



General Assembly

January Session, 2023

Raised Bill No. 988

LCO No. 4001



Referred to Committee on HOUSING

Introduced by:
(HSG)

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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (f) of section 21-70 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (f) (1) Any person or entity making an application to appear before
5 any municipal, state or federal agency with respect to any matter
6 changing the land use of a specific mobile manufactured home park
7 shall give written notice of the application by certified mail, return
8 receipt requested and by first class mail with tracking addressed to the
9 affected units of the park [or] and by personal delivery to the units not
10 later than seven days after its filing. Such person or entity shall also send
11 or deliver a copy of such notice to the Department of Housing,
12 Connecticut Housing Finance Authority and Department of Consumer
13 Protection and to any association of residents of the mobile
14 manufactured home park which has made a written request for such
15 notice. The notice shall state the reasons for which the application was

16 filed and shall be sent by certified mail, return receipt requested.

17 (2) [Except as otherwise provided in subdivision (5) of this
18 subsection, any] Any mobile manufactured home park owner who
19 intends to discontinue the use of the land as a mobile manufactured
20 home park or to sell, lease, or transfer land used as a mobile
21 manufactured home park to any person [who intends to discontinue its
22 use as a mobile manufactured home park] shall give written notice by
23 certified mail, return receipt requested, by first class mail with tracking
24 addressed to each mobile manufactured home unit [or] and by personal
25 delivery to each unit upon such land. [if such transaction will entail the
26 discontinuance of the use of the land for mobile manufactured home
27 park purposes.] If an owner of a mobile manufactured home has given
28 the park owner written notice that the owner resides in a place other
29 than the owner's unit, notice shall be sent by first class mail to the
30 address so provided. A copy of such notice shall also be sent to the
31 Department of Housing, Connecticut Housing Finance Authority and
32 Department of Consumer Protection. The notice shall include a
33 statement of the residents' rights under this subsection and the
34 deadlines for exercising such rights. If the notice is based on a sale of the
35 park, the notice shall also include the price, terms and conditions of the
36 offer the park owner has conditionally accepted or plans to accept and
37 a copy of the signed written contract or offer. The notice shall include a
38 statement advising the recipient of the intended discontinuance of use
39 or sale, lease or other transfer and [, except as otherwise provided in
40 subdivision (5) of this subsection,] shall be mailed [or] and delivered at
41 least one hundred twenty days prior to the discontinuance of the use of
42 the land as a mobile manufactured home park or the proposed closing
43 upon the sale of the park, whichever is earlier. The notice may run
44 concurrently with the notice required by subdivision (3) of subsection
45 (a) of section 21-80 or subparagraph (E) of subdivision (1) of subsection
46 (b) of section 21-80. A copy of such notice from the park owner shall be
47 sent to any association of residents of the mobile manufactured home
48 park which has made a written request for such notice. A mobile
49 manufactured home park owner may accept an offer for the sale, lease

50 or transfer of the land before providing a copy of such notice as long as
51 the agreement is conditioned upon giving the residents the notice and
52 the opportunity to purchase required by this subsection.

53 (3) [Except as otherwise provided in subdivision (5) of this
54 subsection, within] Within one hundred twenty days after the notice
55 provided for in subdivision (2) of this subsection has been mailed, any
56 association representing twenty-five per cent or more of the units in the
57 park that are occupied by their owners or one or more of the owner's
58 family members, including an association formed after the issuance of
59 the notice, may notify the owner of the park that it is interested in
60 purchasing the mobile manufactured home park. A copy of such notice
61 may be filed on the land records of the town in which the mobile
62 manufactured home park is located. If such notice is given, [except as
63 otherwise provided in subdivision (5) of this subsection,] the association
64 shall have three hundred sixty-five days after the notice required in
65 subdivision (2) of this subsection has been given to purchase the park
66 through negotiation or the method set forth in subdivision (4) of this
67 subsection, or if it proceeds pursuant to subdivision (5) of this
68 subsection and reaches an agreement with the park owner for purchase
69 of the park, to close on the sale. Upon the request of the association, the
70 Department of Housing and the Connecticut Housing Finance
71 Authority shall assist the association in developing financing for the
72 purchase of the park.

