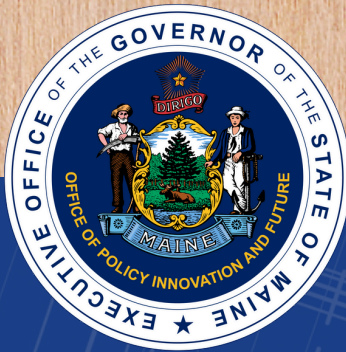


L.D. 1765

REPORT TO THE JOINT STANDING COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT

An Act to Ensure Affordability and Stability in Residential Housing and
in Manufactured Housing Communities



DECEMBER 31, 2025

CONTENTS

Introduction.....	2
Summary of Recommendations.....	4
Activity #1: Develop a model rent stabilization ordinance for use by municipalities.....	6
Activity #2: Identify barriers to and solutions for building residential dwelling units in vacant lots.....	7
Activity #3: Explore opportunities to provide technical and financial support to manufactured housing community homeowners to maintain the affordability of rent and fees within the community.....	11
Activity #4: Recommend ways to proactively support manufactured housing community homeowners who seek to form a cooperative or other organization or align with a nonprofit organization to purchase the homeowners' housing community.....	13
Activity #5: Evaluate traditional mortgages as a financing option for manufactured housing community homeowners who wish to purchase their manufactured housing community.....	15
Activity #6: Evaluate oversight of conditions at parks and how parks are licensed.....	18
Appendix 1 – L.D. 1765 Work Group Participants.....	21
Appendix 2 – Model Municipal Rent Stabilization Ordinance.....	24

INTRODUCTION

L.D. 1765, *An Act to Ensure Affordability and Stability in Residential Housing and in Manufactured Housing Communities*, was enacted by the Legislature and signed by Governor Janet Mills on June 18, 2025. Section 2 of the legislation directed the Governor's Office of Policy Innovation and the Future (GOPIF) to undertake a series of tasks related to manufactured housing communities (also referred to in this report as "mobile home parks" or MHCs), and by December 31, 2025 submit a report to the Joint Standing Committee on Housing and Economic Development detailing the results of that work.

L.D. 1765 provided that GOPIF may work with other state agencies or interested parties in conducting the activities described in the legislation. An introductory meeting, open to all interested parties, was held in August via Zoom. Subgroups were established, as noted in L.D. 1765 and listed below, and participants could choose to sign up for one or more of those subgroups based on their interest and experience:

1. Develop a model rent stabilization ordinance for use by municipalities and post the model ordinance on the office's publicly accessible website;
2. Identify barriers to and solutions for building residential dwelling units in vacant lots;
3. Explore opportunities to provide technical and financial support to manufactured housing community homeowners to maintain the affordability of rent and fees within the community;
4. Recommend ways to proactively support manufactured housing community homeowners who seek to form a cooperative or other organization or align with a nonprofit organization to purchase the homeowners' housing community;
5. Evaluate traditional mortgages as a financing option for manufactured housing community homeowners who wish to purchase their manufactured housing community; and
6. Evaluate oversight of conditions at parks and how parks are licensed [note: this task was not required pursuant to L.D. 1765, but was brought up at the initial meeting by multiple parties and added to the subgroup work as a result].

Between September and December 2025, the subgroups met between two and five times each to discuss the issues and propose recommendations. Staff collected notes from all subgroup discussions, often supplemented by follow-up conversations with participants to add clarity and context.

More than 50 people participated in subgroup meetings, including mobile home park residents, park owners, financial institutions, researchers, attorneys, housing agencies, advocates, industry representatives, developers, state lawmakers and state agency officials. For a full list of working group participants and affiliations, see Appendix 1.

SUMMARY OF RECOMMENDATIONS

Activity #1 - Develop a model rent stabilization ordinance for use by municipalities:

- Model municipal rent stabilization ordinance attached as Appendix 2

Activity #2 - Identify barriers to and solutions for building residential dwelling units in vacant lots:

- Minimum lot size requirements should be changed to allow for greater density within mobile home parks
- Encourage MaineHousing's Board of Commissioners to establish a new bond resolution which permits non-first lien lending (this initiative is already in progress and will be initially presented to the Board in January 2026).
- Develop programs to provide construction and pre-development loans to MHC owners wishing to expand
- Develop a new subsidy program with proceeds from a general obligation bond, to support infill at and expansion of mobile home parks
- Develop training programs and resources for municipal officials to improve and expedite the review processes for expanded or new MHCs

Activity #3 - Explore opportunities to provide technical and financial support to manufactured housing community homeowners to maintain the affordability of rent and fees within the community:

- Clarify elements of L.D. 1723 that have led to confusion on the ground for residents attempting to undertake mediation with park owners
- Increase awareness of the Property Tax Fairness Credit in partnership with Maine Revenue Services
- Help manufactured homeowners on leased land access mortgage loans (see Activity #5)
- Require that purchasers of mobile home parks get a private inspection of park infrastructure and systems before closing on a sale

Activity #4 - Recommend ways to proactively support manufactured housing community homeowners who seek to form a cooperative or other organization or align with a nonprofit organization to purchase the homeowners' housing community:

- Provide additional funding to the mobile home park preservation fund, when the balance of existing allocations has been expended
- Support the creation of a new, non-governmental and mission-based organization to help park residents more proactively develop relationships with owners, centered on the premise of an eventual resident purchase.
- Support the creation of a new, non-governmental and mission-based organization capable of purchasing a park when residents are unable or unwilling to finance such an acquisition themselves within the time frame required under the right of first refusal statute.

