



## Senate

General Assembly

**File No. 627**

January Session, 2001

Substitute Senate Bill No. 1330

*Senate, May 7, 2001*

The Committee on Banks reported through SEN. MCDERMOTT of the 34th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING RECORDED LIENS ON A MOBILE MANUFACTURED HOME.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subdivision (3) of subsection (e) of section 21-80 of the general  
2 statutes is repealed and the following is substituted in lieu thereof:

3 (3) A copy of the petition and the notice of the hearing on the  
4 petition shall be given to the owner of the mobile manufactured home,  
5 the municipality and all lienholders who have recorded a lien against  
6 the mobile manufactured home [or of whom the owner of the mobile  
7 manufactured home park has actual knowledge] on the land records of  
8 the town in which the mobile manufactured home park is located or  
9 with the Secretary of the State. Notice to the municipality and to  
10 lienholders shall be by certified mail. Notice to the owner of the mobile  
11 manufactured home shall be designed to maximize the likelihood that  
12 the owner will receive actual notice of the petition, without regard to  
13 whether the owner appeared in the summary process action. Such

14 notice to the owner of the mobile manufactured home shall be  
15 conspicuously posted at the entrance to the mobile manufactured  
16 home and also sent by certified or registered mail, return receipt  
17 requested, to the owner of the mobile manufactured home and to the  
18 attorney, if any, who appeared for such owner in the summary process  
19 action. Notice to the owner of the mobile manufactured home shall be  
20 sent to such owner at [his] the owner's last-known address and also to  
21 such owner in care of any other person reasonably believed to know  
22 the location of the owner. The court may require supplemental notice if  
23 it finds that additional notice is likely to result in actual notice to the  
24 owner of the mobile manufactured home.

**BA**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Affected Agencies:** Department of Consumer Protection

**Municipal Impact:** None

**Explanation**

**State Impact:**

The bill specifies who a mobile home park owner must notify of the proposed sale of an abandoned mobile home. There is no fiscal impact resulting from this change.

**OLR Bill Analysis**

sSB 1330

***AN ACT CONCERNING RECORDED LIENS ON A MOBILE MANUFACTURED HOME.*****SUMMARY:**

This bill specifies who a mobile home park owner must notify of the proposed sale of an abandoned mobile home. Under current law, a park owner can initiate the sale of an abandoned mobile home in certain circumstances by filing an eviction petition in Superior Court. This bill eliminates the requirement that he provide notice of the sale to lien holders he knows about, and specifies that he notify people who have recorded a lien against the mobile home on the local land records or with the secretary of the state. Existing law, which remains unchanged, also requires the park owner to notify the mobile home owner and the town in which the park is located.

EFFECTIVE DATE: October 1, 2001

**BACKGROUND*****Sale of Abandoned Mobile Homes***

The law allows a mobile home park owner to sell an abandoned mobile home in an eviction action if (1) he has obtained a judgment for possession against the owner and occupants of a home; (2) he has received no rent or other payment for the use of the home's lot for at least four months; (3) 60 days have passed since the last stay of execution expired under the landlord-tenant and mobile manufactured home eviction laws; and (4) the home remains on the lot, regardless of the law concerning tenant eviction and the removal and sale of unclaimed possessions and personal effects. The park owner's petition must state that the four requirements above have been met and provide supporting facts showing that (1) the homeowner has failed or refused to make reasonable efforts to take the home from the park or

sell it in place or (2) he has failed to locate the homeowner or his representative after making reasonable efforts.

**Legislative History**

The Senate referred the bill (File 191) to the Banks Committee on April 18. The committee reported it favorably on April 25, after removing sections of the bill that would have (1) given mobile home park owners precedence over lien holders in the distribution of proceeds from the mobile home sale and (2) required the park owner to accurately document the costs of the sale and his claim for unpaid rent.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute  
Yea 16    Nay 0

Banks Committee

Joint Favorable Substitute  
Yea 16    Nay 0