

**SUBSTITUTE FOR  
HOUSE BILL NO. 6003**

A bill to amend 1987 PA 96, entitled  
"The mobile home commission act,"  
by amending section 16 (MCL 125.2316), as amended by 2015 PA 40.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 16. **(1) No later than January 1, 2023, after consultation**  
2 **with the commission, consumer advocates, legal aid groups,**  
3 **representatives of the manufactured housing industry, residential**  
4 **groups, local governments, and other interested parties, the**  
5 **department shall revise and promulgate rules governing the**  
6 **licensure of owners of mobile home parks and seasonal mobile home**  
7 **parks, including determining standards to meet the licensing**  
8 **requirements of this section.**

9       **(2) ~~(1)~~—A person shall not operate—own a mobile home park or**



1 seasonal mobile home park without a license. ~~The~~ If the department  
 2 determines that an owner of a mobile home park or seasonal mobile  
 3 home park is not licensed, the department shall notify that person  
 4 of the lack of license and the department shall levy a fine as it  
 5 deems appropriate under this act. A person who has applied to the  
 6 department for a license is not in violation of this subsection  
 7 unless the department has denied the person's license application  
 8 and the person has exhausted all the available appeals related to  
 9 the department denying the license application. A license issued by  
 10 the department on or before October 1, 2021 expires on December 31,  
 11 2023. Beginning on January 1, 2024, the term of a license is ~~3~~2  
 12 years. The department shall **within 60 days of receiving a completed**  
 13 **license application** issue a license ~~only~~ if all of the following  
 14 requirements are met:

15 (a) The applicant submits a complete license application -  
 16 that meets all of the following requirements:

17 (i) Shows the financial ability of the applicant to own and  
 18 operate the mobile home park or seasonal mobile home park by  
 19 submitting documentation that demonstrates the applicant's  
 20 financial viability, such as a financial disclosure form prescribed  
 21 by the department, bank records, a letter of credit, proof of a  
 22 line of credit, financing documents, a statement from a certified  
 23 public accountant, or other information demonstrating that the  
 24 applicant is able to operate and maintain the mobile home park or  
 25 seasonal mobile home park.

26 (ii) Affirms the applicant's ability to comply with the  
 27 applicable laws, rules, and regulations of this state.

28 (iii) Affirms that the applicant, any general partner, managing  
 29 member, subsidiary, affiliate, or other person controlled by or



1 under common control with the applicant has not been denied  
2 licensure for a mobile home park or seasonal mobile home park or  
3 had a license to own a mobile home park or seasonal mobile home  
4 park suspended, canceled, or revoked by a federal, state, or local  
5 agency within the past 7 years, or demonstrates that a suspended,  
6 canceled, or revoked license has since been reinstated or reissued.

7 (iv) Affirms that the applicant and any person with decision-  
8 or policy-making authority for the applicant, or who is responsible  
9 for the applicant's day-to-day operation of the mobile home park or  
10 seasonal mobile home park, has not been convicted of a crime  
11 involving fraud, deceit, or nonfeasance within the past 7 years.

12 (v) Affirms that the applicant and any person with decision-  
13 or policy-making authority for the applicant, or any person who is  
14 responsible for the applicant's day-to-day operation of the mobile  
15 home park or seasonal mobile home park, does not have a record of  
16 unjustifiable rent increases within the past 7 years that prohibits  
17 the applicant and any person with decision- or policy-making  
18 authority for the applicant, or any person who is responsible for  
19 the applicant's day-to-day operation of the mobile home park or  
20 seasonal mobile home park, from obtaining a license to own a mobile  
21 home park or seasonal mobile home park.

22 ~~(b) Certifications and recommendations of appropriate agencies~~  
23 ~~and local governments are submitted to and approved by the~~  
24 ~~department.~~ Apart from a license under this act, the applicant has  
25 obtained all other required governmental certifications and  
26 approvals, including approvals from appropriate agencies and local  
27 governments that are necessary to operate a mobile home park or  
28 seasonal mobile home park.

29 (c) The applicant pays the fee set forth in subsection ~~(4)~~. (6)



1 or (7).