Activity #5 - Evaluate traditional mortgages as a financing option for manufactured housing community homeowners who wish to purchase their manufactured housing community:

- Revise state statute to allow owners of manufactured homes on leased land the option of converting their housing from being titled as personal property to being titled as real estate
- Make this statutory change applicable to residents of mobile home parks which are owned by resident cooperatives, nonprofits and for-profit entities
- Make the process by which homeowners may choose to undertake this titling conversion as simple and straightforward to execute as possible
- Engage the home lending and title insurance sectors through the legislative and administrative processes

Activity #6 - Evaluate oversight of conditions at parks and how parks are licensed:

- GOPIF recommends that the Legislature support increased capacity for oversight of manufactured housing communities in Maine by:
 1. reassigning responsibility for certification, technical assistance and regulatory coordination from the Office of Professional and Occupational Regulation to the Office of Community Affairs; and
 2. building additional capacity for regulatory oversight within the Office of the Attorney General, in coordination with local code enforcement.

ACTIVITY #1:

DEVELOP A MODEL RENT STABILIZATION ORDINANCE FOR USE BY MUNICIPALITIES

The rent stabilization ordinance subgroup reviewed various approaches to rent stabilization policies for manufactured housing communities (MHCs) that have already been enacted by municipalities and states across the country, including cities in Maine, Massachusetts and California as well as statewide laws in Delaware and New York. The group also discussed various principles that participants considered to be important in drafting a model municipal ordinance for Maine, including:

- Municipalities' ability to set a bar that works for each individually;
- Creating an approach that could be put to use in both larger and smaller towns;
- Not equating the circumstances of apartment renters and park residents;
- Applying limits to both lot rent and fee increases; and
- Establishing both a floor and a cap, i.e., lots with sufficiently low rents should be exempt from rent control.

Some participants expressed strong reservations about rent stabilization laws in general, believing them to cause long-term problems such as disinvestment. They voiced a preference for policies that focus instead on increasing the supply of manufactured homes in parks and reducing permitting hurdles.

L.D. 1765, however, did not seek feedback on whether municipal rent stabilization laws for mobile home parks were good public policy; the law called on GOPIF to create a model ordinance that towns may utilize if they so choose.

Attached as Appendix 2 is the model ordinance that GOPIF developed, and reviewed with the work group, based on the research and discussions described above. Rather than establishing a specific approach to be used everywhere, it is meant to help individual municipalities understand the various issues and levers they may want to consider in crafting local laws that they deem responsive to their local conditions.

ACTIVITY #2:

IDENTIFY BARRIERS TO AND SOLUTIONS FOR BUILDING RESIDENTIAL DWELLING UNITS IN VACANT LOTS

An issue that has been highlighted repeatedly in discussions about manufactured housing communities is the difficulty that owners and developers encounter in attempting to add housing supply. This topic is critical because the state is in need of tens of thousands of housing units of all types, and mobile homes are often a more affordable option than any local apartment rentals or homeownership opportunities. Further, as park owners must spread infrastructure and operating costs across the homes that exist within a park, adding new units may allow them to charge each homeowner slightly less than they otherwise feasibly could.

The subgroup convened around this topic discussed the challenges to expansion under several circumstances: (1) adding new homes on pads that already exist or on vacant land in the park already licensed for more units; (2) expanding an existing park by adding adjacent land and getting licensed to add more units; and (3) developing a new manufactured housing community.

Participants suggested that the primary impediments to adding new homes through infill or expansion of existing parks are high costs and a lack of feasible financing options. Park owners urged the creation of new financing opportunities that would allow them to purchase and prepare land for new homes, understanding that any use of public financing would need to be premised on a commitment to keeping lot rents affordable through a restrictive covenant.

Discussion also included laws that prevent the efficient use of land, and the fact that recent statewide zoning reforms did not take into account the lot size provisions that apply specifically to mobile home parks.

Finally, owners and developers of manufactured housing communities spoke about the often overwhelming local ordinances and rules that apply to the creation of new mobile home parks in Maine. They consider this housing type to be severely over-regulated in many municipalities, possibly out of an outdated perception that manufactured homes are unattractive and undesirable.

A more detailed summary of identified barriers and GOPIF's recommendations for addressing them follow.

