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HOUSE BILL NO. 1062

Offered January 12, 2022

Prefiled January 12, 2022

A BILL to amend and reenact §§ 55.1-1308 and 55.1-1308.1 of the Code of Virginia, relating to the Manufactured Home Lot Rental Act; notice; sale of manufactured home park.

Patron—Krizek (By Request)

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 55.1-1308 and 55.1-1308.1 of the Code of Virginia are amended and reenacted as follows:

§ 55.1-1308. Termination of tenancy.

A. Either party may terminate a rental agreement with a term of 60 days or more by giving written notice to the other at least 60 days prior to the termination date; however, the rental agreement may require a longer period of notice. Notwithstanding the provisions of this section, where a landlord and seller of a manufactured home have in common (i) one or more owners, (ii) immediate family members, or (iii) officers or directors, the rental agreement shall be renewed except for reasons that would justify a termination of the rental agreement or eviction by the landlord as authorized by this chapter. A landlord may not cause the eviction of a tenant by willfully interrupting gas, electricity, water, or any other essential service, or by removal of the manufactured home from the manufactured home lot, or by any other willful self-help measure.

B. If the termination is due to a change in the use of all or any part of a manufactured home park by the landlord, including conversion to hotel, motel, or other commercial use, planned unit development, rehabilitation, or demolition, a ~~180-day~~ 270-day written notice is required to terminate a rental agreement. Such termination notice requirement shall not be waived; however, a period of less than ~~180~~ 270 days may be agreed upon by both the landlord and tenant in a written agreement separate from the rental agreement executed after such notice is given. The notice required by this section may be sent concurrently with the notice of intent to sell required by § 55.1-1308.2.

§ 55.1-1308.1. Sale of manufactured home park to developer; relocation expenses.

If the termination of a rental agreement is due to the sale of the manufactured home park to a buyer that is going to redevelop the park and change its use, the landlord shall provide to each manufactured home owner in the park \$2,500 in relocation expenses within the ~~180-day~~ 270-day notice period provided for in subsection B of § 55.1-1308 for the purpose of removing the manufactured home from the park. For manufactured home parks located in Planning District 8, the landlord shall provide to each manufactured home owner in the park \$3,500 in relocation expenses within the ~~180-day~~ 270-day notice period provided for in subsection B of § 55.1-1308 for the purpose of removing the manufactured home from the park. Such relocation expenses shall be subject to a written agreement between the landlord and the manufactured home owner to remove the manufactured home from the park. Notwithstanding any other provision of law, a landlord shall not be subject to any other requirement under a zoning ordinance or conditional use or other permit under Title 15.2 to pay additional funds or provide additional financial assistance to a manufactured home owner if a rental agreement is terminated due to the sale of the manufactured home park to a buyer that is going to redevelop the park and change its use.

INTRODUCED

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