
OLR Bill Analysis

HB 5428

AN ACT CONCERNING MOBILE MANUFACTURED HOME PARKS.

SUMMARY

This bill makes a number of changes related to the operation of mobile manufactured home parks. Among other things, it:

1. limits rent increases after termination of a rental agreement with a resident who owns a mobile home to the rate of increase in the consumer price index plus 1% (§ 5);
2. prohibits a rental agreement from charging more than \$15 annually in ancillary fees and requires the Department of Consumer Protection (DCP) to adopt regulations on the disclosure of these fees (§§ 1, 2 & 6);
3. increases, from \$10,000 to \$20,000, the amount of relocation expenses a park owner (“owner”) must pay a resident if the resident owns a mobile manufactured home that must be removed from the park due to a change in the park’s land use (§ 3);
4. requires DCP, by January 1, 2026, to establish a process for residents to submit complaints about a suspected violation of laws or regulations, including local laws, governing mobile manufactured homes (§ 4);
5. requires DCP to disclose certain documents related to mobile manufactured home parks regardless of whether there is an ongoing DCP investigation or enforcement action (§ 4);
6. establishes a reporting process to address the water capacity and flow of a park’s fire hydrants (§ 9); and

7. makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2025, except the fire hydrant reporting requirement is effective July 1, 2025.

§§ 1 & 5 — RENT INCREASES

Currently, an increase in rent after termination of a rental agreement with a resident who owns a mobile home must be consistent with rents for comparable lots in the park. The bill permits a comparison to lots outside the park and limits a rent increase to the increase in the consumer price index over the prior 12 months plus 1%. By law, an increase cannot be used as a way to avoid the law’s provisions on summary process for these residents and the owner must provide notice of the increase.

To calculate the consumer price index, the bill uses the consumer price index, annual average, for all urban consumers: United States city average, all items, published by the U.S. Department of Labor’s Bureau of Labor Statistics. If this index is discontinued, the bill uses an equivalent index by a federal authority and, if that is unavailable, a comparable index from the Bureau of Labor Statistics.

By law, rental charges (including other landlord-imposed fees) are under a fair rent commission’s (FRC) purview, if one has been created locally (see BACKGROUND).

§§ 1, 2 & 6 — ANCILLARY FEES

Under the bill, an “ancillary fee” is a payment to the owner under a rental agreement other than rent, a security deposit, or a penalty for overdue rent. It includes maintenance fees and services fees.

The bill prohibits provisions in rental agreements that allow an owner to charge more than \$15 annually in ancillary fees. Existing law prohibits rental agreements from (1) containing certain provisions, such as any that allow a rent increase during the term of a rental agreement, and (2) placing certain restrictions on provisions such as those on termination for unpaid rent and penalties for overdue rent.

The bill adds disclosure of ancillary fees and enumeration of the goods and services provided for the ancillary fees to the list of topics DCP must address in its regulations regarding owners' disclosure statements.

§§ 2 & 3 — DISCONTINUED USE AS PARK

Relocation Expenses

The bill increases, from \$10,000 to \$20,000, the amount of relocation expenses an owner must pay a resident who owns a mobile manufactured home that must be removed from the park due to a change in the park's land use. This increase applies when the owner gives the resident a notice of summary process that expires on or after October 1, 2025, regardless of when it was given.

Appraisers

The law establishes a process that permits an association of at least 25% of the units in a manufactured home park to negotiate to purchase the park when its owner intends to discontinue use of the land as a park or sell the park's land to someone who will discontinue its use as a park.

As part of this process, if the association and owner cannot agree on a price and there is no bona fide offer for the association to match, the association has the right to purchase the property at a price determined by an appraiser. The law establishes a process using three appraisers when the association and owner cannot agree on an appraiser. The bill permits any appraiser involved in this process to use data on properties and parks located in other municipalities to establish the park's value.

§ 4 — DCP DOCUMENT DISCLOSURE

The bill makes the following documents DCP obtains subject to disclosure under the Freedom of Information Act and requires DCP to disclose them regardless of whether they are relevant to an ongoing investigation or enforcement action by DCP under the laws governing mobile manufactured homes:

1. any books, records, documents, or files DCP has in relation to investigations for potential action against a person's license to

operate a park and

2. independent inspection reports ordered by DCP to assess the public health impact of a park's condition, the owner's proof of compliance regarding an independent inspection, the owner's detailed plans to remedy a condition assessed by an independent inspection, and any DCP orders related to the independent inspection.

These disclosure requirements apply regardless of the law that generally makes documents DCP obtains during an investigation or enforcement action confidential until there is a final adjudication or settlement or the matter is closed.

§ 9 — PARK FIRE HYDRANTS

The bill requires park owners to report to DCP annually, beginning by October 1, 2025, on the water capacity and flow of fire hydrants in a park. Within 30 days after receiving a DCP determination that a fire hydrant has insufficient capacity or flow, an owner must begin submitting quarterly reports to DCP on progress made to increase the capacity or flow to a level DCP deems sufficient.

BACKGROUND

Fair Rent Commissions

State law generally authorizes municipalities, regardless of their size, to create an FRC. However, legislation enacted in 2022 required all municipalities with populations of at least 25,000, based on the most recent decennial census, to have an FRC.

Among other things, an FRC's purpose is to control and eliminate excessive (i.e. harsh and unconscionable) rental charges. Rental charges are defined to include any fee or charge a landlord imposes in addition to rent. An FRC may order that a rental charge be reduced to a fair and equitable amount, as determined by the FRC, after holding a hearing on a complaint (CGS §§ 7-148b to 7-148g).

Related Bills

sSB 12, § 6 (File 251); HB 6892 (File 265); and sHB 6943, § 3 (File 233); reported favorably by the Housing Committee, affect FRCs and among other things contain provisions that (1) require every municipality to establish or join an FRC, (2) require a landlord’s rent increase notice to include a statement that the tenant has the right to file a complaint with an FRC, and (3) modify the factors that FRCs use to evaluate rental charges.

sSB 1357, favorably reported by the General Law Committee, expands the responsibilities of mobile manufactured home park owners by requiring them to maintain septic systems, leaching fields, and septic lines and connections in good working order.

HB 5411, favorably reported by the General Law Committee, establishes a number of requirements for mobile manufactured home park ancillary fees, requires DCP to establish a complaint process for park residents, and extends the time before a new rental agreement that an owner must provide notice of a rent increase to a mobile manufactured home owner.

sHB 6889, favorably reported by the Housing Committee, expands certain eviction protections for certain tenants, including residents in mobile manufactured home parks.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 14 Nay 7 (03/21/2025)