

HOUSE BILL NO. 6005

July 23, 2020, Introduced by Reps. Kahle, Cherry, Sneller, Mueller, Hertel and Frederick and referred to the Committee on Regulatory Reform.

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 does not approve a license application
3 on the grounds that the applicant did not satisfy the requirement
4 of section 16(1)(a), the department shall notify the applicant of
5 the nonapproval of the license and the applicant may appeal the



1 nonapproval of the license to the commission. On receipt of the
2 applicant's appeal, the commission shall hold a hearing on the
3 appeal and issue a recommendation to the department. The commission
4 shall issue the recommendation within 120 days of the applicant's
5 appeal. On receipt of the commission's recommendation, the
6 department shall do either of the following:

7 (a) Issue the license to the applicant if the recommendation
8 states that the department must issue the license.

9 (b) Decline to issue the license if the recommendation rejects
10 the applicant's appeal.

11 (2) If the commission fails to issue a recommendation under
12 subsection (1) within 120 days of the applicant's appeal, the
13 department shall consider the commission's failure to issue the
14 recommendation as a recommendation to issue the license.

15 (3) A person that intends to become an owner of a mobile home
16 park or seasonal home park shall apply to the department for a
17 license under section 16. If a license is issued under section 16,
18 an owner of a mobile home park or seasonal home park shall notify
19 the department of any of the following within 30 days:

20 (a) A change of ownership.

21 (b) A change of the mailing or electronic business address of
22 an owner of a mobile home park or seasonal home park.

23 (4) Not more than 180 days after the effective date of the
24 amendatory act that added this section, the department shall
25 publish and maintain on its website a list of every mobile home
26 park or seasonal home park located in this state, including a
27 designation of whether each mobile home park or seasonal home park
28 is licensed under section 16 and the license number issued for each
29 mobile home park or seasonal home park. The department shall update



1 the list maintained under this subsection at least once a month. If
2 the database maintained by the department under section 4 contains
3 the information required in this subsection, it will be considered
4 as fulfilling the requirements of this subsection.

5 (5) The commission shall promulgate rules pursuant to the
6 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
7 24.328, to do all of the following:

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

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

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

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

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

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



1 park-owned utility systems and the removal and disposal of
2 abandoned mobile homes, scrap material, or other waste.

3 (6) The commission shall submit a report on progress on rule
4 promulgation under subsection (5) to the standing committees of the
5 senate and house of representatives with primary responsibility for
6 legislation affecting mobile home parks.

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

10 (a) Senate Bill No. ____ or House Bill No. ____ (request no.
11 05128'19).

12 (b) Senate Bill No. ____ or House Bill No. ____ (request no.
13 05146'19 *).

14 (c) Senate Bill No. ____ or House Bill No. ____ (request no.
15 05273'19 *).

16 (d) Senate Bill No. ____ or House Bill No. ____ (request no.
17 05282'19).

18 (e) Senate Bill No. ____ or House Bill No. ____ (request no.
19 06638'20 *).

