

CONSUMER'S EDGE

CONSUMER PROTECTION DIVISION, MARYLAND OFFICE OF THE ATTORNEY GENERAL

ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

MOBILE HOMES IN MARYLAND

Mobile homes are unique in that, while you may own the mobile home, you likely rent the land that it sits on from a mobile home park owner. Because mobile home residents are both owners and tenants, there are unique issues that can arise. The rights of mobile home residents are protected by the Maryland Mobile Home Parks Act of 1980.



Before you buy. Unless you own a piece of property that you want to put your mobile home on, you'll have to rent space at a mobile home park, or buy a mobile home that is already in place at a park. There are very few vacancies at mobile home parks in Maryland, and new parks do not open frequently. This means two things: (1) it may be hard to find a place to rent, and (2) if in the future you want to move your mobile home to a different park, your options may be very limited – it may be much easier to sell your current mobile home and buy another at a different park than to move your mobile home. Mobile homes may be less “mobile” than their name suggests.

Moving in. Before you rent space in a mobile home park, the park owner must notify you in writing of the (1) the amount you will pay in rent, (2) the connection fee for all utility services, (3) all services and facilities that the park owner will provide, (4) your obligations as a tenant and those of the park owner, and (5) a description of your lease termination and renewal options. The park owner must also provide you with a written copy of the lease agreement, which must provide for an initial term of tenancy of at least one year. So long as you pay your rent on time and don't

repeatedly violate the park rules, the park owner must offer you additional year-long leases when your lease expires. Your lease cannot include any provision allowing the park owner to take possession of your home or to evict you or your property from the premises without your consent or without a court order.

The maximum amount you can be required to pay for a security deposit is two month's rent, or \$50, whichever is greater. If the park owner charges you for a security deposit, they must also provide a written description of all existing damages – make sure you keep that list in a safe place in case the park owner later claims that you caused any of those damages. If the park owner doesn't give you that list, they may be required to give you back three times the amount of your security deposit, less any amounts you may owe for damages or unpaid rent.

Enjoying your home. Generally, a park owner may not require you to pay for any permanent improvements to the mobile home park that would become the property of the park owner, such as sidewalk repair. The park owner cannot require you to purchase any service or product, such as gas or oil, from any specific supplier, except for safety reasons. And the park owner cannot prohibit you from altering or improving the interior of your mobile home, as long as your changes comply with applicable codes and laws.

The park owner also must maintain the park in good order. That means that the park owner must ensure that the park complies with county health and building codes, keep the common areas safe and clean, and keep all the utilities in good working order, including water service. If the park owner includes any utility in your rent, such as water or electricity, the park owner is responsible to pay for those utilities. If the park owner pays for the utilities directly, and then charges you for your share, the park owner cannot charge you at a rate higher than that charged by the utilities.

The park owner cannot retaliate against you for complaining about the conditions at the park, or that the park owner has violated the rental agreement. Retaliatory actions include increasing your rent, decreasing your access to facilities, threatening or taking action to evict you, or terminating your lease.

Moving out. If you want to sell your mobile home, you must give the park owner at least 30 days' notice of your



intent to sell, and the park owner has the right to approve of the condition of your mobile home for resale, and to approve any potential buyer before you sell. A park owner may not arbitrarily withhold these approvals. Unless something significant happens to the home, the park owner can only inspect it for resale once per year, and can charge no more than \$60 for the resale inspection. You must provide any potential buyer with a list of the park rules before you sell. A park owner cannot collect a commission on the sale of the home unless they acted as an agent for one of the parties

Evictions. A park owner can only evict a tenant for the following reasons: (1) failure to pay rent, (2) making a false statement on a lease application, (3) violating a law that affects the health or welfare of other park residents, or (4) repeated violations of a park rule within a 6-month period. The park owner must give a tenant 30 days' advance notice before the tenant is required to leave the park, and the notice must indicate the specific reasons for the eviction. A tenant cannot legally be evicted for filing a complaint or lawsuit against the owner, or for becoming a member of a tenants' organization.

If a tenant holds over, the park owner must go through the court process to legally remove the tenant. The park owner cannot forcibly take possession, and cannot try to drive the tenant out by withholding services or utilities like heat, running water, gas, or electricity.

What if the mobile home park closes? The owner of a mobile home park may decide to stop operating the mobile home park, or may sell the land to a developer that wants to use the land for something other than a mobile home park. The park owner must give all tenants at least one year's notice before residents are required to leave, and must file with the county a plan for how residents will be relocated. Depending on the size of the mobile home park, residents may be entitled to some payment for relocation assistance from the park owner. The park owner is not required to guarantee replacement spots in other mobile home parks for all residents, only to make reasonable efforts to do so. If you and the park owner are unable to find a replacement spot at another park, and you are unable to find a buyer for your mobile home, you may be in a difficult spot.

Mobile Home Tips

1. Know your county's rules before buying a mobile home. Many counties have strict zoning regulations about placing mobile homes on private land, so make sure you know whether you can place a mobile home on your land before you agree to buy. If you're planning to buy a mobile home and place it in a mobile home park, examine the conditions at the park, and talk to other residents about their experiences. It's a good idea to visit the park on different days, including weekends, and at different

- times. This will allow you to learn about the neighborhood in which your new home will be placed.
2. Read the rules. Be sure to read all the park rules before you sign a lease. Unreasonable and discriminatory rules are prohibited, but some parks restrict pets, children, ball playing, car washing, and more. The park owner may set standards for the size, quality, appearance, and safety condition of mobile homes in the park. Be sure to keep a copy of all the rules and the lease in a safe place. You may need to refer to them in case a dispute arises.
3. Ask about fees. Along with a security deposit, the park owner may also charge reasonable fees for installation or removal of a mobile home. Make sure you know these amounts, and any other amounts you'll have to pay for utilities before you agree to the lease.
4. Contact the health department in the county where the park is located and speak to an inspector who has inspected the park. Ask about problems that the park may have had, such as lighting, sewage, drainage, access roads, and trash removal.

Where to Get Help

The Consumer Protection Division enforces the Maryland Mobile Home Parks Act and works with consumers who file complaints against mobile home park owners. If you have a complaint, try first to resolve it by contacting the park owner or manager yourself.

If your complaint relates to health or safety, call your local health department.

HOW TO CONTACT US

Consumer Protection Division

200 St. Paul Place, 16th Fl., Baltimore, MD 21202

- **General Consumer Complaints:** 410-528-8662
Toll-free: 1-888-743-0023 TDD: 410-576-6372
En español: 410-230-1712
9 a.m. to 3 p.m. Monday-Friday
www.marylandattorneygeneral.gov/Pages/CPD/
- **Health Consumer Complaints:** 410-528-1840
Toll-free: 1-877-261-8807 TDD: 410-576-6372
9 a.m. to 4:30 p.m. Monday-Friday
www.marylandcares.org
- **For information on branch offices** in Largo, Salisbury, Hagerstown, and a full list of offices across Maryland, visit: www.marylandattorneygeneral.gov/Pages/contactus.aspx

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ANTHONY G. BROWN

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