Barriers to the creation of new units in MHCs include:

1. Minimum lot size requirements in MHCs are larger than necessary. The recent passage of L.D. 1829 requires municipalities to lower lot size minimums to no more than 5,000 square feet in growth zones served by water and sewer infrastructure. Requiring minimum lot sizes for mobile homes in MHCs to be larger than necessary can be costly and inefficient, just as it is for lots outside of MHCs. [Current Maine law](#), however, provides that a municipality shall not require the size of any mobile home park lot served by a public sewer to be larger than 6,500 square feet or the smallest residential lot permitted in the municipality. Additionally, municipalities may not require mobile home park lots with on-site subsurface waste water disposal to be larger than 20,000 square feet and mobile home park lots served by a DHHS-approved, central on-site wastewater subsurface disposal system to be greater than 12,000 square feet (although the municipality may require overall density to be 20,000 square feet).
2. Securing financing for homeowners to purchase mobile homes in MHCs is typically more costly than financing for non-mobile homes, which decreases the affordability of mobile homes and lessens demand for lots in MHCs. Mobile home buyers frequently secure their financing through chattel-type personal property loans with higher interest rates, shorter terms and fewer consumer protections than apply to typical mortgage loans on real property. This significantly increases monthly housing costs for mobile home buyers and weakens demand for new homes that could be added in a park.
3. The costs of expanding MHCs are significant. The various local and state regulatory approvals necessary for a park expansion require engineering, technical and scientific analyses and detailed plans. The cost of these reports and approvals sometimes inhibit further development. The costs of expanding water, sewer, electrical and other infrastructure systems, along with the creation of new pads and roads, also challenge the feasibility of expansion.
4. The availability of financing for MHC expansion is limited. There is currently no feasible mainstream lending mechanism for MHC expansions. Interest rates and the timing of repayments are particularly problematic.
5. Local approval requirements for new MHCs are often cumbersome, excessive or unresponsive. Such review processes are not routine and the integration of state and local regulations is not well established.

The following are **recommended policies** to address the aforementioned barriers and facilitate the creation of desperately needed affordable homes:

1. Minimum lot size requirements should be changed to allow for greater density within mobile home parks. Specifically, [30-A MRSA §4358\(3\)\(A\)](#) should be amended to provide that: a) minimum lot size requirements for mobile home parks served by public sewer shall not be larger than 4,000 square feet; b) minimum lot size requirements for mobile home parks with on-lot wastewater disposal shall not exceed 10,000 square feet and; c) minimum lot size requirements for mobile home parks with central, on-site subsurface wastewater disposal systems shall not exceed 5,000 square feet. Minimum lot width requirements should also be reviewed and considered for reform, given their impact on park density.
2. Encourage MaineHousing's Board of Commissioners to establish a new bond resolution which permits non-first lien lending. MaineHousing's current bond resolution requires a first lien position, preventing the agency from lending to borrowers whose homes are on leased land - including mobile homes on lots in most MHCs. A new bond resolution at MaineHousing (currently in progress and to be initially presented to the Board in January 2026) could establish different requirements and a much more competitive loan rate for owners of mobile homes. This would likely increase demand for occupancy in parks, which would help fill vacant lots and possibly help foster park expansions. Also see recommendations under Activity #5 in this report, regarding Maine's titling laws.
3. Develop programs to provide construction and pre-development loans to MHC owners wishing to expand. Members of the subgroup indicated that costs and access to capital are highly significant barriers to infill and park expansion. [Current Maine statute](#) does not allow MaineHousing to make construction loans to MHCs. It is recommended that the Legislature consider passage of L.D. 2057, which would allow MaineHousing to provide the financing that park owners and developers need, with significantly better than those currently available on the market. Additionally, organizations like the Genesis Community Loan Fund can often provide bridge financing when there is clear collateral supporting the short-term loan. Whether funds for such a program would come from a new source such as a state general obligation bond, or the new MaineHousing bond resolution referenced above, or other philanthropic sources, exploration of these possibilities should occur.

4. Develop a new subsidy program with proceeds from a general obligation bond, to support infill at and expansion of mobile home parks. In exchange for a forgivable loan, owners would agree to charge affordable lot rents to income-restricted households. These restrictions would be administered by MaineHousing similarly to other programs that the agency manages. For example, MHCs receiving such financing could be required to charge lot rents that are less than a certain percentage of the local Fair Market Rent for a specified period, such as 10 years. Additionally, the income of homeowners upon move-in to the newly financed lots could be restricted to no more than a certain percentage of the area median income. Income and lot rent limits would increase each year with the release of annual updates by the U.S. Department of Housing and Urban Development. The specific terms of such a program should be developed by MaineHousing based on a clear understanding of feasibility and practicality on the ground.
5. Develop training programs and resources for municipal officials to improve and expedite the review processes for expanded or new MHCs. Regional planning entities, Maine Municipal Association and state agencies should assist in and incentivize the reduction of local regulatory barriers that make the expansion or new development of mobile home parks impracticable.

