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A bill to be entitled
 An act relating to the sale of mobile home parks; amending
 s. 723.071, F.S.; providing that a homeowners' association
 purchasing a mobile home park may execute a contract for
 only the park that it represents; authorizing a time
 extension for home owners when a park owner changes the
 terms and conditions of the offer to purchase the park;
 revising requirements with respect to unsolicited offers;
 defining the term "offer" for such purposes; providing a
 limitation on an exception relating to transfers by
 partnerships; providing an effective date.

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

Section 1. Paragraphs (b) and (c) of subsection (1),
 subsections (2) and (3), and paragraph (d) of subsection (4) of
 section 723.071, Florida Statutes, are amended to read:

723.071 Sale of mobile home parks.--
 (1)

(b) The mobile home owners, by and through the association
 defined in s. 723.075, shall have the right to purchase the
 park, provided the home owners meet the price and terms and
 conditions of the mobile home park owner by executing a contract
 with the park owner within 45 days, unless agreed to otherwise,
 from the date of mailing of the notice and provided they have
 complied with ss. 723.075-723.079. To exercise its right to
 purchase the park, the homeowners' association shall be required
 to execute a contract for only the mobile home park that the

29 homeowners' association represents. If a contract between the
 30 park owner and the association is not executed within such 45-
 31 day period, then, unless the park owner thereafter elects to
 32 offer the park at a price lower than the price specified in her
 33 or his notice to the officers of the homeowners' association or
 34 to change the terms and conditions of the offer, the park owner
 35 has no further obligations under this subsection, ~~and her or his~~
 36 ~~only obligation shall be as set forth in subsection (2).~~

37 (c) If the park owner thereafter elects to offer the park
 38 at a price lower than the price specified in her or his notice
 39 to the home owners or to change the terms and conditions of the
 40 offer, the home owners, by and through the association, will
 41 have an additional 10 days to meet the price and terms and
 42 conditions of the park owner by executing a contract.

43 (2) If a mobile home park owner receives a bona fide offer
 44 to purchase the park that she or he intends to consider or make
 45 a counteroffer to, the mobile home park owner must first comply
 46 with subsection (1) ~~park owner's only obligation shall be to~~
 47 ~~notify the officers of the homeowners' association that she or~~
 48 ~~he has received an offer and disclose the price and material~~
 49 ~~terms and conditions upon which she or he would consider selling~~
 50 ~~the park and consider any offer made by the home owners,~~
 51 ~~provided the home owners have complied with ss. 723.075-723.079.~~
 52 ~~The park owner shall be under no obligation to sell to the home~~
 53 ~~owners or to interrupt or delay other negotiations and shall be~~
 54 ~~free at any time to execute a contract for the sale of the park~~
 55 ~~to a party or parties other than the home owners or the~~
 56 ~~association.~~

HB 0743

2005

57 (3)(a) As used in subsection ~~subsections~~ (1) ~~and (2)~~, the
58 term "notify" means the placing of a notice in the United States
59 mail addressed to the officers of the homeowners' association.
60 Each such notice shall be deemed to have been given upon the
61 deposit of the notice in the United States mail.

62 (b) As used in subsection (1), the term "offer" means any
63 solicitation by the park owner to the general public.

64 (c) As used in subsection (2), the term "offer" means any
65 unsolicited offer to purchase the mobile home park.

66 (4) This section does not apply to:

67 (d) Any transfer by a partnership to any of its partners.
68 However, this exception may not be used to avoid sale to the
69 homeowners' association.

70 Section 2. This act shall take effect July 1, 2005.