2 (d) The mobile home park or seasonal mobile home park was  
3 approved as being in substantial compliance after its most recent  
4 inspection under section 17.

5 ~~(2) The commission shall promulgate rules to do all of the~~  
6 ~~following:~~

7 ~~(a) Provide standards and procedures for the commission to~~  
8 ~~determine whether a mobile home park or seasonal mobile home park~~  
9 ~~that is not in substantial compliance with the rules promulgated~~  
10 ~~under sections 5 and 6 is a distressed park. The standards and~~  
11 ~~procedures shall provide the owner with an opportunity for an~~  
12 ~~evidentiary hearing and require the commission to consider at least~~  
13 ~~all of the following:~~

14 ~~(i) The length of time the mobile home park or seasonal mobile~~  
15 ~~home park has not been in substantial compliance with the rules~~  
16 ~~promulgated under sections 5 and 6.~~

17 ~~(ii) Whether the owner or operator was notified and had~~  
18 ~~sufficient opportunity to bring the mobile home park or seasonal~~  
19 ~~mobile home park into substantial compliance.~~

20 ~~(iii) Any imminent threat to the health or safety of the~~  
21 ~~residents of the mobile home park or seasonal mobile home park.~~

22 ~~(iv) Whether the mobile home park or seasonal mobile home park~~  
23 ~~has been or is likely to be abandoned by the owner or operator.~~

24 ~~(b) Require the owner of a distressed mobile home park or~~  
25 ~~seasonal mobile home park to post financial assurance in the form~~  
26 ~~of a bond, cash deposit, or other financial arrangement to ensure~~  
27 ~~the repair and cleanup of the mobile home park or seasonal mobile~~  
28 ~~home park, including the repair of substandard or noncomplying~~  
29 ~~park-owned utility systems and the removal and disposal of~~



1 ~~abandoned mobile homes, scrap material, or other waste.~~

2 ~~(3) Not more than 180 days after the effective date of the~~  
3 ~~amendatory act that added this subsection, the commission shall~~  
4 ~~submit a report on progress on rule promulgation under subsection~~  
5 ~~(2) to the standing committees of the senate and house of~~  
6 ~~representatives with primary responsibility for legislation~~  
7 ~~affecting mobile home parks.~~

8 (e) Beginning on January 1, 2023, the applicant has been  
9 previously issued a provisional license to own the mobile home park  
10 or seasonal mobile home park.

11 (3) The department may require a signed affidavit from the  
12 applicant that attests to the veracity of the information in  
13 subsection (2) (a) (i) to (v) and shall deny the application if the  
14 applicant does not meet the requirements of subsection (2) (a) (i) to  
15 (v).

16 (4) Beginning on January 1, 2023, a person that has not been  
17 previously licensed under subsection (2) and seeks a license to own  
18 a mobile home park or seasonal mobile home park shall apply for a  
19 provisional license to own a mobile home park or seasonal mobile  
20 home park. The applicant must be issued a provisional license  
21 before taking ownership of a mobile home park or seasonal mobile  
22 home park. The provisional license is valid for 2 years and must  
23 not be extended or renewed. The department shall issue a  
24 provisional license under this subsection if the applicant meets  
25 the requirements of subsection (2) (a) to (c). A provisional license  
26 issued under this subsection entitles the holder of the provisional  
27 license to all of the rights, privileges, requirements, and  
28 penalties that are applicable to the holder of a license issued  
29 under subsection (2).



1           (5) Within 1 year of the issuance of a provisional license  
 2 under subsection (4), the department shall inspect and identify any  
 3 violation of this act regarding the ownership or operation of a  
 4 mobile home park or seasonal mobile home park by the owner of that  
 5 mobile home park or seasonal mobile home park issued a provisional  
 6 license under subsection (4). The department shall notify the owner  
 7 of the mobile home park or seasonal mobile home park issued a  
 8 provisional license of any violation found during the inspection  
 9 and provide a notice as required under section 37.