ACTIVITY #3:

EXPLORE OPPORTUNITIES TO PROVIDE TECHNICAL AND FINANCIAL SUPPORT TO MANUFACTURED HOUSING COMMUNITY HOMEOWNERS TO MAINTAIN THE AFFORDABILITY OF RENT AND FEES WITHIN THE COMMUNITY

Owners of manufactured homes, including those living in mobile home parks, tend to have lower incomes than owners of site-built homes. A recent report by the Genesis Community Loan Fund found that there are 12 resident-owed parks in Maine that are home to 921 households, 85% of whom are low income. At a large community in Brunswick that was purchased by its residents in 2024, 60% of the households earned under 50% of the area median income, which means the average household of three living in this park had an income of less than \$46,000.

Many mobile home park residents are older Mainers living on fixed incomes.

The combination of low incomes and recent rent hikes at manufactured housing communities have created a significant affordability problem for many residents. The subgroup that met to discuss this issue identified several opportunities to provide them with additional support:

1. Clarify elements of L.D. 1723 (enacted earlier this year) that have led to confusion on the ground for residents attempting to undertake mediation with park owners. Details of the legislation, such as how the local “area” is defined for purposes of establishing average lot rents, which CPI data to use in determining whether the rent increase threshold has been met, and which park residents are eligible to trigger the 51% threshold, need to be revisited by the Legislature to help residents and owners alike understand their roles and responsibilities. Furthermore, the creation of a landing page on a publicly accessible state agency website, with resources to help residents understand how to take advantage of L.D. 1723, would be helpful. A lack of information about how to find and contact potential mediators has been especially challenging.
2. Many park residents are unaware that they are eligible for the Property Tax Fairness Credit for both the property tax on their home and a portion of the rent they pay for the land their home sits on. Increasing awareness of this tax benefit and helping residents take advantage of it, ideally in partnership with Maine Revenue Services, could put needed dollars back into residents’ pockets.
3. Many manufactured homeowners on leased land have no other option than to finance the purchase of their home with personal property or “chattel” loans. Those loans typically

carry higher interest rates, less preferable terms and fewer consumer protections than mortgage loans. See further discussion of these issues, and recommendations for action, under Activity #5. There is opportunity to lower home purchase and rehabilitation costs in a highly meaningful way for many residents of manufactured housing communities across the state.

4. Require that purchasers of mobile home parks get a private inspection of park infrastructure and systems before closing on a sale. Unless a buyer is utilizing bank financing, they often do not obtain inspections and are thus unaware of needed improvements that could be relevant to both the sale price and the rent increases that may be needed to pay for them. Inspections should include electrical systems, road conditions, tree conditions and water and sewer/septic infrastructure. Early knowledge of needed infrastructure improvements would allow new owners to factor in those costs and more accurately gauge the rent amounts they need to collect from park residents going forward.

ACTIVITY #4:

RECOMMEND WAYS TO PROACTIVELY SUPPORT MANUFACTURED HOUSING COMMUNITY HOMEOWNERS WHO SEEK TO FORM A COOPERATIVE OR OTHER ORGANIZATION OR ALIGN WITH A NONPROFIT ORGANIZATION TO PURCHASE THE HOMEOWNERS' HOUSING COMMUNITY

In its 2025 report on mobile home communities in Maine and the United States, the Genesis Community Loan Fund outlined the premise and advantages of resident ownership of MHCs:

“While residents at corporate-owned parks can do little about these rising costs, resident ownership of MHCs has become a popular and effective strategy in Maine and around the country for stabilizing rents and putting control in the hands of residents. A Resident-Owned Community (ROC) is a cooperative ownership model in which residents of mobile home communities own the land underneath their homes as well as all common infrastructure. Residents have a voice in ensuring their community receives good services. They participate in annual budget votes, elections for the volunteer Board of Directors, and regular open meetings to conduct business in a transparent and participatory manner. The cooperative model removes the profit motive from MHC ownership, and provides residents with security, knowing their community will not be sold out from under them. The model also stipulates that if the cooperative wishes to sell the community, they would have to donate the profits to a 501(c)(3), meaning there’s no profit motive to sell.”

The 131st and 132nd Legislatures have already taken significant action to support MHC homeowners who seek to purchase their parks:

- Creation of the mobile home park preservation fund, along with \$8 million in funding, to help resident cooperatives purchase their communities. The first \$5 million of this fund has already been successfully deployed, in combination with private sector financing, to allow resident purchases of three parks with an aggregate of 569 licensed home lots;
- Establishment of a [right of first refusal](#) for resident co-ops seeking to purchase their parks; and
- Creation of incentives for mobile home park owners to sell to resident co-ops, by [allowing them to deduct up to \\$750,000 in capital gains](#) and [exempting such sales from payment of real estate transfer tax](#).

