

**SUBSTITUTE FOR  
HOUSE BILL NO. 4869**

A bill to allow and protect the rights of manufactured home park tenants to organize a manufactured homeowners association; to provide for certain procedures for the manufactured homeowners association; and to provide certain remedies.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. This act shall be known and may be cited as the  
2 "manufactured homeowners association act".

3       Sec. 2. As used in this act:

4       (a) "Manufactured home" means a structure, transportable in 1  
5 or more sections, that is built on a chassis and designed to be  
6 used as a dwelling with or without permanent foundation, when  
7 connected to the required utilities, and includes the plumbing,  
8 heating, air-conditioning, and electrical systems contained in  
9 the structure. Manufactured home includes a manufactured home as  
10 defined in section 603(6) of the national manufactured housing

1 construction and safety standards act of 1974, title VI of the  
2 housing and community development act of 1974, Public Law 93-383,  
3 42 USC 5402.

4 (b) "Manufactured home park" means a parcel or tract of land  
5 under the control of a person upon which 3 or more manufactured  
6 homes are located on a continual, nonrecreational basis that is  
7 licensed or licensable for use as a manufactured home park by  
8 this state and that is offered to the public for that purpose  
9 regardless of whether a charge is made for that purpose, together  
10 with a building, structure, enclosure, street, equipment, or  
11 facility used or intended for use incident to the occupancy of a  
12 manufactured home.

13 (c) "Park owner" means an owner or operator of a manufactured  
14 home park.

15 (d) "Park resident" means an owner of a manufactured home who  
16 rents a lot in a manufactured home park. Park resident includes  
17 a member of the manufactured homeowner's household.

18 Sec. 3. (1) A park resident may organize a manufactured  
19 homeowners association.

20 (2) In organizing a manufactured homeowners association, a  
21 park resident is allowed to do both of, but is not limited to,  
22 the following no more than 1 time each calendar year:

23 (a) Distribute fliers regarding the organization of a  
24 manufactured homeowners association.

25 (b) Knock on doors within the manufactured home park in which  
26 he or she is a park resident.

27 (3) A park owner shall not harass, evict, or retaliate

1 against a park resident because the park resident organized, is  
2 organizing, becomes, or is becoming a member of a manufactured  
3 homeowners association. A park owner shall not interfere with  
4 the organization or operation of a manufactured homeowners  
5 association, including, but not limited to, interference by  
6 denying the manufactured homeowners association the use of common  
7 areas or meeting space otherwise available to park residents. A  
8 park owner that makes the common area available to a manufactured  
9 homeowners association under the same terms and conditions under  
10 which common area is made available to other residents,  
11 including, but not limited to, appropriate rental fees, a damage  
12 deposit, and allocation of cleanup responsibilities, has not  
13 interfered with or denied the use of the common area to the  
14 manufactured homeowners association.

15 (4) No more than 1 time each calendar year, an organizational  
16 meeting for a manufactured homeowners association may be held.  
17 Any park resident may attend the meeting and join the  
18 manufactured homeowners association.

19 (5) At the organizational meeting, park residents shall vote  
20 on adoption of bylaws and officers for the manufactured  
21 homeowners association. The officers shall include a president,  
22 vice president, secretary, and treasurer. Adoption of the bylaws  
23 and election of officers shall be by a majority vote of park  
24 residents in attendance at the meeting.

25 (6) Any time after a manufactured homeowners association is  
26 organized, it may be dissolved by a vote of the majority of the  
27 members of the association. If the association has funds

1 remaining after dissolution, they shall be used first to cover  
2 the association's outstanding debt. Any funds that remain after  
3 the association's debt is paid shall be distributed pro rata to  
4 the members of the association.

5       Sec. 4. The attorney general or an affected individual may  
6 bring an action to enforce this act in a court of competent  
7 jurisdiction in the county where the defendant resides or does  
8 business. A person whose rights are affected because of a  
9 violation of this act is entitled to recover actual damages or  
10 \$500.00, whichever is greater, together with reasonable attorney  
11 fees. The court may also order equitable relief, including, but  
12 not limited to, injunctive relief.

13       Enacting section 1. This act does not take effect unless  
14 House Bill No. 4868 of the 92nd Legislature is enacted into law.