

1 S.33

2 Introduced by Senator Baruth

3 Referred to Committee on

4 Date:

5 Subject: Housing; mobile homes; lot rent

6 Statement of purpose of bill as introduced: This bill proposes to lower the
7 allowable rate of increase for mobile home lot rents.

8 An act relating to lowering the rate of increase for mobile home lot rents

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 10 V.S.A. § 6252 is amended to read:

11 § 6252. LOT RENT INCREASE DISPUTE; MEDIATION

12 (a) If the percentage of a proposed lot rent increase is more than one-half of
13 one percentage point above the U.S. Consumer Price Index for all Urban
14 Consumers, Housing Component, published by the U.S. Bureau of Labor
15 Statistics in the periodical "Monthly Labor Review and Handbook of Labor
16 Statistics" as established annually by the Department, and if, within 15
17 business days after receipt by the Commissioner of the notice required
18 pursuant to subsection 6251(a) of this title, a majority of the affected
19 leaseholders files with the Commissioner and the park owner a written petition
20 that includes the name of the person who will act as the representative of the

1 leaseholders; and a statement that they dispute the proposed lot rent increase,
2 the Commissioner shall send a list of qualified professional mediators
3 compiled by the Department in cooperation with park owners and leaseholders
4 to the park owner and to the leaseholders' representative. Within five business
5 days of receipt of the list, the park owner and the leaseholders' representative
6 shall agree on a mediator from the list provided by the Commissioner and
7 notify the Commissioner of the name, address, and telephone number of the
8 mediator selected, accompanied by the mediator's agreement to conduct the
9 mediation. If the Commissioner has not been notified of a mediator as
10 required by this subsection, the Commissioner shall appoint a mediator from
11 the Department's list. The mediator may not have any interest, direct or
12 indirect, in the mobile home park at issue and shall disclose to the park owner,
13 the leaseholders, and the Commissioner, any experience as a mobile home park
14 owner, resident, or leaseholder, or any other circumstance that may create a
15 real or perceived conflict of interest. The Department shall pay the reasonable
16 fees for professional mediation services based on a schedule established by
17 rule of the Department.

18 (b) The mediator shall conduct one or more mediation sessions within the
19 period that ends 10 days prior to the effective date of the proposed lot rent
20 increase. The mediation shall include the mobile home park owner and the
21 leaseholders; or their respective representatives and shall attempt to resolve the

1 dispute. ~~No~~ Not later than five days before the initial mediation session, the
2 mobile home park owner shall provide to the mediator and the leaseholders'
3 representative all documents and information that the park owner considers
4 relevant to support the proposed lot rent increase. The mobile home park
5 owner shall have the burden of providing information to show that the
6 proposed lot rent increase is reasonable. The mediator may also request any
7 additional documents or information for the purposes of the mediation process.
8 Any resolution of the dispute shall include an agreement regarding the amount
9 of the lot rent increase and the effective date. If the dispute is resolved, the
10 mobile home park owner shall not be required to provide any additional notice
11 in order for the lot rent increase to take effect pursuant to the resolution.

12 (c) The mediator shall issue to the parties and the Commissioner a report
13 signed by the mediator and the parties regarding the outcome of the mediation.
14 The report shall not be admitted into evidence and the mediator shall not be
15 competent to testify in any subsequent action regarding the proposed lot rent
16 increase.

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on July 1, 2019.