The subgroup discussed several ideas for additional supports that could be provided for this model of ownership:

1. Additional funding to the mobile home park preservation fund, when the balance of existing allocations has been expended;
2. The creation of a new, non-governmental and mission-based organization capable of helping park residents more proactively develop relationships with owners, centered on the premise of an eventual resident purchase. This contrasts with the approach of waiting until residents are forced to hurriedly scramble in reaction to an offer from an outside entity that is likely to lead to large rent increases; and
3. The creation of a new, non-governmental and mission-based organization capable of purchasing a park when residents are unable or unwilling to finance such an acquisition themselves within the time frame required under the right of first refusal statute. Such an entity would hold ownership and management of the park until such time as residents or a local nonprofit partner can purchase it on their own. A for-profit version of this concept was undertaken on a national scale and [recently detailed in Shelterforce magazine](#). Leaders in Maine's policy, housing, finance, business and philanthropic fields could partner to establish such an organization, which would also help create more activity in markets that may otherwise have relatively few potential park purchasers.

ACTIVITY #5:

EVALUATE TRADITIONAL MORTGAGES AS A FINANCING OPTION FOR MANUFACTURED HOUSING COMMUNITY HOMEOWNERS

Manufactured homes have traditionally been titled as personal property (otherwise known as “chattel”), rather than real estate, because of their historical roots in the travel trailer industry. Ownership of manufactured homes has therefore been typically established through certificates of title, similar to the way we declare ownership of automobiles.

The manufactured home sector has, however, changed a great deal over the past several decades. Building technology, government regulation and construction quality have evolved significantly, making many factory-built homes comparable to site-built homes. As the industry has changed, so too have state laws governing how this housing is classified.

Most states allow owners of manufactured homes to convert to a real estate classification under certain circumstances, so long as they own the land on which the home sits. Some states (including Illinois, Missouri, North Carolina, North Dakota, Oregon and Washington) also allow owners who do not own the land beneath their houses to title their homes as real estate, under certain circumstances. New Hampshire is the only U.S. state in which manufactured homes are *automatically* titled as real estate, thus allowing borrowers to get a mortgage that is secured only by a manufactured home, rather than the home and land together.

One of the reasons that titling differences are so important is that homes titled as personal property are not eligible for a mortgage. They are instead financed through chattel lending, which differ in many key respects: the loan terms are typically shorter, interest rates are higher, the pool of lenders is smaller and [consumer protections are inferior](#).

The Pew Charitable Trusts recently examined the difference between the experience of borrowers in New Hampshire, where borrowers can get a mortgage secured only by a manufactured home, without the land underneath it, and all other states. As shown in Figure 1 below, Pew found that “from 2018 through 2024, 61% of manufactured home borrowers in New Hampshire took out home-only mortgages, which use just the home as collateral but have the same consumer protections as any other mortgage. Home-only mortgages in New Hampshire had lower interest rates, had lower monthly payments, and cost less overall than home-only loans in other parts of the United States.”

Based on the median interest rate and loan term in New Hampshire, Pew calculates that home-only borrowers there paid about \$1,491 per month for a \$200,000 loan, compared

with the national average of \$1,652. **This amounts to a savings of almost \$2,000 per year.** They saved about \$98,000 over the life of the loan compared to home-only borrowers in the rest of the country.

Figure 1: Home-Only Loans in New Hampshire Are More Affordable Than in Other Parts of the U.S.

Median interest rate, loan term, and payments for a \$200,000 loan

	Median interest rate	Loan term	Monthly payment	Total cost
New Hampshire	6.50%	240 months (20 years)	\$1491.15	\$357,875.11
United States	8.50%	276 months (23 years)	\$1652.17	\$455,999.77
Savings	2.00%		\$161.02	\$98,124.68

Source: Home Mortgage Disclosure Act, 2018-24; Pew calculations using standard amortization table

Note: Data are for originated home-only loans covering single-family, owner-occupied manufactured homes.

[Another analysis](#) undertaken in 2023 by the Urban Institute found a 2.5% difference in the median interest rate nationwide between personal property loans and real property mortgage loans for manufactured housing.

In Maine, owners of manufactured homes who also own the land that the home sits on may choose to convert the classification of their home from personal property to real property. However, owners of such homes on leased land, such as those living in mobile home parks, are not afforded the opportunity to convert. Even though homes in manufactured housing communities are *taxed* as real property, they are ineligible for the mortgage financing benefits that come with being *titled* as real property.

