

MEMORANDUM

TO: Vermont Mobile Home Park Owner
FROM: Department of Economic, Housing and Community Development
RE: Notification of Intent to Sell a Mobile Home Park
10 V.S.A. §6242 and the Housing Division Rules Part I, Section 13

The provisions of the Mobile Home Park Act and Housing Division Rules that pertain to mobile home park sales are designed to preserve the affordability of mobile home parks by giving the owner's of mobile homes in the park an opportunity to buy the park as a group or approve a not-for-profit housing organization to purchase the park. Therefore, Vermont law requires notice to each mobile home owner and the Commissioner of the Department of Economic, Housing and Community Development before attempting to sell a mobile home park. **The law also requires a sale notice before closing a mobile home park unless you are not selling the land for at least five years.**

After you give notice, the mobile home owners have 45-days in which to decide if they would like to buy the mobile home park. During this time you may not commit to selling the mobile home park to anyone else. If a majority of the mobile home owners are interested in buying the park or approve a not-for-profit to represent them, they must notify you before the end of the 45-day period. Then you will have an additional 90-day period to negotiate the sale of the mobile home park in good faith with each other. If you pay Vermont income taxes, you may be eligible for a tax credit if you sell the mobile home park to the mobile home owners or their designated nonprofit representative. This is an additional factor that you should discuss with your attorney or tax preparer. During the entire 135-day period (45 plus 90) from the notice, you may not commit to selling the mobile home park to anyone except for the mobile home owners or a not-for-profit housing organization they have approved.

If you do not receive notice from the mobile home owners within the 45-day period that they are interested in buying the park, or they let you know they are not interested, then you have one year from the end of the 45-day period to sell the mobile home park to someone else for no less than the price you offered to the mobile home owners in the notice.

In addition, the law requires disclosure of the results of any recent sanitary survey, water tests taken during the past three years, and applicable State and local permits to any person who buys the mobile home park to ensure that it provides safe and sanitary housing. (See 10 V.S.A. §6266(d)).

INSTRUCTIONS

You must fully complete, sign, and return the Notification Of Intent To Sell A Mobile Home Park form to the Commissioner BY CERTIFIED MAIL, and enclose a complete list of the names and mailing addresses of the mobile home owners, and a copy of the notification letter they received from you. You must also provide the notice to each mobile home owner BY CERTIFIED MAIL. The notice to the mobile home owners must include a notification letter, the Notification of Intent to Sell form, and the park mailing list. Enclosed is a sample notification letter that includes the information required by law.

If you need additional copies, these forms and instructions are available on our website at <http://www.dhca.state.vt.us/housing>. If you have any questions, please do not hesitate to call DEHCD at 1-866-933-6249 or (802) 828-3211.

Enclosures:

1. Notification to Department of Economic, Housing and Community Development of Intent to Sell a Mobile Home Park form
2. Sample Notification Letter for Park Sale

**NOTIFICATION TO DEPARTMENT OF ECONOMIC, HOUSING AND COMMUNITY
DEVELOPMENT OF INTENT TO SELL A MOBILE HOME PARK**

1. Name of Owner(s): _____
 a. Mailing Address: _____ b. Phone #: _____ (W)
 _____ (H)

2. Name of Mobile Home Park: _____
 a. Park Address: _____ e. # Mobile Home Lots: _____
 _____ # Mobile Homes at Park: _____
 _____ # Owned by Park Owner: _____
 _____ # Owned by Leaseholders: _____
 b. Taxed by City/Town(s): _____ # of Mobile Home Owners: _____
 c. Year park established: _____
 d. Year(s) of expansion(s): _____ f. Lot Rent: _____ Date of last increase: _____

3. Is the park served by municipal water? _____ sewer? _____ **If no, describe water and septic systems:**

Indicate whether, to your best knowledge, the mobile home park is in compliance with applicable statutes, regulations and permits of the following: {Required by 10 V.S.A. Section 6242 (a)(4)}

Water:	yes _____	no _____	Act 250 permit(s):	yes _____	no _____
Sewer/Septic:	yes _____	no _____	Mobile Home Park registration:	yes _____	no _____
Electrical:	yes _____	no _____	Municipal permit or license:	yes _____	no _____

If no, give reasons for noncompliance: _____

4. a. Asking Price: \$ _____ Price Includes: Number of Acres _____
 (If more space required use back of form) Other buildings _____
 Equipment _____
 b. Sale Terms: _____
 c. Is there a private sale pending? _____ Attach copy if available.

Please attach names of all mobile home owners, their complete mailing address, lot number, and the number of leaseholds held by each.

CERTIFICATION - I certify that the foregoing and attached information is true and correct.

