

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

H.757

An act relating to manufactured homes and limited equity cooperatives

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

* * * Manufactured Homes * * *

Sec. 1. 9 V.S.A. chapter 72 is amended to read:

CHAPTER 72. MOBILE HOMES

§ 2601. DEFINITIONS

(a) As used in this chapter, unless the context requires otherwise, “mobile home” means:

(1) A mobile home as defined in 10 V.S.A. § 6201.

(2) An unmotorized vehicle, other than a travel or recreational trailer, designed to be towed and designed or equipped for use as sleeping, eating, or living quarters.

(b) A mobile home remains a mobile home for purposes of this chapter even though it may be used for advertising, sales, display, or promotion of merchandise or services, or for any other commercial purposes except the transportation of property.

(c) A mobile home that was financed as residential real estate shall be defined as residential real estate.

(d) “Permanently sited” means the mobile home has become affixed to the land. Factors that tend to show a mobile home is permanently sited include one or more of the following:

1 of a deed in fee simple to the grantee, the heirs, successors, and assigns, to
2 their own use, with covenants on the part of the grantor, for the grantor, the
3 grantor's heirs, executors, and administrators that, at the time of the delivery of
4 the deed, the grantor was lawfully seized in fee simple of the mobile home;
5 that the mobile home was free from all encumbrances, except as stated; that the
6 grantor had good right to sell and convey the same to the grantee, the grantee's
7 heirs, successors, and assigns; and that the grantor and the grantor's heirs,
8 executors, and administrators shall warrant and defend the same to the grantee
9 and the grantee's heirs, successors, and assigns, against the lawful claims and
10 demands of all persons except as stated. ~~No owner of land on which a mobile
11 home is sited shall unreasonably withhold the consent required by this
12 statutory form.~~

13 Form for Mobile Home Warranty Deed

14 _____, of _____, _____ County, State of _____,
15 ("Grantor"), for consideration paid, grants to _____ of Street, Town
16 (City) of _____, _____ County, State of _____ ("Grantee"),
17 with warranty covenants, the _____ (description of mobile home being
18 conveyed: name of manufacturer, model and serial number, and encumbrances,
19 exceptions, reservations, if any) which mobile home is situated, or is to be
20 situated, at _____ (state name of park, if any, and street address), Town
21 (City) of _____, _____ County, State of Vermont.

1 The tract or parcel of land upon which the mobile home is situated, or is to be
2 situated, is owned by _____ by deed dated and recorded at
3 Book _____, Page _____ in the land records of the Town (City) of
4 _____.

5 _____ (~~wife~~) (~~husband~~ spouse) of said Grantor, releases to said
6 Grantee all rights and other interests therein.

7 Signed this _____ day of _____, _____.

8 (Here add acknowledgment)

9 _____, owner of the tract or parcel of land upon which the
10 aforesaid mobile home is situated, or is to be situated, hereby consents to the
11 conveyance of the mobile home.

12 Signed this _____ day of _____, _____.

13 (Here add acknowledgment)

14 [] Check box if the mobile home has been relocated from one site to another
15 within Vermont, and attach a Relocation Statement in the form provided in
16 section 2606 of this title.

17 (d) A quitclaim deed that is substantially in the form provided in this
18 subsection shall, when duly executed and delivered, have the force and effect
19 of a deed in fee simple to the grantee, the heirs, successors, and assigns, to
20 their own use subject to encumbrances of record. ~~No owner of land on which~~

1 ~~the mobile home is sited shall unreasonably withhold consent required by this~~
2 ~~statutory form.~~

3 Form for Mobile Home Quitclaim Deed

4 _____, of _____, _____ County, State of _____
5 (“Grantor”), for consideration paid, grants to _____ of _____
6 Street, Town (City) of _____, _____ County, State of _____
7 (“Grantee”), with quitclaim covenants, the (description of mobile home being
8 conveyed: name of manufacturer, model and serial number, and encumbrances,
9 exceptions, reservations, if any) which mobile home is situated, or is to be
10 situated, at _____ (state name of park, if any, and street address), Town
11 (City) of _____ County, State of Vermont.

12 The tract or parcel of land upon which the mobile home is situated, or is to
13 be situated, is owned by _____ by deed dated _____ and recorded
14 at Book _____, Page _____, in the land records of the Town (City)
15 of _____.

16 _____ (~~wife~~) (~~husband~~ spouse) of said Grantor releases to said
17 Grantee all rights and other interest therein.

18 Signed this _____ day of _____, _____.

19 (Here add acknowledgment)

1 housing for persons and households of low and moderate income at the time
2 that they purchase their memberships. In addition to safeguarding the
3 foregoing public purpose, a limited equity cooperative shall meet the following
4 requirements:

5 * * *

6 (6) The articles of incorporation shall require that upon dissolution of
7 the cooperative housing corporation, any assets remaining after retirement of
8 corporate debts and distribution to members shall be distributed to a charitable
9 organization described in Section 501(c)(3) of the Internal Revenue Code of
10 1986, as amended, a public agency, or another limited equity cooperative
11 whose formula for determining transfer value shall be not less restrictive than
12 that of the cooperative housing corporation being dissolved.

13 (7) The articles of incorporation shall require that no sublease of a unit
14 shall provide for monthly payments by the sublessee in excess of 110 percent
15 of monthly payments for the unit provided for in the proprietary lease.