The L.D. 1765 subgroup focused on titling met numerous times to consider the range of issues involved with how owned homes on leased land are classified under state law. We also had the benefit of input from local bankers, attorneys, title insurers and regional and national experts. Our conclusion and recommendations to the Legislature are as follows:

- State statute should be revised to allow owners of manufactured homes on leased land the option of converting their housing from being titled as personal property to being titled as real estate. This change would allow such owners to access mortgage financing with significantly better terms than chattel loans, greater consumer

protections, and the ability to secure loan refinancing to help pay for needed repairs and upgrades to their homes;

- The statutory change should be made applicable to residents of mobile home parks which are owned by resident cooperatives, nonprofits and for-profit entities alike;
- The process by which homeowners may choose to undertake this titling conversion should be made as simple and straightforward to execute as possible; and
- The home lending and title insurance sectors should be consulted and closely engaged through the legislative and administrative processes, to ensure that there is ease of access to their resources and ample players in the marketplace from which homeowners can choose.

Members of the subgroup also indicated their willingness to provide time, expertise and support to lawmakers as they consider whether and how to undertake these legislative changes. There was widespread agreement that such action could have highly meaningful and positive implications for homeowner finances, home values and increased demand in manufactured housing communities.

ACTIVITY #6:

EVALUATE OVERSIGHT OF CONDITIONS AT PARKS AND HOW PARKS ARE LICENSED

The safety of infrastructure within manufactured home communities in Maine is regulated by the Manufactured Housing Board (MHB), within the Department of Professional and Financial Regulation's Office of Professional and Occupational Regulation (OPOR).

Pursuant to state law, the MHB has developed rules for the licensing and inspection of MHCs, including their potable water systems, plumbing, fuel supplies, electrical systems, fire prevention, maintenance of streets, pad construction and nuisances.

Landlord/tenant matters, including the rules that owners establish within any individual park, as well as consumer protection claims, are enforced by the Attorney General or the court system.

Park residents participating in the L.D. 1765 work group discussions, and others who have reached out to GOPIF over the past year, indicate that there is a systemic lack of support from state government in addressing some of the more common problems that arise at mobile home parks, such as poor or dangerous living conditions, unlawful or untenable community rules and fees, and enforcement of state laws meant to protect residents from predatory purchasers of parks. Residents express that their attempts to gain assistance from the MHB, Attorney General's Office and Pine Tree Legal Assistance typically end with a referral elsewhere. This pattern of circular referrals, rarely leading to support, often leaves park residents feeling isolated and unheard.

It appears that state governmental oversight of manufactured housing communities does have gaps and deficiencies that result in a lack of responsiveness to the common concerns of today's residents. GOPIF recommends that state lawmakers reconsider and reimagine Maine's approach to the regulation of MHCs and support for the tens of thousands of Maine people who call such communities home.

The MHB's historical primary role has been in ensuring the safe production and installation of manufactured housing units in Maine. Based on GOPIF's scan of other U.S. states, this is fairly typical and reflects where the greatest concerns have typically been in the manufactured housing sector. However, as the manufactured homebuilding industry has made great advancements in recent decades and private equity has increasingly sought out MHCs as investments, states are slowly evolving their oversight roles in response.

The MHC licensing and oversight systems of other states take a wide variety of approaches. Many states, like Maine, assign the responsibilities for licensing and inspections to their

business and professional regulation arm of government. Some states assign those responsibilities entirely to counties or municipalities, while others split them between state and local government. Some states assign inspection responsibilities to their human services agency, while others assign them to their housing and community development department. States have a variety of manufactured housing boards or commissions with varying levels of staff support. Following the rise in MHC sales to national equity investors, several states have added consumer complaint systems within their office of attorney general.

Most states require MHCs to be licensed or registered annually and charge annual fees in an amount between \$10-\$30 per lot. Maine charges MHC owners \$50 per park plus \$5 per lot.

The Vermont Agency of Commerce and Community Development's Housing Division includes a two-person [office dedicated to mobile home parks](#) which serves as an information hub for the residents, owners and managers of Vermont's 238 MHCs and 7,112 lots. It also manages a [highly comprehensive registry](#), accessible to the public and policymakers online, that includes key information on sales data, flood hazards, water and wastewater systems, lot rent increases and vacancies.

Colorado has established a [mobile home park oversight program](#) within its Department of Local Affairs which "conducts outreach and education on mobile home park laws and provides an annual park registration system. The program also receives and investigates complaints, facilitates dispute resolution, and takes enforcement actions." The staff for this program has grown from 2 in 2019 to about 12 currently. There are over 900 MHCs in Colorado, with over 100,000 residents.

Maine's 476 licensed manufactured housing communities contain a total of about 20,000 lots and are home to about 45,000 people.

GOPIF recommends that the Legislature transfer the responsibility for certification, technical assistance, and regulatory coordination of manufactured housing from OPOR to the Office of Community Affairs (MOCA), along with the four OPOR staff positions currently allocated in support of the Manufactured Housing Board.

- Two of these positions will support MOCA's capacity for certification and assistance for manufactured housing communities in Maine.
- In coordination with the revisions to manufactured and modular housing production oversight proposed in the Report of the Housing Production Innovation Work Group, the two other related OPOR positions will support the approval process for manufactured and modular housing production.

