

By Senator Posey

15-523-02

1                                   A bill to be entitled  
 2           An act relating to mobile home parks; amending  
 3           s. 723.037, F.S.; requiring a meeting regarding  
 4           lot rent increases; amending s. 723.06116,  
 5           F.S.; prescribing conditions under which a  
 6           mobile home park owner is not required to make  
 7           payments to the Florida Mobile Home Relocation  
 8           Trust Fund; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12           Section 1. Subsection (4) of section 723.037, Florida  
 13 Statutes, is amended to read:

14           723.037 Lot rental increases; reduction in services or  
 15 utilities; change in rules and regulations; mediation.--

16           (4)(a) A committee, not to exceed five in number,  
 17 designated by a majority of the affected mobile home owners or  
 18 by the board of directors of the homeowners' association, if  
 19 applicable, and the park owner shall meet, at a mutually  
 20 convenient time and place within 30 days after receipt by the  
 21 homeowners of the notice of change, to discuss the reasons for  
 22 the increase in lot rental amount, reduction in services or  
 23 utilities, or change in rules and regulations.

24           (b) At the meeting, the park owner or subdivision  
 25 developer shall in good faith disclose and explain all  
 26 material factors resulting in the decision to increase the lot  
 27 rental amount, reduce services or utilities, or change rules  
 28 and regulations, including how those factors justify the  
 29 specific change proposed. The park owner or subdivision  
 30 developer may not limit the discussion of the reasons for the  
 31 change to generalities only, such as, but not limited to,

1 increases in operational costs, changes in economic  
2 conditions, or rents charged by comparable mobile home parks.  
3 For example, if the reason for an increase in lot rental  
4 amount is an increase in operational costs, the park owner  
5 must disclose the item or items which have increased, the  
6 amount of the increase, any similar item or items which have  
7 decreased, and the amount of the decrease. If an increase is  
8 based upon the lot rental amount charged by comparable mobile  
9 home parks, the park owner shall disclose, and provide in  
10 writing to the committee at or before the meeting, the name,  
11 address, lot rental amount, and any other relevant factors  
12 relied upon by the park owner, such as facilities, services,  
13 and amenities, concerning the comparable mobile home parks.  
14 The park owner shall prepare a written summary of the material  
15 factors and retain a copy for 3 years. The park owner shall  
16 provide the committee a copy of the summary at or before the  
17 meeting.

18 (c) If the committee disagrees with a park owner's lot  
19 rental amount increase based upon comparable mobile home  
20 parks, the committee shall disclose to the park owner the  
21 name, address, lot rental amount, and any other relevant  
22 factors relied upon by the committee, such as facilities,  
23 services, and amenities, concerning the comparable mobile home  
24 parks. The committee shall provide to the park owner the  
25 disclosure, in writing, within 15 days after the meeting with  
26 the park owner, together with a request for a second meeting.  
27 The park owner and the committee shall meet to discuss the  
28 disclosure within 30 days after the owner receives the  
29 committee's request.  
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1 (d) The committee and the park owner may mutually  
2 agree, in writing, to extend or continue any meetings required  
3 by this section.

4 (e) Either party may prepare and use additional  
5 information to support its position during or subsequent to  
6 the meetings required by this section.

7 Section 2. Subsection (2) of section 723.06116,  
8 Florida Statutes, is amended to read:

9 723.06116 Payments to the Florida Mobile Home  
10 Relocation Trust Fund.--

11 (2) A mobile home park owner is not required to make  
12 the payment prescribed in subsection (1), nor is the mobile  
13 home owner entitled to compensation under s. 723.0612, when:

14 (a) The mobile home park owner moves a mobile home  
15 owner to another space in the mobile home park or to another  
16 mobile home park at the park owner's expense;

17 (b) A mobile home owner is vacating the premises and  
18 has informed the mobile home park owner or manager before the  
19 change in use notice has been given; or

20 (c) A mobile home owner abandons the mobile home as  
21 set forth in s. 723.0612(7) and the park owner has made the  
22 payment to the corporation required by that subsection ~~s.~~  
23 ~~723.0612(8)~~.

24 Section 3. This act shall take effect July 1, 2002.

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26 SENATE SUMMARY

27 Amends provisions relating to mobile home parks. Requires  
28 a meeting between a home owners committee and the park  
29 owner to discuss rental increase disputes. Specifies the  
30 conditions under which a mobile home park owner is not  
31 required to make payments to the Florida Mobile Home  
Relocation Trust Fund.