

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

- 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.
- 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.