In cooperation with the Office of Community Affairs, GOPIF recommends that the ultimate responsibility for compliance with state rules governing Manufactured Housing Communities be held by the Office of the Attorney General. MOCA and the OAG should develop a plan which assures compliance with state certification of manufactured housing communities in collaboration with local code enforcement and, potentially, regionally-based third-party inspectors.

Annual license fees should be increased to \$10-15 per lot, which would bring Maine closer to the national average and provide more resources towards the goal of being more responsive to the needs of park residents.

The specific roles undertaken at the state level with regard to manufactured housing communities should also be re-examined. MOCA would ideally serve as the “first call” for MHC residents seeking assistance with park-related concerns, providing direct support on certain issues and referrals to other resources as appropriate.

Additionally, the critical data collection and information-sharing role, buttressed by Section 1 of L.D. 1765, aligns well with MOCA’s role of providing data-informed technical support to municipalities and state policymakers.

Furthermore, rather than continuing to inspect every one of Maine’s 476 licensed parks every 3-4 years, as is current MHB practice regardless of whether any issues have been reported, state inspection resources could instead be deployed in conjunction with local code enforcement officers, as appropriate, following specific outreach regarding issues of concern identified by park residents, owners or managers - with the Attorney General holding the ultimate authority over compliance with state certification requirements.

GOPIF also recommends consulting with and building capacity within the Office of the Attorney General to determine what additional legal support it can feasibly provide to mobile home park residents. Clarity on the type and depth of help that residents can gain from the OAG, such as addressing unfair trade practices or retaliatory behavior, will also help to establish which areas require further attention through other means.

To that end, private resources would be well directed towards supporting a housing attorney at Pine Tree Legal Assistance with the expertise to assist mobile home park residents and owners. The lack of private sector legal capacity in this sector is problematic and should be addressed.

APPENDIX 1
L.D. 1765 Work Group Participants

Name	Affiliation
Sen. Dick Bradstreet	Maine Legislature
Cate Blackford	Maine Peoples Alliance
Cindy Witas	Bangor Housing
Mike Myatt	Bangor Housing
Dana Totman	GOPIF
Greg Payne	GOPIF
Rep. Traci Gere	Maine Legislature
Rep. Cassie Julia	Maine Legislature
Rep. Cheryl Golek	Maine Legislature
Liza Fleming-Ives	Genesis Community Loan Fund
Margaret Jones	Mountainside Community Cooperative, Camden
Matt Pouliot	Pouliot Real Estate
Nora Gosselin	Cooperative Development Institute
Pat Schwebler	Cooperative Development Institute
Nyawal Lia	Maine Peoples Alliance
Peter Connell	Capitol Affiliates
Robyn Wardell	Genesis Community Loan Fund
Tim Walton	Capitol Affiliates
Penny Vaillancourt	Dept of Professional & Financial Regulation
Lorri Centineo	Bay Bridge Estates, Brunswick
Marieke Giasoon	Bay Bridge Estates, Brunswick
Theresa Kim	Pine Tree Estates, Standish

J. Wylie Johnston	Red Sky Capital
Joan Cohen	Dept of Professional & Financial Regulation
Peter Holmes	Manufactured Housing Board
Rob Liscord	DrummondWoodsum
Janet Fournier	Blueberry Fields Cooperative, Brunswick
Celeste Yakawonis	Blueberry Fields Cooperative, Brunswick
Melissa McCarthy	Blueberry Fields Cooperative, Brunswick
Jerry Highfill	Mountain View Estates, Bowdoin
Julie Ann Smith	Manufactured Housing Association of Maine
Samantha Beers	Long Track Ventures
Nick Beers	Long Track Ventures
Sandra Hinkley	Maple Hill Estates, Mechanic Falls
Theresa Desfosses	State Manufactured Homes, Scarborough
Tina Marie Smith	State Manufactured Homes, Scarborough
Jon Courtney	Capitol Affiliates
Adam Krea	MaineHousing
John Egan	Genesis Community Loan Fund
John Van Alst	National Consumer Law Center
Laura Mitchell	Maine Affordable Housing Coalition
Linlin Liang	Pew Charitable Trusts
Gabriel Kravitz	Pew Charitable Trusts
Rachel Siegel	Pew Charitable Trusts
Tanya Emery	Maine Municipal Association
Sarah Marchant	New Hampshire Community Loan Fund
Jen Corbett	Norway Savings Bank

Janice DeLima	Norway Savings
Nancy Harrison	Bangor Savings Bank
Amanda Campbell	Maine Municipal Association
Santo Longo	MaineHousing

APPENDIX 2

Model Municipal Rent Stabilization Ordinance

This model ordinance has been developed as a resource for municipalities, pursuant to [L.D. 1765](#). Municipalities are urged to consult with their legal counsel for ordinance drafting and to determine how to best integrate these concepts into the framework of existing local law. Key issues have been identified for consideration in *underlined and italicized text* below, but resolution of those issues are left for municipal officials to decide based on local conditions.

