

2008 SESSION

LEGISLATION NOT PREPARED BY DLS
ENGROSSED

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HOUSE BILL NO. 1240

House Amendments in [] - February 11, 2008

A *BILL to amend and reenact § 55-248.45 of the Code of Virginia, relating to the Manufactured Home Lot Rental Act; access of tenant to cable, satellite and other television facilities.*

Patron Prior to Engrossment—Delegate Saxman

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 55-248.45 of the Code of Virginia is amended and reenacted as follows:

§ 55-248.45. Demands and charges prohibited; access by tenant's invitees; purchases by manufactured home owner not restricted; exception; conditions of occupancy.

A. A landlord shall not demand or collect:

1. An entrance fee for the privilege of leasing or occupying a manufactured home lot;

2. A commission on the sale of a manufactured home located in the manufactured home park unless the tenant expressly employs him to perform a service in connection with such sale but no such employment of the landlord by the tenant shall be a condition or term of the initial sale or rental;

3. A fee for improvements or installations on the interior of a manufactured home, unless the tenant expressly employs him to perform a service in connection with such entrance, installation, improvement or sale;

4. A fee, charge or other thing of value from [any provider of] cable [television] [service, cable] modem service, satellite master antenna television service, direct broadcast satellite television service, subscription television service or service of any other television programming system in exchange for *granting a television service provider mere access to the landlord's tenants or giving the tenants of such landlord mere access to such service; and no. A landlord may enter into a service agreement with a television service provider to provide marketing and other services to the television service provider, designed to facilitate the television service provider's delivery of its services. Under such a service agreement, the television service provider may compensate the landlord for the reasonable value of the services provided, and for the reasonable value of the landlord's property used by the television service provider.*

No landlord shall demand or accept any such payment from any tenants in exchange therefor unless the landlord is ~~himself~~ *itself* the provider of the service. Nor shall any landlord discriminate in rental charges between tenants who receive any such service and those who do not. Nothing contained herein shall prohibit a landlord from requiring that the provider of such service and the tenant bear the entire cost of the installation, operation or removal of the facilities incident thereto, or prohibit a landlord from demanding or accepting reasonable indemnity or security for any damages caused by such installation, operation or removal; or

5. An exit fee for moving a manufactured home from a manufactured home park.

B. An invitee of the tenant shall have free access to the tenant's manufactured home site without charge or registration.

C. A manufactured home owner shall not be restricted in his choice of vendors from whom he may purchase his (i) manufactured home, except in connection with the initial leasing or renting of a newly constructed lot not previously leased or rented to any other person, or (ii) goods and services. However, nothing in this chapter shall prohibit a landlord from prescribing reasonable requirements governing, as a condition of occupancy, the style, size or quality of the manufactured home, or other structures placed on the manufactured home lot.

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HB1240E