

**SUBSTITUTE FOR
HOUSE BILL NO. 6005**

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
(MCL 125.2301 to 125.2350) by adding section 16b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16b. (1) Notwithstanding any provision of law to the
2 contrary, if the department denies a license application under
3 section 16, the department shall give written notice of the denial
4 by registered mail to the applicant stating reasons for the denial
5 and the right to appeal the denial to the commission. An applicant
6 denied a license may request an appeal before the commission on the
7 denial not later than 15 business days after the United States
8 Postal Service confirmed delivery of the denial. On receipt of the
9 applicant's appeal, the commission shall hold a hearing on the



1 appeal and issue a determination to the department. The commission
2 shall issue the determination within 120 days of the applicant's
3 appeal. If the commission makes a determination that is different
4 from the department's decision, the commission shall issue a
5 written opinion stating the reasons for the determination,
6 including the applicable statutory provision or promulgated rules
7 it relied upon in making that determination. On receipt of the
8 commission's determination, the department shall do either of the
9 following:

10 (a) Issue the license to the applicant if the determination
11 states that the department must issue the license.

12 (b) Decline to issue the license if the determination rejects
13 the applicant's appeal.

14 (2) If the commission fails to issue a determination under
15 subsection (1) within 120 days of the applicant's appeal, the
16 department shall consider the commission's failure to issue the
17 determination as a determination to issue the license, unless the
18 commission meeting was unable to be held due to an inability of a
19 majority of its members to attend and would have failed to have a
20 quorum.

21 (3) A licensed owner of a mobile home park or seasonal mobile
22 home park shall notify the department of any of the following
23 within 30 days of its occurrence:

24 (a) A change of ownership.

25 (b) A change of the mailing or electronic business address of
26 the licensed owner of the mobile home park or seasonal mobile home
27 park.

28 (4) An owner of a mobile home park or seasonal mobile home
29 park that sells a mobile home park or seasonal mobile home park



1 shall, within 30 days of the sale, provide the department with a
2 copy of the sales contract or any recorded deed and notify the
3 department of all of the following:

4 (a) The identity of the buyer of the mobile home park or
5 seasonal mobile home park, including the contact information of the
6 buyer.

7 (b) The date of the sale.

8 (c) Any change in the seller's contact information.

9 (5) The department in consultation with the commission shall
10 promulgate rules pursuant to the administrative procedures act of
11 1969, 1969 PA 306, MCL 24.201 to 24.328, to do all of the
12 following:

13 (a) Provide standards and procedures for the commission to
14 determine whether a mobile home park or seasonal mobile home park
15 that is not in substantial compliance with the rules promulgated
16 under sections 5 and 6 is a distressed park. The standards and
17 procedures must provide the owner of the mobile home park or
18 seasonal mobile home park with an opportunity for an evidentiary
19 hearing and require the commission to consider, at least, all of
20 the following:

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

24 (ii) Whether the owner of the mobile home park or seasonal
25 mobile home park was notified and had sufficient opportunity to
26 bring the mobile home park or seasonal mobile home park into
27 substantial compliance.

28 (iii) Any imminent threat to the health or safety of the
29 residents of the mobile home park or seasonal mobile home park.



1 (iv) Whether the mobile home park or seasonal mobile home park
2 has been or is likely to be abandoned by the owner.

3 (b) Require the owner of a distressed mobile home park or
4 seasonal mobile home park to post financial assurance in the form
5 of a bond, cash deposit, or other financial arrangement to ensure
6 the repair and cleanup of the mobile home park or seasonal mobile
7 home park, including the repair of substandard or noncomplying
8 park-owned utility systems and the removal and disposal of
9 abandoned mobile homes, scrap material, or other waste.

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

13 (a) House Bill No. 6003.

14 (b) House Bill No. 6004.

15 (c) House Bill No. 6006.

16 (d) House Bill No. 6007.

17 (e) House Bill No. 6008.