Note: “mobile homes” and “mobile home parks” are terms commonly used in municipal ordinances in Maine. Similarly, “manufactured housing” and “manufactured housing communities” are terms often found in local ordinances. Both terms are referenced in State law, and this model ordinance assumes that the words may be used interchangeably according to the preference of the municipality.

Article 1: Purpose

The purpose of this ordinance is to protect the health, safety, and welfare of residents living in mobile home parks by preventing unreasonable lot rent and fee increases. Mobile homes represent a crucial source of unsubsidized affordable housing. However, because residents typically own their homes but not the land underneath them, they face unique vulnerabilities to excessive rent and fee increases. While mobile home park owners should expect to receive a reasonable return on their investment, residents of those parks should expect to be protected from unnecessary, excessive cost increases because they may be put at risk of homelessness or severe housing insecurity.

Article II. Definitions

- **Administrator:** “Administrator” means the municipal official responsible for the administration and enforcement of this mobile home park rent stabilization ordinance.
- **Base Rent:** “Base Rent” means the rent amount charged for any mobile home park lot which is in effect on any specific date.

- **Consumer Price Index (CPI):** “Consumer Price Index” or “CPI” means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, as published by the U.S. Department of Labor, Bureau of Labor Statistics.
- **Mobile Home:** “Mobile Home” means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.
- **Mobile Home Park:** “Mobile Home Park” means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes.
- **Mobile Home Park Lot:** “Mobile Home Park Lot” means the area of land on which an individual mobile home is situated within a mobile home park and which is reserved for use by the occupants of that home.
- **Mobile Home Resident:** “Mobile Home Resident” means an occupant of a mobile home who rents a parcel of land in a mobile home park.
- **Park Owner:** “Park Owner” means a person, corporation or other entity that owns a mobile home park.
- **Rent Increase:** “Rent Increase” means any additional lot rent or fees demanded of, or paid by, a mobile home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.
- **Rent Stabilization Board:** “Rent Stabilization Board” means the municipal body appointed to hear and decide petitions for additional rent increases and other matters.

Article III. Lot Rent and Fee Increase Limitations

- A. Limitation on number of rent increases:** A park owner may not increase the lot rents or fees more than x time(s) in any 12-month period in the mobile home park.
- B. Base Rent Calculation:** Except as provided herein, a park owner shall not demand, accept or retain rent for a mobile home park lot that exceeds the rent in effect for that lot on date of ordinance approval or other date specified by local governing

body. In the event the lot was not occupied on date of ordinance approval or other date specified by local governing body, the base rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Article III (F).

C. Notice Requirements: A park owner shall provide notice of any increase in lot rent or fees to the affected mobile home residents, no less than 90 days or a longer specified period before the effective date of the increase. The notice must include:

1. The name, address, telephone number and e-mail address of the park owner; and
2. The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.

D. Rent increase formula: Any lot rent or fee increase is limited to the lesser or greater of:

1. The most recently posted annual percentage change in the Consumer Price Index (CPI) plus or minus x %; and
2. X % of the then-current base rent or fee.

E. Greater Rent Increase: A park owner may seek a greater rent or fee increase to cover the cost of increased operating expenses such as taxes, insurance, utility charges and maintenance costs, in addition to certain capital improvements or other emergencies. Improvements must directly benefit mobile home residents and be necessary for maintenance or the correction of health and safety conditions in the mobile home park. A park owner seeking such a greater increase must submit a petition to the administrator or rent stabilization board. The petition must be filed in advance of the rent or fee increase notice and contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements, or unforeseeable expenses incurred at the mobile home park. Park owners that fail to maintain a mobile home park in decent, safe, sanitary condition, as determined by the administrator or rent stabilization board, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the mobile home park.

F. Vacancy Base Rent: A park owner shall be permitted to increase the lot rent by up to x% whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot.

Article IV. Applicability

- A. Applicability:** This ordinance applies to every mobile home park within the municipality except those to which an exemption applies.
- B. Exemptions:** This ordinance shall not apply to:
- 1. Mobile home parks owned by a cooperative or other entity in which membership is limited to mobile home residents;*
 - 2. Mobile home lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this ordinance; or*
 - 3. Mobile home lots subject to an aggregate lot rent and fee amount that is less than x% of the local Fair Market Rent then applicable based on bedroom size, as posted on the website of the Maine State Housing Authority.*

Article V. Appeals

- A.** Decisions of the administrator or rent stabilization board may be appealed by:
1. Park owners; or
 2. Affected mobile home residents, when x% or more of the households then living in the mobile home park, who are affected by the proposed rent or fee increase, agree to seek such an appeal via written petition.
- B.** Appeals as described herein are to be filed with locally appointed appeals board, within x days of the decision made by the administrator or rent stabilization board. Appeals must be decided within x days of filing and must be based solely on the information previously provided to the administrator or rent stabilization board.