



Mobile Home Park Oversight Program

HOME OWNER NOTICE

This Notice summarizes the rights and responsibilities of mobile home owners under the **Mobile Home Park Act** (C.R.S. §§ 38-12-200.1 to -221) and **Dispute Resolution and Enforcement Program** (C.R.S. §§ 38-12-1101 to -1110).

Landlords must post and maintain this Notice on park premises, give a copy to home owners annually and with new leases, and provide this Notice in an accessible format for any home owner with disabilities upon request (free audio recording of Notice at www.colorado.gov/dola/mobile-home-park-oversight). Contact the Program at MHPOP@state.co.us or 1-833-924-1147 if a landlord has not posted/shared a copy this Notice.

HOME OWNERS HAVE RIGHTS INCLUDING, BUT NOT LIMITED TO:

1. A written lease/rental agreement, which does **not** need to be renewed. All charges to the home owner other than rent must be included in the lease.
2. Pay a security deposit less than or equal to one month's rent, or two month's rent for multiwide units.
3. Peaceful enjoyment of your home and lot, free from harassment and abuse.
4. **60 DAYS** written notice of any rent increase.
5. Running water and reasonable amounts of water **at all times**, unless it is unavailable for reasons outside the landlord's control.
6. **2 DAYS** notice if water service will be disrupted for planned maintenance (not emergencies).
7. Sell your home and put up a For Sale sign on/in the mobile home
8. Meet and start a homeowners' association and, if a member of the homeowners' association, form a cooperative to offer to buy/finance the park.
9. **10 DAYS** mailed written notice before a landlord sells the park.
10. **6 MONTHS** (180 days) mailed written notice before a landlord changes the use of a mobile home park that would result in your eviction.

HOME OWNERS HAVE RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO:

1. Follow all local ordinances and state laws on mobile homes and mobile home lots.
2. Ensure that your conduct, the conduct of any person you lease your home to, and the conduct of any of your/your lessee's guests, on the park premises, **does not** unreasonably endanger anyone else's life or willfully damage/destroy their property.
3. Pay your rent **on time** and in the amount stated in your rental agreement and any timely, written notices of rent increases.
4. Conduct yourself on park premises in a way that is not an annoyance to other home owners and does not interfere with park management.
5. Comply with reasonable, written park rules and regulations.
6. Keep your lot clean and do any routine lawn/yard maintenance (except major landscaping projects).
7. Not make false or misleading statements on your rental application.
8. If another person leases or occupies your home, ensure that the lease/occupancy follows the landlord's rules.

EVICITION

A landlord can only end a mobile home owner's lease for specific reasons, which are listed in the Act. The landlord must give the home owner a written notice that includes the reason(s) for ending the lease, whether or not the home owner has a right to "cure" (fix) the issue, and the time period for doing so. In general, home owners have **10 DAYS** to make a late rent payment and **30 DAYS** to fix noncompliance with park rules. If a court enters an eviction order against a home owner, they have **30 - 60 DAYS** to move or sell their home (depending on whether the home owner prepays rent after the initial 30 days) (C.R.S. §§ 38-12-202 to -205).

UTILITIES AND MAINTENANCE

Landlords must make and pay for maintenance and repairs to park utilities and premises, including any: sewer, water, or utility service lines; accessory structures like sheds/carports owned by the landlord for residents' use; and trees that were not planted by the home owner (unless the home owner agrees in their lease to do routine maintenance, like simple trimming, of trees on the lot they rent). Any landlord who fails to maintain/repair these items must repair and pay to fix any resulting damage to a home (C.R.S. §§ 38-12-212.3, 8 CCR 1302-15(3.7)).

PARK RULES

Park rules and regulations must be reasonable, in writing, and in your rental agreement. A landlord can only enforce park rules against a home owner if "[t]heir purpose is to promote the convenience, safety, or welfare of the home owners, protect and preserve the premises from abusive use, or make a fair distribution of services and facilities." A landlord can change park rules with **60 DAYS** advance notice; however, a landlord generally cannot end your lease if you fail to follow a new park rule(s) that puts restrictions/requirements on your home as a separate unit of ownership, after your home is already in the park (C.R.S. §§ 38-12-203(1)(c), 213(1)(d), 214).

FILE A COMPLAINT

Starting May 1, 2020, a mobile home owner or landlord may file a complaint with the Division of Housing for a violation of the Act or Program. The Division will investigate the alleged violation(s) at its discretion and all parties must cooperate with the investigation. The Division will support communication between the parties to resolve the dispute on their own. If the parties cannot reach an agreement, the Division will decide whether a violation of the Act/Program occurred, and may impose monetary penalties or require parties to take action. Either party may appeal the Division's decision (C.R.S. § 38-12-1105).

RETALIATION PROHIBITED

A landlord may not take any retaliatory action(s) – threats, acts of harassment, or acts of harm or injury – against a home owner for expressing their intent to file or for filing a complaint. A landlord may be fined up to \$10,000 if the Division determines they retaliated against a home owner (C.R.S. § 38-12-1105(13), 8 CCR 1302-15(1.3)).

For a complete list of your rights and responsibilities under the law, or to file a complaint on or after May 1, 2020, contact the Mobile Home Park Oversight Program at:

MHPOP@state.co.us or 1-833-924-1147 (toll free) or visit www.colorado.gov/dola/mobile-home-park-oversight.