

HOUSE BILL NO. 5563

February 27, 2020, Introduced by Reps. Witwer, Camilleri, Brenda Carter, Hope, Cynthia Johnson, Kennedy, Cambensy, Love and Cherry and referred to the Committee on Regulatory Reform.

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
by amending sections 4 and 5 (MCL 125.2304 and 125.2305), section 4
as amended by 2015 PA 40 and section 5 as amended by 2006 PA 328.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 4. (1) The commission may do all of the following:
2 (a) After consultation with and considering comments from
3 representatives of the manufactured housing industry, ~~and other~~



1 ~~interested parties, residents of mobile home parks, and members of~~
 2 **the commission who are residents of mobile home parks,** recommend
 3 rules to the department to implement and administer this act.

4 (b) Act for the purpose of establishing a uniform policy
 5 relating to all phases of mobile home businesses, mobile home
 6 parks, and seasonal mobile home parks.

7 (c) Determine the sufficiency of local mobile home ordinances
 8 that are designed to provide local governments with superintending
 9 control over mobile home businesses, mobile home parks, or seasonal
 10 mobile homes parks.

11 (d) Conduct public hearings relating to the powers prescribed
 12 in this subsection.

13 (2) The director or an authorized representative of the
 14 director shall do all of the following:

15 (a) After consultation with and considering comments from
 16 representatives of the manufactured housing industry, ~~and other~~
 17 ~~interested parties, residents of mobile home parks, and members of~~
 18 **the commission who are residents of mobile home parks,** promulgate
 19 rules to implement and administer this act.

20 (b) **On or before June 1, 2020, and every year after that date,**
 21 **provide a report to the commission regarding health and safety**
 22 **complaints received by the department as described under**
 23 **subdivision (i).**

24 (c) ~~(b)~~ Conduct hearings relating to violations of this act or
 25 rules promulgated under this act.

26 (d) ~~(e)~~ Make investigations to determine compliance with this
 27 act and rules promulgated under this act.

28 (e) ~~(d)~~ Provide assistance to the commission as the commission
 29 requires.



1 **(f)** ~~(e)~~—On not less than a quarterly basis, report to the
2 commission on the expenditure of all fees collected under this act
3 and the relation of those expenditures to the enforcement and
4 administration of this act.

5 **(g)** ~~(f)~~—Post and maintain on the department's website all
6 current guidelines.

7 **(h)** ~~(g)~~—Promptly notify a local government of the issuance,
8 amendment, or rescission of a guideline if the department has
9 knowledge that a mobile home park or seasonal mobile home park is
10 located in, or an application has been filed for the licensure of a
11 park proposed to be located in, the local government. The notice
12 ~~shall~~**must** be sent by first-class mail or electronic mail to each
13 of the following:

14 (i) The clerk of the local government.

15 (ii) The chief executive officer of the local government.

16 (iii) The enforcing agency for the local government if, under
17 section 8a or 8b of the Stille-DeRossett-Hale single state
18 construction code act, 1972 PA 230, MCL 125.1508a and 125.1508b,
19 the local government has assumed responsibility for the
20 administration and enforcement within its jurisdiction of that act
21 and the state construction code or a part of the state construction
22 code of limited application.

23 **(i)** ~~(h)~~—If the department receives a complaint about a
24 condition at a mobile home park or seasonal mobile home park that
25 imminently threatens the health or safety of the residents of the
26 park, promptly notify each local government in which the park is
27 located of the details of the complaint.

28 (3) The commission shall not regulate mobile homes that are
29 not located within a mobile home park or a seasonal mobile home



1 park, except as relates to the business, sales, and service
 2 practices of mobile home dealers and the business practices of
 3 mobile home installers and repairers.

4 Sec. 5. (1) After consultation with and considering comments
 5 from representatives of the manufactured housing industry, ~~and~~
 6 ~~other interested parties,~~ **residents of mobile home parks, and**
 7 **members of the commission who are residents of mobile home parks,**
 8 the department shall promulgate the mobile home code subject to
 9 section 4. The code shall consist of rules governing all of the
 10 following:

11 (a) The licensure, density, layout, permits for construction,
 12 construction of mobile home parks including standards for roads,
 13 utilities, open space, or proposed recreational facilities, and
 14 safety measures sufficient to protect health, safety, and welfare
 15 of mobile home park residents, except water supply, sewage
 16 collection and treatment, and drainage facilities ~~which~~**that** are
 17 regulated by the department of environmental quality.

18 (b) The business, sales, and service practices of mobile home
 19 dealers.

20 (c) The business practices of mobile home installers and
 21 repairers.

22 (d) The licensure and regulations of mobile home installers
 23 and repairers.

24 (e) The setup and installation of mobile homes inside mobile
 25 home parks or seasonal mobile home parks.

26 (f) The regulation of the responsibilities, under the mobile
 27 home warranty, of the mobile home components manufacturer, the
 28 mobile home assembler or manufacturer, and the mobile home dealer,
 29 including the time period and relationships of each under the



1 warranty, and the remedies available, if any, if the responsible
2 parties cease to operate as a business.

3 (g) Abuses relating to all of the following:

4 (i) Consumer deposits, except utility deposits from consumers
5 who are direct customers of utilities regulated by the Michigan
6 public service commission.

7 (ii) Detailed listing of furnishings and fixtures by a
8 manufacturer of a new mobile home or a mobile home dealer for a
9 used mobile home.

10 (iii) Disclosure and delivery of manufacturer's warranties.

11 (iv) Used mobile homes. A mobile home dealer shall provide
12 detailed listing of its service records for used mobile homes ~~which~~
13 **that** are being sold by the dealer and of which the dealer has
14 knowledge.

15 (h) Applications for and issuance of certificates of title for
16 mobile homes.

17 (2) As part of the code, the department shall also promulgate
18 rules governing the licensure, density, layout, permits for
19 construction, and construction of seasonal mobile home parks,
20 including standards for roads, utilities, open space, proposed
21 recreational facilities, and safety measures sufficient to protect
22 the health, safety, and welfare of seasonal mobile home park
23 residents, except water supply, sewage collection and treatment,
24 and drainage facilities, which shall be regulated by the department
25 of environmental quality.

26 (3) The rules promulgated for seasonal mobile home parks may
27 impose a less stringent standard than the rules promulgated for
28 mobile home parks.