10           (6) ~~(4)~~ The ~~fee~~ **fees** for a license ~~to operate~~ **issued under**  
 11 **subsection (2) are as follows unless a lesser amount is established**  
 12 **under section 9(5):**

13           (a) **Until September 30, 2021, as follows:**

14           (i) **To own** a mobile home park is \$225.00, plus an additional  
 15 \$3.00 for each home site in excess of 25 home sites in the mobile  
 16 home park. ~~, or any lesser amount established pursuant to section~~  
 17 ~~9(5). The fee for a license to operate~~

18           (ii) **To own** a seasonal mobile home park is \$120.00, plus an  
 19 additional \$1.50 for each home site in excess of 25 home sites in  
 20 the seasonal mobile home park. ~~, or any lesser amount established~~  
 21 ~~pursuant to section 9(5).~~

22           (b) **Beginning on October 1, 2021 through December 30, 2023, as**  
 23 **follows:**

24           (i) **To own** a mobile home park is \$350.00, plus an additional  
 25 \$4.75 for each home site in excess of 25 home sites in the mobile  
 26 home park.

27           (ii) **To own** a seasonal mobile home park is \$200.00, plus an  
 28 additional \$2.25 for each home site in excess of 25 home sites in  
 29 the seasonal mobile home park.



1 (c) Beginning on December 31, 2023, as follows:

2 (i) To own a mobile home park is \$450.00, plus an additional  
3 \$5.25 for each home site in excess of 25 home sites in the mobile  
4 home park.

5 (ii) To own a seasonal mobile home park is \$250.00, plus an  
6 additional \$2.75 for each home site in excess of 25 home sites in  
7 the seasonal mobile home park.

8 (7) Beginning on January 1, 2023, the fee for a provisional  
9 license issued under subsection (4) to own a mobile home park is  
10 \$450.00, plus an additional \$5.25 for each home site in excess of  
11 25 home sites in the mobile home park, or any lesser amount  
12 established under section 9(5). Beginning on January 1, 2023, the  
13 fee for a provisional license issued under subsection (4) to own a  
14 seasonal mobile home park is \$250.00, plus an additional \$2.75 for  
15 each home site in excess of 25 home sites in the seasonal mobile  
16 home park, or any lesser amount established under section 9(5).

17 (8) ~~(5)~~—If a person submits a timely application for renewal  
18 of a license **issued under subsection (2)** and pays the appropriate  
19 fee, the person may continue to ~~operate~~**own** a mobile home park or  
20 seasonal mobile home park unless notified that the application for  
21 renewal is not approved.

22 (9) An unlicensed owner of a mobile home park or seasonal  
23 mobile home park shall not collect rent or take any action for  
24 possession against residents. The unlicensed owner of a mobile home  
25 park or seasonal mobile home park may continue to collect utility  
26 service fees, if required under the rental agreement. If the tenant  
27 pays the utility service fees directly to the utility service  
28 provider, the tenant must continue to pay the utility service fees  
29 directly to the utility service provider. No rent or fees may be



1 recovered by an owner of a mobile home park or seasonal mobile home  
2 park for any period of time the mobile home park is unlicensed. A  
3 tenant of a mobile home park or seasonal mobile home park may bring  
4 an action on his or her own behalf for a violation of this  
5 subsection.

6 (10) ~~(6)~~—A campground that is currently licensed under  
7 sections 12501 to 12516 of the public health code, 1978 PA 368, MCL  
8 333.12501 to 333.12516, and was previously licensed under the  
9 former licensing provisions of 1959 PA 243, MCL 125.1035 to  
10 125.1043, as a seasonal trailer park may apply for and ~~shall~~**must**  
11 be granted a license as a seasonal mobile home park under this act  
12 if the campground meets all other requirements for licensure under  
13 this act as a seasonal mobile home park.

14 Enacting section 1. This amendatory act does not take effect  
15 unless all of the following bills of the 100th Legislature are  
16 enacted into law:

- 17 (a) House Bill No. 6004.  
18 (b) House Bill No. 6005.  
19 (c) House Bill No. 6006.  
20 (d) House Bill No. 6007.  
21 (e) House Bill No. 6008.

