

HOUSE BILL NO. 4886

July 18, 2023, Introduced by Reps. Aragona, Mueller, Fitzgerald and McKinney 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 30j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30j. (1) Beginning on the effective date of the
2 amendatory act that added this section, an owner of a mobile home
3 park at which a mobile home owned by another person is located may
4 declare the mobile home abandoned if the owner of the mobile home
5 park has a good-faith belief that the mobile home owner has
6 abandoned the mobile home. For purposes of this subsection, a good-

1 faith belief must be based on reasonable evidence that includes,
2 but is not limited to, any of the following:

3 (a) A failure of the mobile home owner to pay rent for 30 days
4 or more.

5 (b) The disconnection of utility services in the mobile home
6 for 30 days or more.

7 (c) Abandonment of the mobile home by the mobile home owner.
8 For purposes of this subdivision, a mobile home is considered
9 abandoned if the mobile home owner informs the owner of the mobile
10 home park that the mobile home owner is abandoning the mobile home
11 or it appears that the mobile home has been vacant for 30 days or
12 more.

13 (2) Before declaring a mobile home abandoned, an owner of a
14 mobile home park shall do all of the following:

15 (a) Affix a notice of intent to declare the mobile home
16 abandoned on the mobile home.

17 (b) Send a copy of the notice of intent to declare the mobile
18 home abandoned by certified United States Postal Service mail to
19 the mobile home owner, all persons identified on any lease
20 agreements between the owner of a mobile home park and the mobile
21 home owner, and all lienholders listed on the mobile home owner's
22 title.

23 (3) Upon receipt of the notice of intent to declare the mobile
24 home abandoned as required under subsection (2)(b), the mobile home
25 owner or a lienholder may, after paying all amounts owed to the
26 mobile home park under the lease agreement, enter into the mobile
27 home park to remove the mobile home. A person removing a mobile
28 home under this subsection is responsible to the mobile home park
29 for any damage to the mobile home park that results from the

1 removal of the mobile home.

2 (4) If the mobile home remains in the mobile home park for 30
3 days after the date the notice of intent sent pursuant to
4 subsection (2) (b) is postmarked, all liens on the mobile home are
5 extinguished and the owner of the mobile home park may do both of
6 the following:

7 (a) Declare the mobile home abandoned.

8 (b) Apply to the secretary of state to obtain title to the
9 mobile home.

10 (5) If the owner of a mobile home park applies for a title to
11 the mobile home under this section, the owner of the mobile home
12 park shall include with the application for a title an affidavit
13 that includes all of the following statements:

14 (a) That the affiant is the licensed owner of the mobile home
15 park in which the mobile home is located.

16 (b) That the title of the mobile home is being transferred to
17 the licensed owner of the mobile home park in which the mobile home
18 is located.

19 (c) That the mobile home park complied with all the
20 requirements of this section.

21 (6) Within 30 days after receipt of a title application and
22 the affidavit described under subsection (5), the secretary of
23 state shall issue title of the mobile home to the owner of the
24 mobile home park.

25 (7) If there is evidence of a United States Postal Service
26 mail return receipt showing proof of delivery of the notice
27 described under subsection (2) from each lienholder required to be
28 notified under this section, a title to a mobile home issued by the
29 secretary of state under this section transfers title of the mobile

1 home to the owner of the mobile home park free of all liens.

2 (8) If the owner of the mobile home park in which the mobile
3 home is located cannot find the title to or locate the vehicle
4 identification number of the mobile home, the owner of the mobile
5 home park shall prepare an affidavit that states that the owner of
6 the mobile home park inspected the mobile home but could not find
7 the title to or locate the vehicle identification number of the
8 mobile home. The owner of the mobile home park shall send the
9 affidavit described under this subsection to the secretary of
10 state. The secretary of state shall, within 30 days after the
11 receipt of the affidavit described under this subsection, issue a
12 new title of the mobile home that contains the vehicle
13 identification number of the mobile home.

14 Enacting section 1. This amendatory act does not take effect
15 unless all of the following bills of the 102nd Legislature are
16 enacted into law:

17 (a) Senate Bill No. ____ or House Bill No. 4887 (request no.
18 03259'23).

19 (b) Senate Bill No. ____ or House Bill No. 4888 (request no.
20 03260'23).

21 (c) Senate Bill No. ____ or House Bill No. 4889 (request no.
22 03261'23).