

SB 210 - AS INTRODUCED

2022 SESSION

22-2949

11/04

SENATE BILL **210**

AN ACT relative to the sale of manufactured housing parks.

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Birdsell, Dist 19; Sen. Gray, Dist 6; Sen. Gannon, Dist 23; Sen. Avard, Dist 12; Sen. Giuda, Dist 2; Sen. Carson, Dist 14; Sen. Daniels, Dist 11; Sen. Soucy, Dist 18; Rep. Osborne, Rock. 4; Rep. Doucette, Rock. 8; Rep. L. Sanborn, Hills. 41; Rep. Potucek, Rock. 6

COMMITTEE: Commerce

ANALYSIS

This bill clarifies the notification requirements imposed upon manufactured housing park owners prior to selling manufactured housing parks.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the sale of manufactured housing parks.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Manufactured Housing Parks; Tenants' Right to Notification Prior to Sale. Amend RSA 205-
2 A:21 to read as follows:

3 205-A:21 Notice Required Before Sale.

4 I. No manufactured housing park owner shall make a final unconditional acceptance of any
5 offer for the sale or transfer of a manufactured housing park without first giving 60 days' notice:

6 (a) To each tenant:

7 (1) That the owner intends to sell the manufactured housing park; and

8 (2) Of the price, terms and conditions of an acceptable offer the park owner has
9 received to sell the park or the price, terms and conditions for which the park owner intends to sell
10 the park. This notice shall include a copy of the signed written offer which sets forth a description of
11 the property to be purchased and the price, terms and conditions of the acceptable offer.

12 (b) To the New Hampshire housing finance authority **and the New Hampshire**
13 **Manufactured Housing Association** that the owner intends to sell the manufactured housing
14 park.

15 II. During the notice period required under paragraph I, the manufactured housing park
16 owner shall consider any offer received from the tenants [~~or a tenants' association~~], if any, and the
17 owner shall negotiate in good faith with the tenants concerning a potential purchase. ***In order to***
18 ***qualify to make an offer to purchase the manufactured housing park, a simple majority of***
19 ***the tenants, one vote per home, must agree.*** If during the notice period, the tenants decide to
20 make an offer to purchase the manufactured housing park, such offer shall be evidenced by a
21 purchase and sale agreement; however, the tenants shall have a reasonable time beyond the 60-day
22 period, if necessary, to obtain financing for the purchase.

23 III. The notice required by paragraph I shall be served by certified mail, return receipt
24 requested, to each tenant at such tenant's abode and to the New Hampshire housing finance
25 authority at its main office **and the New Hampshire Manufactured Housing Association at its**
26 ***main office.*** A receipt from the United States Postal Service that is signed by any adult member of
27 the household to which it was mailed, or a notation on the letter that the letter was refused by any
28 adult member of the tenant household, or that the addressee no longer resides there, or that the
29 letter was returned to the post office unclaimed, shall constitute a conclusive presumption that
30 service was made in any court action in this state. A receipt from the United States Postal Service
31 that is signed by an employee of the New Hampshire housing finance authority **and an employee of**

1 *the New Hampshire Manufactured Housing Association* shall constitute a conclusive
2 presumption that service was made on the authority in any court action in this state.

3 2 Effective Date. This act shall take effect 60 days after its passage.