

Summary of Manufactured Home Park Tenants' Rights:

(Under Section 233 of the Real Property Law)

You have the right to...

- be free from retaliation if you make a good faith complaint or join a tenant association;
 - a rent discount if you participate in the STAR (or any other) real property tax exemption program;
 - not be evicted except upon court proceedings;
 - a copy of park rules and regulations and a written statement of all fees at the commencement of occupancy;
 - have rules and regulations applied uniformly to all tenants;
 - be free from unreasonable, random or retaliatory rules and regulations;
 - a 30-day written notice prior to any change of rules or regulations;
 - a 10-day period in order to correct a violation of park rules or regulations;
 - a 90-day written notice prior to increases of fees, charges or assessments;
 - have your security deposit held in trust in an interest-bearing account and to know the name and address of the bank;
 - sign a lease for at least a 1 year term
- prior to occupancy;
 - an annual lease renewal if you are a tenant in good standing;
 - post a *For Sale* sign on any manufactured home;
 - reasonable notice of any planned disruption of services;
 - purchase a manufactured home from whomever you wish, as either a current or prospective tenant;
 - have essential services (water, electricity, heat) furnished at all times;
 - choose whomever you want as a service-person;
 - refuse to purchase equipment from the park owner;
 - be free from occupancy restrictions in park rules or leases;
 - sell your manufactured home without the requirement it be removed from the park;
 - not pay a sales commission or fee to the park owner unless the park owner acted pursuant to a written agreement;
 - a livable, sanitary and safe park under *Warranty of Habitability*.

The New York State Dispute Resolution Association, Inc. (NYSDDRA) is a membership organization committed to the use and promotion of peaceful dispute resolution.

Contact us at 518-687-2240.

Manufactured

Home Park

Tenants & Owners

Mediation

Program

Office of Housing Operations
NYS Division of Housing and
Community Renewal
in coordination with
The New York State Dispute
Resolution Association, Inc.



George E. Pataki Governor, New York State
Judith A. Calogero, Commissioner

What Is the Manufactured Homes Complaint Program?

The Manufactured Homes Complaint Program is administered by DHCR based upon possible violations of Section 233 of the Real Property Law. In an effort to broaden its reach and bring tenants and park operators together at no cost to them and to settle issues as quickly as possible, DHCR utilizes the services of mediation centers statewide through a contract with the NYS Dispute Resolution Association, Inc. (NYSDDRA). Complaints may be resolved by the local mediation centers or by DHCR.

Benefits of the Program

Mediation Offers

- A confidential neutral setting in which to resolve disputes
- Prompt service
- Cost-free services to tenant or park operator
- Convenient locations throughout New York State

DHCR Actions

- Any complaint not resolved through mediation is directly handled by DHCR.
- If settlement cannot be reached, DHCR may apply to court for appropriate relief.
- The court may impose penalties and/or order direct restitution.

General Manufactured Housing Information

A Manufactured Home Park is...

land which is used to accommodate three or more manufactured homes occupied for year-round living.

A Manufactured Home Tenant is...

a person who rents space in a park from a manufactured home park owner or operator for the purpose of placing his or her manufactured home, or a person who rents a manufactured home in a park from a manufactured home park owner/operator.

A Manufactured Home Park Owner is...

a person who holds title to a manufactured home park or title to the land on which a manufactured home is to be sited. The term *manufactured home park owner* also includes those who operate a manufactured home park for an owner.

The Warranty of Habitability is...

that Tenants are entitled to a livable, sanitary and safe park, including all common areas, roads and lot. Lease provisions inconsistent with this right are illegal and unenforceable. Failure to provide water or other essential utility services, or to repair sewer problems are examples of a violation of this warranty. Park owners may not willfully or intentionally fail to provide any service or facility once they have agreed to do so.

How Can a Tenant File a Complaint?

Manufactured Home Tenants may initiate a complaint by contacting DHCR.

Call the toll free hotline at

1-800 432-4210

Or contact the DHCR office at :

DHCR

38-40 State Street
Hampton Plaza
Albany, NY 12207
Fax 518-486-3366

Complaint Processing

All complaints are evaluated by DHCR to determine the appropriate course of action. Complaints may be acted upon directly or referred to mediation.

Manufactured Home Park Registration

Owners of manufactured home parks containing three or more manufactured homes must register with DHCR by January 1 of each year the names of all persons owning an interest in the park, the names of all tenants, all services provided by the park owner to the tenants, and a copy of all current park rules and regulations.