

State of Vermont
Department of Housing and Community Development
Deane C. Davis Building – 6th Floor [phone] 802-828-3211
One National Life Drive
Montpelier, VT 05620-0501

*Agency of Commerce and
Community Development*

MEMORANDUM

TO: Vermont Mobile Home Park Owner
FROM: Department of Housing and Community Development
RE: Notification of Intent to Sell a Mobile Home Park
10 V.S.A. §6242 and the Housing Division Rules Part I, Rule 13

The provisions of the Mobile Home Park Act and Housing Division Rules that pertain to mobile home park sales are designed to preserve the affordability of mobile home parks by giving the owners of mobile homes in the park an opportunity to buy the park as a group or approve a non-profit housing organization to negotiate for purchase of the park. Vermont law requires notice to each mobile home owner and the Commissioner of the Department of Housing and Community Development before attempting to sell a mobile home park. The law also requires a sale notice before closing a mobile home park unless you are not selling the land for at least five years.

From the Notice Date, the mobile home owners have 45-days to decide if they are interested in buying the mobile home park. During the 45-day period you may not commit to selling the mobile home park to anyone else. If a majority of the mobile home owners are interested in buying the park or approve a non-profit housing organization to negotiate for purchase of the park, they must notify you before the end of the 45-day period. Then you will have an additional 120-day period to negotiate the sale of the mobile home park in good faith with each other.

If you pay Vermont income taxes, you may be eligible for a tax credit if you sell the mobile home park to the mobile home owners or a non-profit approved by them. This is an additional factor that you should discuss with your attorney or tax preparer. During the entire 165-day period (45-day notice, plus 120-day negotiation period) from the Notice Date, you may not commit to selling the mobile home park to anyone except for the mobile home owners or a nonprofit organization they have approved.

If you do not receive notice from the mobile home owners within the 45-day period that they are interested in buying the park, or if they let you know they are not interested, then you have one year from the end of the 45-day period to sell the mobile home park to someone else for no more than 5 percent below the price you offered to the mobile home owners in the notice, or no less than 5 percent above the final written offer from a group representing a majority of the mobile home owners or a nonprofit corporation approved by them.

When the park is sold, the law requires disclosure of the results of any recent sanitary survey, water tests taken during the past three years, and applicable State and local permits to the buyer (10 V.S.A. §6266(d), and security deposits, if any, must be transferred to the new park owner (10 V.S.A. §6244(f)).



INSTRUCTIONS

You must fully complete, sign, and return the Notification of Intent to Sell a Mobile Home Park form to the Commissioner BY CERTIFIED MAIL RETURN RECEIPT REQUESTED, and enclose a complete list of the names and mailing addresses of the mobile home owners, and a copy of the notification letter they received from you. You must also provide the notice to each mobile home owner BY CERTIFIED MAIL RETURN RECEIPT REQUESTED. The notice to the mobile home owners must include a notification letter, the Notification of Intent to Sell form, and the park mailing list. Enclosed is a sample notification letter that includes the information required by law.

These forms and instructions are available on our website at accd.vermont.gov/housing. If you have any questions, please call (802) 828-3749 or email arthur.hamlin@vermont.gov.

Enclosures:

1. Notification to Department of Housing and Community Development of Intent to Sell a Mobile Home Park form (Effective April 12, 2013 – Revised 1/18/17)
2. Sample Notification Letter for Park Sale (Effective April 12, 2013 – Revised 1/18/17)

**NOTIFICATION TO DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OF
INTENT TO SELL A MOBILE HOME PARK**

1. Name of Owner(s): _____
 a. Mailing Address: _____ b. Phone #: _____ (W)
 _____ (H)

2. Name of Mobile Home Park: _____
 a. Park Address: _____ e. # Mobile Home Lots: _____
 _____ # Mobile Homes at Park: _____
 _____ # Owned by Park Owner: _____
 _____ # Owned by Leaseholders: _____
 b. Taxed by City/Town(s): _____ # of Mobile Home Owners: _____
 c. Year park established: _____
 d. Year(s) of expansion(s): _____ f. Lot Rent: _____ Date of last increase: _____

3. Is the park served by municipal water? _____ sewer? _____ **If no, describe water and septic systems:** _____

Indicate whether, to your best knowledge, the mobile home park is in compliance with applicable statutes, regulations and permits of the following: {Required by 10 V.S.A. Section 6242 (a)(4)}

Water:	yes _____	no _____	Act 250 permit(s):	yes _____	no _____
Sewer/Septic:	yes _____	no _____	Mobile Home Park registration:	yes _____	no _____
Electrical:	yes _____	no _____	Municipal permits:	yes _____	no _____

If no, give reasons for noncompliance: _____

4. a. Asking Price: \$ _____ Price Includes: Number of Acres _____
 (If more space required use back of form) Other buildings _____
 Equipment _____
 b. Sale Terms: _____

c. Is there a private sale pending? _____ Attach copy if available.

Please attach names of all mobile home owners, their complete mailing address, lot number, and the number of leaseholds held by each.

CERTIFICATION - I certify that the foregoing and attached information is true and correct.

