2004).	220	Minn. Stat. § 327C.07 subd. 2(b) (2004).
176	Minn. Stat. § 327C.09 subd. 8 (2004).	221	Minn. Stat. § 327C.07 subd. 2(d) (2004).

222	Minn. Stat. § 327C.07 subd. 2(c) (2004).	268	Minn. Stat. § 327C.095 subd. 4 (2004).
223	Minn. Stat. § 327C.07 subd. 2(g) (2004).	269	Minn. Stat. § 327C.01 subd. 1b (2004).
224	Minn. Stat. § 327C.07 subd. 2(e) (2004).	270	Minn. Stat. § 327C.095 subd. 6 (2004).
225	Minn. Stat. § 327C.07 subd. 2(i) (2004).	271	Minn. Stat. § 327C.095 subd. 6 (2004).
226	Minn. Stat. § 327C.07 subd. 2(f) (2004).	272	Minn. Stat. § 327C.095 subd. 6 (2004).
227	Minn. Stat. § 327C.07 subd. 2(h) (2004).	273	Minn. Stat. § 327C.095 subd. 6 (2004).
228	Minn. Stat. § 327C.07 subd. 3 (2004).	274	Minn. Stat. § 327C.095 subd. 6 (2004).
229	Minn. Stat. § 327C.07 subd. 3a (2004).	275	Minn. Stat. § 327C.095 subd. 6 (2004).
230	Minn. Stat. § 327C.07 subd. 8 (2004).	276	Minn. Stat. § 327C.095 subd. 6 (2004).
231	Minn. Stat. § 327C.07 subd. 8 (2004).	277	Minn. Stat. § 327C.096 (2004).
232	Minn. Stat. § 327C.07 subd. 8 (2004).	278	Minn. Stat. § 327C.096 (2004).
233	Minn. Stat. § 327C.07 subd. 8 (a), (b), (c), (d) (2004).	279	Minn. Stat. § 327C.01 subd. 3 (2004).
234	Minn. Stat. § 327C.07 subd. 8 (2004).	280	Minn. Stat. § 327C.01 subd. 4 (2004); Minn. Stat. § 327B.01 subd. 13 (2004).
235	Minn. Stat. § 327C.07 subd. 8 (2004).	281	Minn. Stat. § 327C.01 subd. 5 (2004); Minn. Stat. § 327.14 subd. 3 (2004).
236	Minn. Stat. § 327C.07 subd. 8 (2004).	282	Minn. Stat. § 327C.01 subd. 6 (2004).
237	Minn. Stat. § 327C.07 subd. 8 (2004).	283	Minn. Stat. § 327C.01 subd. 9 (2004).
238	Minn. Stat. § 327C.07 subd. 8 (2004).	284	Minn. Stat. § 327C.01 subd. 9a (2004).
239	Minn. Stat. § 327C.07 subd. 4 (2004).	285	Minn. Stat. § 327C.07 subd. 3a (2004).
240	Minn. Stat. § 327C.07 subd. 4(a) (2004).	286	Minn. Stat. § 327C.07 subd. 3a (2004).
241	Minn. Stat. § 327C.07 subd. 4(b) (2004).		
242	Minn. Stat. § 327C.07 subd. 4(c) (2004).		
243	Minn. Stat. § 327C.07 subd. 4 (2004).		
244	Minn. Stat. § 327C.07 subd. 4 (2004).		
245	Minn. Stat. § 327.64 subd. 1 (2004).		
246	Minn. Stat. § 327.64 subd. 1 (2004).		
247	Minn. Stat. § 327C.07 subd. 7(a) (2004).		
248	Minn. Stat. § 327C.07 subd. 7(b) (2004).		
249	Minn. Stat. § 327C.07 subd. 7(c) (2004).		
250	Minn. Stat. § 327C.07 subd. 7(d) (2004).		
251	Minn. Stat. § 327C.07 subd. 7(d) (2004).		
252	Minn. Stat. § 327C.07 subd. 7(e) (2004).		
253	Minn. Stat. § 327C.07 subd. 7 (2004).		
254	Minn. Stat. § 327.65 subd. 1 (2004).		
255	Minn. Stat. § 327C.08 (2004).		
256	Minn. Stat. § 327C.08 (2004).		
257	Minn. Stat. § 327C.08 (a) (2004).		
258	Minn. Stat. § 327C.08 (b) (2004).		
259	Minn. Stat. § 327C.08 (c) (2004).		
260	Minn. Stat. § 327C.08 (2004).		
261	Minn. Stat. § 327C.095 (2004).		
262	Minn. Stat. § 327C.095 subd. 1 (2004).		
263	Minn. Stat. § 327C.01 subd. 1a (2004).		
264	Minn. Stat. § 327C.095 subd. 4 (2004).		
265	Minn. Stat. § 327C.095 subd. 2 (2004).		
266	Minn. Stat. § 327C.095 subd. 1 (2004).		
267	Minn. Stat. § 327C.095 subd. 4 (2004).		



