

Boulder residents, lawmakers cheer new rights for mobile home owners

Ritter expected to sign bill into law in June

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What the bill means

Senate Bill 10-156 is on its way to Gov. Bill Ritter for approval. Once it's signed, the law would:

Give mobile home owners 60 days to move their homes once evicted.

Require judges to award reasonable attorneys' fees to mobile home owners who win a lawsuit against their landlord.

Require owners of mobile home parks to provide reliable water and sewage systems.

Require at least two days' notice if water service is to be disrupted in a mobile home park.

Give mobile home owners 30 days after a court order requiring them to leave a property to move their homes.

Specify that homeowners in mobile home parks have the right to peacefully assemble in the streets or common areas of a park, or to establish a homeowners' association.

A bill that would expand the protections of owners of mobile homes is on its way to Gov. Bill Ritter's desk, which has Boulder officials and residents who helped draft and promote the legislation cheering.

Senate Bill 10-156 gained final approval by the state Legislature earlier this month. The governor is expected to sign the bill into law in early June.

The bill expands certain existing protections for owners of mobile homes, and it adds new rights. Many of the components came at the direct request of Boulder officials, who have had to sit on the sidelines during several recent disputes among landlords, the city and residents.

"We wanted to make sure that we helped to address the imbalance of power" between landlords and owners of mobile homes, said Carl Castillo, Boulder's policy adviser.

For example, the bill gives the city the power to send inspectors into private mobile home parks, without the permission of the property owner, to inspect the infrastructure of the utilities.

That provision would directly address a problem at Orchard Grove, where city inspectors have been denied access by management. To assess the conditions of the basic utility infrastructure at that park, city officials have had to rely on aerial photography and interviews with private contractors.

The bill also requires owners of mobile home parks to provide up-to-code and reliable water and sewage service to every unit. Some residents of Orchard Grove have said their water service is intermittent because of the aging utilities there.

Sam Alschuler, a resident of Orchard Grove for the past 11 years, was involved in promoting the legislation as a resident and member of the Manufactured Home Owners Association of America.

"We are happy with all the changes that were made," he said.

He said managers at Orchard Grove have already installed a new water-control system that's hooked up to the city's water supply, and he said the new law would require it to be maintained.

"Before, we were getting water out of a cistern," he said.

Lou Nuttall, owner of Orchard Grove, did not return phone calls seeking comment and has previously declined to talk about the legislation.

Another aspect of the bill spells out that residents of any mobile home park have the right to peacefully assemble in the streets or other common areas.

That addresses an issue at Boulder's Vista Village park, where in early 2009 managers at the park called police on a group of residents who gathered in the street to protest a fence that was put up to block a popular pedestrian path.

Under the new law, "There would be no question they're allowed" to protest, Castillo said.

Harvey Miller, owner of the Vista Village park, said he hasn't been following the bill but isn't concerned about it.

The bill also would give homeowners 60 days after a notice of eviction to move their home from the rented land. That doubles the amount of time that an owner now has to finish the often-complex process.

Homeowners who fight evictions and lose will have up to 30 days after a court order to move their homes. Now, most people have only 48

hours after a court order to get off the land.

The bill also requires judges to award owners of mobile homes reasonable attorneys' fees if they sue their landlords and win. Now, judges have discretion about whether to award legal fees.

Two big items that were cut from the final version of the bill would have given residents of mobile home parks the right to make an offer to buy the land if the owner ever wanted to sell it, and would have required landlords to compensate residents for their homes if the use of the land changed and they had to move.

Castillo, the city's policy adviser, said there was progress on that front, though.

"In reaching a compromise with the park owners, we were able to get from them a promise that there would be a dialogue over the summer to talk about those issues we weren't able to reach in this legislation," he said.

State Sen. Rollie Heath and Rep. Dickey Lee Hullinghorst, both Boulder Democrats, carried the legislation.

Heath, the primary sponsor, said the final passage of the bill was a good compromise.

"You never get everything where you started off, but I think we made a huge step forward," he said.

He said he's particularly glad that residents and landlords across the state were able to meet and debate the bill together.

"They seem to have come to the idea that they need each other," Heath said.

A section of the bill encourages cities and towns to take their own actions to protect mobile home parks and their residents, and "to enact plans to increase the number of mobile home parks in their jurisdictions."

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