



General Assembly

Substitute Bill No. 988

January Session, 2023



**AN ACT CONCERNING THE PURCHASE OF A MOBILE
MANUFACTURED HOME PARK BY ITS RESIDENTS.**

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

1 Section 1. Subsection (f) of section 21-70 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (f) (1) Any person or entity making an application to appear before
5 any municipal, state or federal agency with respect to any matter
6 changing the land use of a specific mobile manufactured home park
7 shall give written notice of the application by certified mail with a return
8 receipt requested and by first class mail with tracking addressed to the
9 affected units of the park [or] and by personal delivery to the units not
10 later than seven days after its filing. Such person or entity shall also send
11 or deliver a copy of such notice to the Department of Housing, the
12 Connecticut Housing Finance Authority and the Department of
13 Consumer Protection and to any association of residents of the mobile
14 manufactured home park which has made a written request for such
15 notice. The notice shall state the reasons for which the application was
16 filed and shall be sent by certified mail with a return receipt requested.

17 (2) [Except as otherwise provided in subdivision (5) of this
18 subsection, any] Any mobile manufactured home park owner who
19 intends to discontinue the use of the land as a mobile manufactured

20 home park or to sell, lease, or transfer land used as a mobile
21 manufactured home park to any person [who intends to discontinue its
22 use as a mobile manufactured home park] shall give written notice by
23 certified mail with a return receipt requested, by first class mail with
24 tracking addressed to each mobile manufactured home unit [or] and by
25 personal delivery to each unit upon such land. [if such transaction will
26 entail the discontinuance of the use of the land for mobile manufactured
27 home park purposes.] If an owner of a mobile manufactured home has
28 given the park owner written notice that the owner resides in a place
29 other than the owner's unit, notice shall be sent by first class mail to the
30 address so provided. A copy of such notice shall also be sent to the
31 Department of Housing, the Connecticut Housing Finance Authority
32 and the Department of Consumer Protection. The notice shall include a
33 statement of the residents' rights under this subsection and the
34 deadlines for exercising such rights. If the notice is based on a sale of the
35 park, the notice shall also include the price, terms and conditions of the
36 offer the park owner has conditionally accepted or plans to accept and
37 a copy of the signed written contract or offer. The notice shall include a
38 statement advising the recipient of the intended discontinuance of use
39 or sale, lease or other transfer and [, except as otherwise provided in
40 subdivision (5) of this subsection,] shall be mailed [or] and delivered at
41 least one hundred twenty days prior to the discontinuance of the use of
42 the land as a mobile manufactured home park or the proposed closing
43 upon the sale of the park, whichever is earlier. The notice may run
44 concurrently with the notice required by subdivision (3) of subsection
45 (a) of section 21-80 or subparagraph (E) of subdivision (1) of subsection
46 (b) of section 21-80. A copy of such notice from the park owner shall be
47 sent to any association of residents of the mobile manufactured home
48 park which has made a written request for such notice. A mobile
49 manufactured home park owner may accept an offer for the sale, lease
50 or transfer of the land before providing a copy of such notice as long as
51 the agreement is conditioned upon giving the residents the notice and
52 the opportunity to purchase required by this subsection.

53 (3) [Except as otherwise provided in subdivision (5) of this

54 subsection, within one hundred twenty] Not later than ninety days after
55 the notice provided for in subdivision (2) of this subsection has been
56 mailed, any association representing twenty-five per cent or more of the
57 units in the park that are occupied by the owners of such units or one or
58 more of the owner's family members, including an association formed
59 after the issuance of the notice, may notify the owner of the park that it
60 is interested in purchasing the mobile manufactured home park. A copy
61 of such notice may be filed on the land records of the town in which the
62 mobile manufactured home park is located. If such notice is given,
63 [except as otherwise provided in subdivision (5) of this subsection,] the
64 association shall have three hundred sixty-five days after the notice
65 required in subdivision (2) of this subsection has been given to purchase
66 the park through negotiation or the method set forth in subdivision (4)
67 of this subsection, or, if the association proceeds pursuant to subdivision
68 (5) of this subsection and reaches an agreement with the park owner for
69 purchase of the park, to close on the sale. Upon the request of the
70 association, the Department of Housing and the Connecticut Housing
71 Finance Authority shall assist the association in developing financing
72 for the purchase of the park.