Owner's Signature: _____ Co-Owner's Signature: _____
 Date: _____ Date: _____

SEND BY CERTIFIED MAIL TO MOBILE HOME OWNERS AND:

Noelle MacKay, Commissioner
 Department of Economic, Housing & Community Development
 1 National Life Drive, 6th Floor
 Montpelier, VT 05620-0501

INSTRUCTIONS

1. **Name and address of owner:** 1. Provide the name(s) of actual owner(s) of the mobile home park. If the mobile home park is owned by a partnership or corporation, include all partners or principals of the corporation; 1a. Provide the mailing address for the park owner(s); 1b. Telephone number(s) where owner can be reached.
2. **Name and description of the mobile home park:** Provide the name of the mobile home park, if any. If none, the Department uses the park owner(s) name; 2a. Provide the actual physical address/location of the mobile home park; 2b. City or Town(s) to which property taxes assessed on the mobile home park are paid; 2c. Year the park was established; 2d. The year(s), if any, that additional lots were developed in the mobile home park; 2e. Number of developed lots in the mobile home park and number of mobile homes currently sited; number of mobile homes that you own and number owned by leaseholders; 2f. Current lot rent (including any capital improvements surcharge) and the date of the most recent rent increase.
3. **Utilities and permits:** Answer “Yes” or “No” to indicate whether the mobile home park is served by municipal water and sewer. If “No”, provide explanation as to the water source and type of septic systems for the mobile home park. Check off “Yes” or “No” whether, to the owner’s best knowledge, the mobile home park is in compliance with the required permits and/or registrations listed. For any “No” answer provide an explanation of the reason for the noncompliance and any steps being taken to correct the noncompliance.
4. **Asking price and terms:** Provide the asking price for the mobile home park; 4a. Indicate the amount of land/acreage that is included, all buildings included with the sale, including any mobile homes that you own that are included, garages, equipments sheds/storage etc.; Provide detailed descriptions of any buildings (e.g. type of building, age, size, condition, value); 4b. Sale terms: indicate whether or not there are any special conditions to the sale or if, for example, you are offering owner financing; 4c. Indicate whether or not a private sale is pending, and if available, attach a copy of any purchase and sale agreement or offer.

Attach a complete list of the mobile home owner’s names and mailing addresses, lot number, and number of leaseholds held by each. The mobile home park owner must sign and date the form. **SEND BY CERTIFIED MAIL TO THE COMMISSIONER OF ECONOMIC, HOUSING AND COMMUNITY DEVELOPMENT AND EACH MOBILE HOME OWNER ALONG WITH A COPY OF THE NOTIFICATION LETTER.** If you have any questions call the Department at (802) 828-3211 or 1-866-933-6249.

USE THE SPACE BELOW OR ADDITIONAL SHEETS, IF NEEDED FOR FURTHER EXPLANATIONS FOR ANY QUESTION.

MOBILE HOME PARK SALE
SAMPLE NOTIFICATION LETTER TO MOBILE HOME OWNERS

** See Rule 13.1 for description of requirements **

Send by **Certified Mail** to Mobile Home Owner's and
Commissioner of Economic, Housing and Community Development

Date: _____

Dear Mobile Home Owner(s):

Please be advised that {I/we} intend to sell the mobile home park in which you own a mobile home. Pursuant to State law I am required to give you the opportunity to consider buying the park before selling it to anyone else, or before closing the park to sell the property within five years. This notice **is ___ is not ___** due to a potential closure of the park to sell the land for another use. If a majority of the park's mobile home owners are interested, you may negotiate to buy the mobile home park as a group, or approve a nonprofit housing organization to buy the mobile home park. In a few weeks, the Department of Economic, Housing and Community Development will schedule an informational meeting to tell you more about your rights.

The property that is for sale includes {describe in detail}:

Number of Acres	_____	No. MH Lots	_____
Buildings	_____	Mobile homes	_____
Equip. / Vehicles	_____	Other items	_____

The asking price for the above property is \$_____.

The terms and conditions of the sale are:

_____.

To the best of my/our knowledge, the mobile home park **is ___ is not ___** in compliance with applicable statutes, regulations and permits. **{Discuss the status of compliance}**

As required by law, for 45 days following receipt of proper notice to the Department of Economic, Housing and Community Development and your receipt of this notice, {I/we} will not commit to selling the mobile home park to anyone else except a group representing a majority of the mobile home owners or a nonprofit corporation approved by you. A copy of the form filed with the Department is enclosed.

If a majority of the mobile home owners are interested in buying the mobile home park or authorizing a nonprofit organization to buy it, you must notify {me/us} within 45-days. If {I/we} receive notice within the 45-day period from a group representing a majority of the mobile home owners or a nonprofit organization approved by you, that you are interested in buying the mobile home park, then you will have an additional 90 days to negotiate in good faith with {me/us} to buy the mobile home park. If you exercise your rights within 45-days, then

during the entire 135-day period, {I/we} will not commit to selling the mobile home park to anyone else except a group representing a majority of the mobile home owners or a nonprofit organization approved by you.

If {I/we} do not receive notice within the 45-day period that a majority of you are interested in buying the park or have approved a nonprofit organization to represent you, then for one year after the 45-day period ends {I/we} will be free to sell the mobile home park to someone else for no less than the price disclosed in this notice.

Attached are the names and mailing addresses of current mobile home owners and the number of leases held by each. For assistance and more information, call the Housing Division of the Department of Economic, Housing and Community Development at 1-866-933-6249 or (802) 828-3211.

Sincerely,

{Owner}

Encl.

Mobile home owners' names and mailing addresses
Notification to Department of Intent to Sell a Mobile Home Park

cc: Noelle MacKay, Commissioner
Department of Economic, Housing and Community Development