73 (4) If the association and the park owner cannot agree upon a
74 purchase price, the association shall have the right to purchase the
75 property: (A) If the association matches the essential provisions of any
76 existing bona fide offer to purchase the park made by another potential
77 purchaser which offer by such other purchaser the owner is prepared to
78 accept; or (B) if there is no such offer, at a purchase price to be
79 established by an appraiser chosen by the association and the park
80 owner, then the park owner shall sell the park to the association at such
81 purchase price in accordance with this subsection. No park owner shall
82 unreasonably refuse to enter into, or unreasonably delay the execution
83 or closing on, a purchase and sale agreement with an association that

84 has made a bona fide offer to meet the price and substantially equivalent
85 terms and conditions of an offer for which notice is required to be given
86 pursuant to this subsection. If the two parties cannot agree upon one
87 appraiser, either party may notify the other, in writing, of such
88 disagreement, and the association shall choose an appraiser, the park
89 owner shall choose an appraiser, and the two appraisers shall choose a
90 third appraiser, which three appraisers shall establish a value of the
91 park. If the park owner refuses to select an appraiser within fifteen days
92 of such notice, the Commissioner of Consumer Protection shall choose
93 an appraiser for the park owner. The costs of all appraisers shall be paid
94 equally by the association and the park owner. [Except as otherwise
95 provided in subdivision (5) of this subsection, if,] If, within three
96 hundred sixty-five days from the mailing of the notice required in
97 subdivision (2) of this subsection, no agreement for [such sale] the sale
98 of the mobile manufactured home park signed by the association and
99 the park owner has been filed upon the land records, or if the association
100 has not filed a certified statement to purchase the park at the appraised
101 value which value shall also be certified on the land records by the
102 appraiser or appraisers, the right provided in this subsection to
103 purchase the park shall be void and any recorded notice filed pursuant
104 to subdivision (3) of this subsection shall be void.

105 [(5) In any case in which a mobile manufactured home park with two
106 hundred or more units in which a majority of residents have been given
107 written notice, prior to June 10, 1999, of the intended discontinuance of
108 the use of the land as a mobile manufactured home park, regardless of
109 whether one or more of such notices or the service of such notices is
110 subsequently deemed invalid or ineffective, (A) any subsequent notice
111 of such intended discontinuance that is given or required to be given
112 after June 23, 1999, by the owner pursuant to this subsection, and (B)
113 any notice given or action taken pursuant to this subsection after June
114 23, 1999, by any association representing twenty-five per cent or more
115 of the units in the park shall be subject to the time limitations contained
116 in this subsection that were in effect immediately prior to June 23, 1999.]

117 (5) Within the one hundred twenty-day time period prescribed by

118 subdivision (3) of this subsection, an association that meets the
119 requirements of said subdivision shall have the right to make an offer to
120 purchase the park without following the method or invoking the rights
121 set forth in subdivision (4) of this subsection, in which case the
122 association shall so state when presenting its offer to the park owner. In
123 such a case, the park owner shall have the duty to consider the
124 association's offer and negotiate with such association in good faith.

125 (6) An association of residents that has the right to purchase under
126 this subsection may, at its election, assign its purchase rights to the
127 municipality where such association is located, the housing authority
128 for its area, an agency of the state or any nonprofit organization for the
129 purpose of continuing the use of the property as a mobile manufactured
130 home park.

131 (7) The requirements of subdivisions (2) to (6), inclusive, of this
132 subsection shall apply separately to each substantially different offer to
133 sell or purchase a mobile manufactured home park.

134 (8) Subdivisions (2) to (7), inclusive, of this subsection shall not apply
135 if:

136 (A) The sale, lease or transfer is to a family member of the owner or
137 to a trust, the beneficiaries of which are family members of the owner;

138 (B) The transfer is by gift, devise or required by operation of law;

139 (C) The sale, lease or transfer is by a partnership to one or more of its
140 partners;

141 (D) The conveyance of an interest in the park is incidental to the
142 financing of such park;

143 (E) The lease is the lease of a lot within the mobile manufactured
144 home park to a person who will live in a mobile manufactured home on
145 such lot;

146 (F) The sale, lease or transfer is between joint tenants or tenants in

147 common; or

148 (G) The sale is made by eminent domain.

149 Sec. 2. (NEW) (*Effective October 1, 2023*) An owner of a mobile
150 manufactured home park who sells such park to residents of the park in
151 compliance with the requirements of subsection (f) of section 21-70 of
152 the general statutes, as amended by this act, shall be exempt from
153 payment of state conveyance taxes otherwise due based on the sale price
154 of the park, provided (1) the entity purchasing the mobile manufactured
155 home park is owned by at least twenty-five per cent of the residents of
156 the park or an organization exempt from taxation under Section
157 501(c)(3) of the Internal Revenue Code, and (2) the sale terms require the
158 guaranteed maintenance of the property as a mobile manufactured
159 home park.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	21-70(f)
Sec. 2	<i>October 1, 2023</i>	New section

Statement of Purpose:

To allow residents of a mobile manufactured home park that is being sold to buy such park by matching the sales price for such park.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]