Appendix

Glossary

Lot

An area within a manufactured home park designed or used for a manufactured home. (279)

Manufactured Home

A structure that is not a part of real estate, and that has one or more sections that may be transported. The home (or a section of the home) has a width of eight body feet or more and a length of 40 body feet or more. On site the home is 320 square feet or more. The home must be built as a permanent chassis. The home may or may not have a permanent foundation. The home must be designed as a dwelling when connected to the required utilities. (280)

Manufactured Home Park

Any site, lot, field or tract of land where two or more occupied manufactured homes are located, either free of charge or for compensation. This includes any building, structure, tent, vehicle, or enclosure used, or intended to be used, for the manufactured home park. This does not include facilities open three or fewer seasons each year. (281)

Park Owner

The owner of a manufactured home park or any person acting on behalf of the owner to operate the park. (282)

Resident

A manufactured home owner who rents a lot in a manufactured home park. This includes all members of the resident's household. (283)

Resident Association

An organization formed to resolve matters related to

living conditions in the manufactured home park. The organization must have written permission from at least 51 percent of the home owners in the park to represent them. (284)

Forms Required by State Law

There are two forms that people buying and selling manufactured homes will use. These are the Notice required by state law (Form 1) and the Safety Feature Disclosure Form (Form 2). The full text of these forms follows.

Form 1: Notice Required by State Law

The following notice must be printed in ten-point, boldface print:

Important Notice

State law provides special rules for the owners and residents of manufactured home parks.

You may keep your home in the park as long as the park is in operation and you meet your financial obligations, obey state and local laws which apply to the park, obey reasonable park rules, do not substantially annoy or endanger the other residents or substantially endanger park personnel and do not substantially damage the park premises. You may not be evicted or have your rent increased or your services cut for complaining to the park owner or to a governmental official.

If you receive an eviction notice and do not leave the park, the park owner may take you to court. If you lose in court, a sheriff may remove you and your home from the park within seven days. Or, the court may require you to leave the park within seven days but give you 60 days to sell the home within the park.

If you receive an eviction notice for a new or amended rule and the court finds the rule to be reasonable and not a substantial modification of your original agreement, the court will not order you to leave but will order you to comply with the rule within ten days. If you do not comply within the time given or if you violate the rule at a later time, you will be subject to eviction.

All park rules and policies must be reasonable. Your rent may not be increased more than twice a year. Changes made in park rules after you become a park resident will not apply to you if they substantially change your original agreement.

The park may not charge you an entrance fee.

The park may require a security deposit, but the deposit must not amount to more than two months rent.

You have a right to sell the home in the park. But the sale is not final until the park owner approves the buyer as a new resident, and you must advise in writing anyone who wants to buy your home that the sale is subject to final approval by the park owner. You must also disclose in writing certain safety information about your home to anyone who wants to buy it in the park. You must give this information to the buyer before the sale, in writing, on the form that is attached to this notice. You must completely and accurately fill out the form and you and the buyer should each keep a copy.

Your rental agreement and the park rules contain important information about your rights and duties. Read them carefully and keep a copy.

You must be given a copy of the shelter or evacuation plan for the park. This document contains information on where to seek shelter in times of severe weather conditions. You should carefully review the plan and keep a copy.

By February 1 of each year, the park must give you a certificate of rent constituting property taxes as required by Minnesota Statutes, section 290A.19.

For further information concerning your rights, consult a private attorney. The state law governing the rental of lots in manufactured home parks may also be enforced by the Minnesota Attorney General.

Form 2: Safety Feature Disclosure Form

A resident or a resident's agent shall disclose information about safety features of the home to the prospective buyer. The information must be given to the buyer before the sale, in writing, in the following form: (285)

This form is required by law to be completed and given to the prospective buyer of any used manufactured home by all private parties, dealers, and brokers.

This home has at least one egress window in each bedroom, or a window in each bedroom that meets the specifications of the American National Standard Institute 1972 Standard A119.1 covering manufactured homes made in Minnesota. This standard requires that the window be at least 22 inches in least dimension, and at least five square feet in area, and that the window be not more than four feet off the floor. Egress windows installed in compliance with the United States Department of Housing and Urban Development Manufactured Home Standards or the State Building Code are deemed to meet the requirements of this section.

This home

Yes No

has _____ (number) of exits. They are located _____

This home is equipped with fire extinguishers as required by the Minnesota state health department.

Yes No

They are located _____

This home is equipped with at least one listed automatic smoke detector outside each sleeping area as required in homes built in accordance with the state building code.

Yes No

This home has aluminum electrical wiring.

Yes No

Aluminum electrical wiring can present a fire hazard in homes. The special hazards presented by aluminum electrical wiring can be eliminated by certain repairs, as recommended by the United States Consumer Product Safety Commission.