Owner's Signature: _____ Co-Owner's Signature: _____
 Date: _____ Date: _____

SEND BY CERTIFIED MAIL RETURN RECEIPT REQUESTED TO MOBILE HOME OWNERS AND:

Commissioner Katie Buckley
 Department of Housing & Community Development
 One National Life Drive
 Deane C. Davis Building, sixth floor
 Montpelier, VT 05620-0501

INSTRUCTIONS

1. **Name and address of owner:** 1. Provide the name(s) of actual owner(s) of the mobile home park. If the mobile home park is owned by a partnership or corporation, include all partners or principals of the corporation; 1a. Provide the mailing address for the park owner(s); 1b. Telephone number(s) where owner can be reached.
2. **Name and description of the mobile home park:** Provide the name of the mobile home park, if any. If none, the Department uses the park owner(s) name; 2a. Provide the actual physical address/location of the mobile home park; 2b. City or Town(s) to which property taxes assessed on the mobile home park are paid; 2c. Year the park was established; 2d. The year(s), if any, that additional lots were developed in the mobile home park; 2e. Number of developed lots in the mobile home park and number of mobile homes currently sited; number of mobile homes that you own and number owned by leaseholders; 2f. Current lot rent (including any capital improvements surcharge) and the date of the most recent rent increase.
3. **Utilities and permits:** Answer “Yes” or “No” to indicate whether the mobile home park is served by municipal water and sewer. If “No”, provide explanation as to the water source and type of septic systems for the mobile home park. Check off “Yes” or “No” whether, to the owner’s best knowledge, the mobile home park is in compliance with the required permits and/or registrations listed. For any “No” answer provide an explanation of the reason for the noncompliance and any steps being taken to correct the noncompliance.
4. **Asking price and terms:** Provide the asking price for the mobile home park; 4a. Indicate the amount of land/acreage that is included, all buildings included with the sale, including any mobile homes that you own that are included, garages, equipment, sheds/storage etc.; Provide detailed descriptions of any buildings (e.g. type of building, age, size, condition, value); 4b. Sale terms: indicate whether or not there are any special conditions to the sale or if, for example, you are offering owner financing; 4c. Indicate whether or not a private sale is pending, and if available, attach a copy of any purchase and sale agreement or offer.

Attach a complete list of the mobile home owners’ names and mailing addresses, lot number, and number of leaseholds held by each. The mobile home park owner must sign and date the form. **SEND BY CERTIFIED MAIL RETURN RECEIPT REQUESTED** to the Commissioner of Housing and Community Development and each mobile home owner along with a copy of the notification letter.

If you have any questions call (802) 828-3749 or email arthur.hamlin@vermont.gov.

USE THE SPACE BELOW OR ADDITIONAL SHEETS, IF NEEDED FOR FURTHER EXPLANATIONS FOR ANY QUESTION.

**MOBILE HOME PARK SALE
NOTIFICATION LETTER TO MOBILE HOME OWNERS**

Certified Mail Return Receipt Requested

Date: _____

Dear Mobile Home Owner(s):

Please be advised that {I/we} intend to sell the mobile home park in which you own a mobile home. Pursuant to State law, {I/we} are required to give you the opportunity to consider buying the park before selling it to anyone else, or before closing the park to sell the property within five years. This notice **is** __ **is not** __ due to a potential closure of the park. If a majority of the park's mobile home owners are interested, you may negotiate to buy the mobile home park as a group, or approve a nonprofit housing organization to buy the mobile home park.

The property that is for sale includes {describe in detail}:

Number of Acres	_____	No. MH Lots	_____
Buildings	_____	Mobile homes	_____
Equip. / Vehicles	_____	Other items	_____

The asking price for the above property is \$ _____.

The terms and conditions of the sale are:

_____.

To the best of my/our knowledge, the mobile home park **is** __ **is not** __ in compliance with applicable statutes, regulations and permits. **{Discuss the status of compliance}**

_____.

As required by law, for 45 days following receipt of proper notice to the Department of Housing and Community Development and your receipt of this notice, {I/we} will not commit to selling the mobile home park to anyone else except a group representing a majority of the mobile home owners or a nonprofit corporation approved by you. A copy of the form filed with the Department is enclosed.

If a majority of the mobile home owners are interested in buying the mobile home park or authorizing a nonprofit organization to buy it, you must notify {me/us} within 45-days. If {I/we} receive notice within the 45-day period from a group representing a majority of the mobile home owners or a nonprofit organization approved by you, that you are interested in buying the mobile home park, then you will have an additional **120 days** to negotiate in good faith with {me/us} to buy the mobile home park. If you exercise your rights within 45-days, then during the entire **165-day period**, {I/we} will not commit to selling the mobile home park to

anyone else except a group representing a majority of the mobile home owners or a nonprofit organization approved by you.

If {I/we} do not receive notice within the 45-day period that a majority of you are interested in buying the park or have approved a nonprofit corporation to represent you, then for one year after the 45-day period ends {I/we} will be free to sell the mobile home park to someone else for no more than five percent below the price disclosed in this notice, or no less than five percent above a final written offer made by a group representing a majority of you or a nonprofit corporation approved by you.

In a few weeks, the Department of Housing and Community Development may schedule an informational meeting to tell you more about your rights. If you would be interested in meeting with the Department or have any questions, contact the Housing Division at (802) 828-3749 or email arthur.hamlin@vermont.gov.

Sincerely,

{Owner}

Required Enclosures

List of mobile home owners' names and mailing addresses, and # of leaseholds
Notification to Department of Intent to Sell a Mobile Home Park form

cc: Katie Buckley, Commissioner
Department of Housing and Community Development