73 (4) If the association and the park owner cannot agree upon a
74 purchase price, the association shall have the right to purchase the
75 property: (A) If the association matches the essential provisions of any
76 existing bona fide offer to purchase the park made by another potential
77 purchaser which offer by such other purchaser the owner is prepared to
78 accept, provided an owner may require such association to pay one
79 hundred two per cent of the purchase price contained in such bona fide
80 offer; or (B) if there is no such offer, at a purchase price to be established
81 by an appraiser chosen by the association and the park owner, and the
82 park owner shall offer to sell the park to the association at such purchase
83 price in accordance with this subsection. If the two parties cannot agree
84 upon one appraiser, either party may notify the other, in writing, of such
85 disagreement, and the association shall choose an appraiser, the park
86 owner shall choose an appraiser, and the two appraisers shall choose a
87 third appraiser, which three appraisers shall establish a value of the

88 park. If the park owner refuses to select an appraiser within fifteen days
89 of such notice, the Commissioner of Consumer Protection shall choose
90 an appraiser for the park owner. The costs of all appraisers shall be paid
91 equally by the association and the park owner. [Except as otherwise
92 provided in subdivision (5) of this subsection, if,] No park owner shall
93 unreasonably refuse to enter into, or unreasonably delay the execution
94 or closing on, a purchase and sale agreement with an association that
95 has made a bona fide offer to meet the price and substantially equivalent
96 terms and conditions of an offer for which notice is required to be given
97 pursuant to this subsection. If, within three hundred sixty-five days
98 from the mailing of the notice required in subdivision (2) of this
99 subsection, no agreement for [such sale] the sale of the mobile
100 manufactured home park signed by the association and the park owner
101 has been filed upon the land records, or if the association has not filed a
102 certified statement to purchase the park at the appraised value which
103 value shall also be certified on the land records by the appraiser or
104 appraisers, the right provided in this subsection to purchase the park
105 shall be void and any recorded notice filed pursuant to subdivision (3)
106 of this subsection shall be void.

107 [(5) In any case in which a mobile manufactured home park with two
108 hundred or more units in which a majority of residents have been given
109 written notice, prior to June 10, 1999, of the intended discontinuance of
110 the use of the land as a mobile manufactured home park, regardless of
111 whether one or more of such notices or the service of such notices is
112 subsequently deemed invalid or ineffective, (A) any subsequent notice
113 of such intended discontinuance that is given or required to be given
114 after June 23, 1999, by the owner pursuant to this subsection, and (B)
115 any notice given or action taken pursuant to this subsection after June
116 23, 1999, by any association representing twenty-five per cent or more
117 of the units in the park shall be subject to the time limitations contained
118 in this subsection that were in effect immediately prior to June 23, 1999.]

119 (5) Within the ninety-day time period prescribed by subdivision (3)
120 of this subsection, an association that meets the requirements of said

121 subdivision shall have the right to make an offer to purchase the park
122 without following the method or invoking the rights set forth in
123 subdivision (4) of this subsection, in which case the association shall so
124 state when presenting its offer to the park owner. In such case, the park
125 owner shall have the duty to consider the association's offer and
126 negotiate with such association in good faith.

127 (6) An association of residents that has the right to purchase under
128 this subsection may, at its election, assign its purchase rights to the
129 municipality where such association is located, the housing authority
130 for its area, an agency of the state or a nonprofit organization for the
131 purpose of continuing the use of the property as a mobile manufactured
132 home park.

133 (7) The requirements of subdivisions (2) to (6), inclusive, of this
134 subsection shall apply separately to each substantially different offer to
135 sell or purchase a mobile manufactured home park.

136 (8) Subdivisions (2) to (7), inclusive, of this subsection shall not apply
137 if:

138 (A) The sale, lease or transfer is to a family member of the owner or
139 to a trust, the beneficiaries of which are family members of the owner;

140 (B) The transfer is by gift, devise or required by operation of law;

141 (C) The sale, lease or transfer is by a partnership to one or more of its
142 partners;

143 (D) The conveyance of an interest in the park is incidental to the
144 financing of such park;

145 (E) The lease is the lease of a lot within the mobile manufactured
146 home park to a person who will live in a mobile manufactured home on
147 such lot;

148 (F) The sale, lease or transfer is between joint tenants or tenants in

149 common; or

150 (G) The sale is made by eminent domain.

151 Sec. 2. (NEW) (*Effective October 1, 2023*) An owner of a mobile
152 manufactured home park who sells such park to residents of the park in
153 compliance with the requirements of subsection (f) of section 21-70 of
154 the general statutes, as amended by this act, shall be exempt from the
155 payment of any state conveyance tax otherwise due based on the sale
156 price of the park, provided (1) the entity purchasing the mobile
157 manufactured home park is owned by at least twenty-five per cent of
158 the residents of the park or an organization exempt from taxation under
159 Section 501(c)(3) of the Internal Revenue Code of 1986, or any
160 subsequent corresponding internal revenue code of the United States,
161 as amended from time to time, and (2) the sale terms require the
162 guaranteed maintenance of the property as a mobile manufactured
163 home park.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	21-70(f)
Sec. 2	<i>October 1, 2023</i>	New section

Statement of Legislative Commissioners:

In Section 1(f)(1) and (2), "with a" was added before "return receipt requested" for accuracy; in Section 1(f)(3), "it" was changed to "the association" for clarity; in Section 1(f)(4), "except" was changed to "provided" for accuracy, and "offer to" was added before "sell" for accuracy; and in Section 1(f)(4)(B), the sentence beginning "No park owner" was moved for consistency.

HSG *Joint Favorable Subst.*