16 (8) Notwithstanding subdivision (7) of this subsection, for a mobile
17 home park organized as a limited equity cooperative, the articles of
18 incorporation shall:

19 (A) prohibit the subleasing of a unit, unless:

1 (i) a member demonstrates a hardship, in which case the board of
2 directors may by an affirmative vote of the majority grant an exemption from
3 the prohibition; and

4 (ii) the unit is subleased to an individual of low or moderate
5 income; and

6 (B) require that a unit owner shall not sublease a unit under this
7 subdivision (8) for a higher amount than necessary to cover the costs of the
8 unit to the member, including the costs of the monthly payment for the unit
9 provided for in the proprietary lease, the costs of any mortgage for the unit
10 owner, and any costs of utilities passed on to the sublessee.

11 (b)(1) A mobile home park organized as a limited equity cooperative shall
12 be treated for the purposes of State funding and grants as if it were
13 incorporated as a State nonprofit corporation for a public purpose and public
14 benefit under the laws of this State. Nothing in this section shall be deemed to
15 alter or change specific funding or grant requirements, including the definition
16 of low or moderate income, as outlined in any program, funding, or grant
17 source.

18 (2) Nothing in this subsection shall be interpreted to impact or alter the
19 tax treatment of a mobile home park organized as a limited equity cooperative.

20 Sec. 3a. 11 V.S.A. § 1598 is amended to read:

21 § 1598. LIMITED EQUITY COOPERATIVES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

* * *

~~(b)(1) A mobile home park organized as a limited equity cooperative shall be treated for the purposes of State funding and grants as if it were incorporated as a State nonprofit corporation for a public purpose and public benefit under the laws of this State. Nothing in this section shall be deemed to alter or change specific funding or grant requirements, including the definition of low or moderate income, as outlined in any program, funding, or grant source.~~

~~(2) Nothing in this subsection shall be interpreted to impact or alter the tax treatment of a mobile home park organized as a limited equity cooperative.~~
[Repealed.]

* * * Municipal Zoning * * *

Sec. 4. 24 V.S.A. § 4412 is amended to read:

§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

Notwithstanding any existing bylaw, the following land development provisions shall apply in every municipality:

(1) Equal treatment of housing and required provisions for affordable housing.

* * *

(B) Except as provided in subdivisions 4414(1)(E) and (F) of this title, no bylaw shall have the effect of excluding mobile homes, modular

1 housing, or prefabricated housing from any district that allows year-round
2 residential development in the municipality, except upon the same terms and
3 conditions as conventional housing is excluded. A municipality may establish
4 specific site standards in the bylaws to regulate individual sites within
5 preexisting mobile home parks with regard to distances between structures and
6 other standards as necessary to ensure public health, safety, and welfare,
7 provided the standards do not have the effect of prohibiting the replacement of
8 mobile homes on existing lots.

9 * * *

10 * * * Sales and Use Tax Exemption * * *

11 Sec. 5. 32 V.S.A. § 9706 is amended to read:

12 § 9706. STATUTORY PURPOSE

13 * * *

14 (s) The statutory purpose of the exemption for sales of mobile homes and
15 modular housing in subdivision 9741(32) of this title is to create equity
16 between mobile and modular housing and traditional residential construction
17 ~~by providing an exemption for the estimated portion of the cost attributable to~~
18 ~~labor (versus materials).~~

19 * * *

1 The Secretary of State may, upon request from a limited equity cooperative
2 organized in accordance with 11 V.S.A. § 1598, update the limited equity
3 cooperative’s registration to ensure proper reflection of the limited equity
4 cooperative’s corporate business organization structure within the Secretary of
5 State’s systems.

6 * * * Conforming Revisions * * *

7 Sec. 8. CONFORMING REVISIONS

8 When preparing the Vermont Statutes Annotated for publication, the Office
9 of Legislative Counsel shall replace “mobile home” with “manufactured
10 home” throughout the statutes as needed for consistency with this act, provided
11 the revisions have no other effect on the meaning of the affected statutes.

12 * * * Reports * * *

13 Sec. 8a. DEPARTMENT OF HOUSING AND COMMUNITY

14 DEVELOPMENT; MOBILE HOME PARK FUNDING; REPORT

15 (a) On or before November 15, 2026, the Department of Housing and
16 Community Development, in consultation with the Agency of Administration,
17 the Agency of Natural Resources, and the Agency of Transportation, shall
18 submit a written report to the House Committee on General and Housing and
19 the Senate Committee on Economic Development, Housing and General
20 Affairs identifying all State funding grant and loan programs available to
21 mobile home parks for infrastructure improvements with an analysis on the

1 eligibility and regulatory barriers prohibiting access to the funds for mobile
2 home parks registered as a limited equity cooperative under 11 V.S.A. chapter
3 14.

4 (b) The Office of the Secretary of State shall provide technical support as
5 necessary to the Department of Housing and Community Development.

6 * * * Effective Dates * * *

7 Sec. 9. EFFECTIVE DATES

8 This act shall take effect on July 1, 2026, except that:

9 (1) Sec. 3a (repeal) shall take effect on July 1, 2027; and

10 (2) Secs. 5 and 6 (sales and use tax exemption) shall take effect on
11 January 1, 2028.