

CHAPTER 124
SB 210 - FINAL VERSION

03/17/2022 1016s

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. Avar, 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 struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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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:

1 124:1 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 offer
5 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 received
9 to sell the park or the price, terms and conditions for which the park owner intends to sell the park. This
10 notice shall include a copy of the signed written offer which sets forth a description of the property to be
11 purchased and the price, terms and conditions of the acceptable offer.

12 (b) To the New Hampshire housing finance authority ***and the New Hampshire Manufactured***
13 ***Housing Association, excluding price terms and conditions of the offer,*** that the owner intends to sell the
14 manufactured housing park.

15 II. During the notice period required under paragraph I, the manufactured housing park owner
16 shall consider any offer received from the tenants or a tenants' association, if any, and the owner shall
17 negotiate in good faith with the tenants concerning a potential purchase. If during the notice period, the
18 tenants decide to make an offer to purchase the manufactured housing park, such offer shall be
19 evidenced by a purchase and sale agreement; however, the tenants shall have a reasonable time beyond
20 the 60-day period, if necessary, to obtain financing for the purchase.

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

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1 ***IV. Any organization that assists a tenants' association shall send each tenant or home a certified***
2 ***letter or a verified hand-delivered letter detailing the agreed upon terms of any final proposal to purchase***
3 ***a manufactured housing park. Terms shall include mortgage terms, land rent per homeowner, and other***
4 ***costs or fees. Such letter shall include a form to request an absentee vote for or against the purchase of***
5 ***the park. No household shall be charged a tenants' association joining fee of more than \$5 to vote either***
6 ***by absentee or in person. The absentee form shall be verifiable and secure. Any organization assisting a***
7 ***tenants' organization in a purchase shall provide a secure and verifiable mechanism to count the vote. A***
8 ***simple majority of members of the association or cooperative voting either absentee or in person shall***
9 ***constitute qualification to move forward with purchase of the manufactured housing park.***

10 ***V. No resident owned manufactured housing park shall charge a non-member more than \$25***
11 ***additional rent over the member lot rent.***

12 124:2 New Paragraph; Consumers' Cooperative Associations; Incorporation Under General Law.
13 Amend RSA 301-A:2 by inserting after paragraph II the following new paragraph:

14 III. For purposes of a tenants' association voting to purchase a manufactured housing park, no
15 household shall be charged a tenants' association joining fee of more than \$5 to vote either by absentee
16 or in person on the proposed purchase.

124:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 27, 2022
Effective Date: July 26, 2022