A. The wiring connections to the outlets in this home have been crimped, and the connection point is now copper.

Yes No

B. This home has electrical outlets and switches compatible with aluminum electrical wiring.

Yes No

C. Other action has been taken to eliminate or reduce the danger caused by aluminum electrical wiring in this home. (Describe)

(The buyer may check the effectiveness of these methods by contacting the United States Consumer Product Safety Commission.)

The furnace compartment in this home is lined with gypsum board, as specified in the 1976 United States Department of Housing and Urban Development codes governing manufactured housing construction.

Yes No

The water heater enclosure in this home is lined with gypsum board, as specified in the 1976 United States Department of Housing and Urban Development codes governing manufactured housing construction.

Yes No

This home contains a solid fuel burning stove. This stove was installed by the manufacturer of the home after June 15, 1976, and was inspected for compliance with the United States Department of Housing and Urban Development Manufactured Home Standards.

Yes No

Safety Feature Disclosure Form, continued

This home contains a solid fuel burning stove. This stove unit is approved for installation in manufactured homes. It was installed by _____ in accordance with the manufacturer's guidelines. A building permit for this stove was issued by the city of _____, and this stove installation has been approved by the building official.
Yes No

This home contains a solid fuel burning fireplace. The fireplace was installed by the manufacturer of the home after June 15, 1976, and was inspected for compliance with the United States Department of Housing and Urban Development Manufactured Home Standards.
Yes No

This home contains a solid fuel burning stove. This stove was installed by the manufacturer of the home after June 15, 1976, and was inspected for compliance with the United States Department of Housing and Urban Development Manufactured Home Standards.
Yes No

This home contains a solid fuel burning stove. This stove unit is approved for installation in manufactured homes. It was installed by _____ in accordance with the manufacturer's guidelines. A building permit for this stove was issued by the city of _____, and this stove installation has been approved by the building official.
Yes No

This home contains a solid fuel burning fireplace. The fireplace was installed by the manufacturer of the home after June 15, 1976, and was inspected for compliance with the United States Department of Housing and Urban Development Manufactured Home Standards.
Yes No

This home contains a solid fuel burning fireplace. This fireplace unit is approved for installation in manufactured homes. It was installed by _____ in accordance with the manufacturer's guidelines. A building permit for this fireplace was issued by the city of _____, and this fireplace installation has been approved by the building official.
Yes No

This home is supported by a support system, as required by state code since September 1, 1974.
Yes No

It is also recommended that the buyer check the home's heat tape. Old and worn heat tape, and improper installation of heat tape, can cause a fire hazard.

It is recommended that the buyer have a qualified utility representative check the furnace and water heater to see that they are both in good working order. If this home was converted from oil to natural gas heat, there could be safety problems if the conversion was not done correctly. A utility representative or building official can inspect the condition and installation of this equipment. They may charge a reasonable fee to do so. It is also recommended that the buyer check the floor area around the water heater and furnace compartments. A weakened floor can create a fire hazard.

It is also recommended that the buyer have a utility approved energy audit of the home.

If you purchase the home, you will be required to install egress windows within one year and smoke detectors and fire extinguishers within 30 days. You will be required to comply with all of the safety features contained in this form within three years.

I, _____, the undersigned, hereby declare that the above information is true and correct to the best of my knowledge.

Signature _____

Date _____

This safety feature disclosure form must be filled out and given to any prospective buyer. (286)

Additional Consumer Information

The Attorney General's Office answers questions about landlord and tenant rights, mobile homes, health care, cars, credit, unwanted mail and phone calls, and numerous other consumer issues. The Attorney General's Office also provides free mediation to resolve disputes between Minnesota consumers and businesses and uses information from consumers to enforce the state's consumers laws.

If you have a complaint, please contact the Attorney General's Office in writing at: Minnesota Attorney General's Office, Suite 1400, 445 Minnesota Street, St. Paul, MN 55101. Citizens can also receive direct assistance from a consumer specialist by calling: (651) 296-3353 or 1-800-657-3787. TTY numbers are: (651) 297-7206 or 1-800-366-4812 (TTY numbers are for callers using teletypewriter devices.) Visit our website at: www.ag.state.mn.us

Consumer publications listed below are available free of charge from the Attorney General's Office:

- The Car Handbook
- Citizen's Guide to Home Building and Remodeling
- Conciliation Court
- The Credit Handbook
- Guarding Your Privacy: Tips to Prevent ID Theft
- The Home Buyer's Handbook
- The Home Seller's Handbook
- Landlords and Tenants: Rights and Responsibilities
- Managing Your Health Care
- The Manufactured Home Parks Handbook
- Minnesota's Car Laws
- The Phone Handbook
- Probate and Planning
- Pyramid Schemes
- Seniors' Legal Rights
- Other Miscellaneous Information



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Minnesota Attorney General
Mike Hatch
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St. Paul, MN 55101