

Manufactured Home Parks: What if the Park Rules Change?



The Office of the
Minnesota Attorney General
helping people afford their lives and live with dignity and respect

Residents of manufactured home parks who own their home have many rights under Minnesota law. Some of these rights protect them when the park's rules change.

Park Rules Must Be Reasonable

Minnesota law requires all park rules to be reasonable—whether the rules are in leases, rulebooks, or regulations.¹

A reasonable rule must meet all these goals:

- Promote residents' convenience, safety, or welfare.
- Promote the park's appearance and functioning, protect park property, or allow fair access to park services and facilities.
- Clearly relate to the reason the rule was made.
- Not retaliate or unfairly discriminate against anyone.
- Clearly explain to residents what is acceptable and unacceptable.

Here are a few examples of rules that are *unreasonable*:²

- Banning homeowners from putting a "for sale" sign on their own home.
- Requiring homeowners to buy goods or services from a specific company.
- Requiring homeowners to use a specific real estate broker to sell their home.
- Requiring more than one resident of a family home to be on the house's title.

Park Rules Cannot Limit Homeowners' Legal Rights

Park rules cannot limit homeowners' legal rights. Here are a few examples of rules that are not allowed:

- Allowing a park owner to enter a homeowner's house anytime.
- Allowing a park owner to increase rent more than twice a year.
- Limiting people's peaceful, non-commercial freedom of expression in the park.

Park owners also must give all residents 60 days' written notice before changing any park rules.

Homeowners Do Not Need to Follow a New Rule That Significantly Changes an Old Rule

Even if a new rule follows the law, Minnesota law says that homeowners who live at the park when the rule is changed do not need to follow the new rule if it *significantly changes* the old rule. For example, a homeowner who built a wooden garden shed that was allowed by the old rule does not have to tear it down because the new rule says residents cannot have wooden garden sheds. Because of this, there may be many sets of rules that apply to different homeowners, depending on what rules were in place when each homeowner moved to the park.

¹ Minn. Stat. § 327C.01, subd. 8; 327C.02, subd. 2.

² Minn. Stat. § 327C.05, subd. 1 and 2.

A new rule significantly changes an old rule if it:³

- Significantly cuts or gets rid of a park owner's responsibilities to care for the park or help out the residents.
- Significantly limits residents' rights, privileges, or freedoms.
- Requires homeowners to pay a significant new expense—by increasing their security deposit, for example.

Here are a few examples of rule changes that do *not* significantly change the old rules, and homeowners would have to follow them:⁴

- A reasonable rent increase—though park owners can only raise rent twice a year.
- A rule requiring all homeowners to keep their homes, sheds, and other property in good repair and in a safe condition.
- Any rule change required by the government.

Homeowners Have Protections against Being Evicted for Not Following Rules

A homeowner cannot be evicted for breaking an unreasonable or illegal rule, or for breaking a new rule that significantly changes an old rule that was in place when they first moved into the park. If a park owner files an eviction lawsuit against a homeowner for breaking a rule like this, the homeowner can fight the eviction by telling the court the rule is unreasonable, illegal, or significantly changed an old rule that they are still following.⁵

Even if a homeowner breaks a rule, a park owner must follow several steps before evicting them.⁶

- The park owner must give the homeowner written notice of the rule violation.
- The written notice must give the date, approximate time, and nature of the rule violation.
- The park owner must give the homeowner 30 days to comply with the rule.

A homeowner who challenges a new rule in court as unreasonable or a significant change to an old rule and loses still cannot be immediately evicted. The court must give them ten days to start following the new rule. If the homeowner starts following the new rule within those ten days, the eviction will be cancelled. The court may also make them pay the park owner's court fees.⁷

If your park owner has changed your park's rules and you have a question about whether the new rules are legal you may wish to contact the following:

All Parks Alliance for Change

2380 Wycliff Street, Suite 200

Saint Paul, MN 55114

(855) 361-2722

hotline@allparksallianceforchange.org

www.allparksallianceforchange.org

Housing Justice Center

275 East 4th Street, Suite 590

Saint Paul, MN 55101

(612) 807-1139

clients@hjcmn.org

www.hjcmn.org

If you believe your park owner is not following Minnesota law, please report the issue to the Attorney General's Office:

Office of Minnesota Attorney General

445 Minnesota Street, Suite 1400

St. Paul, MN 55101

(651) 296-3353 (Twin Cities Calling Area)

(800) 657-3787 (Outside the Twin Cities)

(800) 627-3529 (Minnesota Relay)

www.ag.state.mn.us/Office/Complaint.asp

³ Minn. Stat. § 327C.01, subd. 11.

⁴ Minn. Stat. § 327C.02, subd. 2.

⁵ Minn. Stat. § 327C.10, subd. 3.

⁶ Minn. Stat. § 327C.09, subd. 4.

⁷ Minn. Stat. § 327C.02, subd. 2a.