

MEMORANDUM

TO: VERMONT MOBILE HOME PARK OWNERS
FROM: DEPARTMENT OF ECONOMIC, HOUSING AND COMMUNITY DEVELOPMENT
RE: ANNUAL REGISTRATION AND LOT FEE
DATE: JULY 31, 2009

Our Department has a new name. Effective July 1, 2009 the former Departments of Housing and Community Affairs and Economic Development merged into the Department of Economic, Housing and Community Development. Our address, phone number and website stayed the same. Please see other side for news about a new online service that will be available next year.

Enclosed please find the 2009 Mobile Home Park Registry Update and Lot Fee Invoice for your mobile home park(s). The invoice for the annual registration fee is on page 3. The lot fee is nine dollars (\$9.00) per occupied leased lot. The form and lot fee are due by September 1, 2009*. Regrettably, we are not able to provide a postage paid return envelope as we have done in the past.

Because of the transition to the new service, the enclosed survey form may not correctly show the physical address of your park(s). Please write in the actual address (E-911 address if available) of your park(s). Last year we changed question #3 Ownership Type. Please check the information and correct the Ownership Type if necessary. The types are: {Sole}, {Partnership/LLC/Trust/S-Corp}, and {C Corp}. All entities where the park's income is passed through to the individual tax returns of the owners should check off Partnership/LLC/Trust/S-Corp.

The lot fee is based on your answer to question #5a (occupied leased lots). Occupied leased lots means all leased lots that have a mobile home sited on them, plus all mobile homes in the park that you own and rent out. We also need to know the number of vacant lots and whether the vacant lots are available for lease; if not, please explain why any vacant lot is not available.

The only exception to the lot fee is that if you own **all** of the mobile homes in the mobile home park, then there is no fee. However, the registration form is still required by law. Please remit one check payable to **"State of Vermont"** for the amount due of \$9.00 per occupied leased lot.* The Department will not accept individual checks from residents.

Money raised from the lot fee is used for administering the mobile home park program, professional mediation in lot rent disputes, and collection of mobile home park data for reports to the legislature. The 2008 list of parks for is available on our website where you can also download the 2007 Registry and Mobile Home Parks Report. If you have any questions please contact Arthur Hamlin at (802)-828-3211 or 1-800-622-4553, or email arthur.hamlin@state.vt.us.

* The Department is authorized to take enforcement action under 10 VSA §6205(a) if we do not receive the registration form and lot fee by September 1, 2009. We can also pursue action in District Court to seek judgment for the lot fee plus interest and related expenses.

NEW MHP ONLINE SERVICE COMING NEXT YEAR

You may have noticed that the park registration forms have hardly changed since the Department was first required to create and maintain the park registration in 1995. Each year we print and mail a form to you, and you have to fill it out by hand and mail in a check for your lot fees. Department staff then have to manually enter the data from your forms. This is time consuming and inefficient. Therefore, we are excited to let you know that beginning next year, you will have the *option* of submitting your park registration data and paying the fee online. For several months, the Department has been working with the Vermont Information Consortium to develop a new service that will allow you to update your information and pay the fee electronically. If you prefer to mail the form with your payment you will still have that option. As allowed by 10 VSA Section 6254(c), this is being paid for out of the mobile home park registration fees that you already pay so it is not costing you or the state more to develop this new, more efficient and convenient service. This year the Department will be able to enter your information into the new service, but you will not see any difference. We expect sometime next year to provide directions and training on how to access and use the new system, if you choose to use it. In the meantime, if you have any suggestions or comments please feel free to contact us. If you have not visited our website we'd like to remind you that there is an online "fill in the blank" rent increase form and other useful documents and we recently uploaded the 2008 registry list of mobile home parks.

ARE CEMENT SLABS REQUIRED?

Increasingly, we have heard that some park owners are telling residents and potential residents that a cement slab is required before placing a mobile home on a park lot, and asking the resident to pay for the installation of a pad. Although in October 2008, the federal Department of Housing and Urban Development (HUD) regulations for Manufactured Home Set up and Installation went into effect, these regulations 1) ONLY APPLY TO BRAND NEW MOBILE HOMES THE FIRST TIME THEY ARE SET UP, AND 2) DO NOT REQUIRE CEMENT SLABS. If the resident is putting a brand new home in a park, the dealer/retailer or distributor is responsible for ensuring that the home is set up according to the manufacturer's instructions for mobile home foundations. There is no state or federal law requiring cement slabs for mobile homes. In general, park owners are responsible for any park improvements including cement pads, because the pads are part of the park's infrastructure and belong to the park owner. Specifically, Vermont's Mobile Home Park statute (10 V.S.A. chapter 153) allows a park owner to charge mobile home owner's for services performed in putting a home on the lot, but prohibits entrance fees which include charges for site improvements. If the mobile home owner's lender has specific foundation requirements these costs would likely be included in the financing of the purchase of the home. Please see our website for more detailed information.