

# Landlords push back on pro-tenant, mobile-home park bills

Bills would require advance notice of sales to help community ownership bids, extend eviction timelines.

by [Eric Dietrich](#) 02.13.2023

A pair of Republican-sponsored bills intended to help mobile-home park residents weather Montana's acute housing shortage drew vehement opposition from park owners, real estate agents and the Montana Landlord Association in their initial hearings Monday morning.

[House Bill 429](#), sponsored by [Rep. George Nikolakakos, R-Great Falls](#), would require the owners of mobile-home parks with more than 50 units to give residents 60 days notice if they sell the property. It also requires owners to review counteroffers if a residents' association uses that time to organize in an effort to purchase the park.

[House Bill 428](#), sponsored by [Rep. Mike Yakawich, R-Billings](#), would strengthen several tenant protections for mobile-home owners. It would require a two-year term for lot rental renewals, limit utility fees to actual utility costs and extend the timelines for eviction proceedings and the disposal of abandoned mobile homes.

Nikolakakos and Yakawich told members of the [House Judiciary Committee](#) that mobile-home tenants deserve additional protections because they generally own the homes they live in but not the land beneath them, meaning they're stuck with their landlords in ways other renters are not. While mobile-home units can in theory be moved to a new location, that's in practice costly — upwards of \$10,000, Nikolakakos said — and in some cases impossible for older homes that aren't in good enough condition to survive a move intact.

"In an apartment complex, you get mad at your landlord, you get a U-Haul, load up with your stuff and find another place," Nikolakakos said. "Maybe that's not so easy in our current rental market, but that's an option. A mobile-home park just isn't like that."

Steve Skinner, who identified himself as a longtime mobile-home court owner, said the Legislature should look at other ways to tackle housing concerns.

"I know there are times where it's not fair. And that's just life," he said.

Residents and affordable housing advocates across the state [have raised alarm in recent years](#) about mobile-home parks being sold for redevelopment or to out-of-state owners who saddle residents with aggressive rent increases. Several residents who testified Monday said lot rents in their parks have been raised by hundreds of dollars a month following sales, causing some of their neighbors to lose their homes.

Carla Hill, who said she owns a home in the Cherry Creek mobile-home park in Billings, said she paid \$285 a month to rent a lot before a corporation purchased the park in 2020. After rent increases and added water, sewer and garbage fees, she said, her lot payment now averages \$595 — more than twice as much.

"These big corporations are coming in, buying up mobile home parks and making the once affordable unaffordable," Hill said.

**Get your insider's look into what's happening in and around the Capitol.** Sign up for the Capitolized newsletter and stay up-to-date on the latest legislative developments during the session.

Nikolakakos said cooperative land ownership, which is often aided by housing nonprofits such as [NeighborWorks Montana](#), can provide an alternative that keeps mobile-home ownership affordable in the long run. His bill, he said, is modeled after a law that [has been on the books for decades in New Hampshire](#).

"If property taxpayers had faced the kind of winds mobile-home residents have faced over the last few years, people would be throwing tea into the harbors right now," Nikolakakos said. "So it's not right to just do nothing and look away."

Mobile-home park owners countered that they believe the sale notice bill interferes with their property rights by making it harder for them to sell their holdings. Some expressed concern that the bill would require them to share information about a potential sale price, the buyer's name and other contract terms with residents.

"I don't want tenants knowing my business," said Sharon Lodge, who said she owns a small park near Belgrade.

Multiple park owners also scoffed at the notion that mobile-home park tenant associations can successfully keep up with maintenance and police resident behavior.

"These tenants a lot of times aren't capable of doing the repairs needed and cleaning up the parks with the bad tenants in there," said Dylan Osterhout, who said he runs real estate brokerage and manages mobile-home parks in Helena.

According to NeighborWorks Montana, the state [currently has 17 resident-owned cooperatives](#), representing 670 homes in total. An existing law, passed by the 2021 Legislature, tries to encourage sales to cooperatives by [exempting park owners from paying state capital gains tax](#) if they sell to a resident association, nonprofit or local government housing authority.

Park owners and landlords also pushed back on the tenant protections bill, saying its provisions would make it harder for them to evict problematic tenants.

"What happens when you've got drug dealers or any other bad actors in a mobile-home park? How do you get rid of them?" said Montana Landlords Association president John Sinrud. Nathan Groven, who said he and his wife own three trailer parks in Great Falls, said that under current law it already takes months for landlords to evict mobile-home tenants or win permission to dispose of an abandoned trailer.

"Please remember that mobile-home parks are private property. They are not low-income government housing," Groven said.

Opponents also argued longer lease terms would make it harder for them to pass property tax increases onto residents.

Noting that mobile-home residents often have tens of thousands of dollars invested in their trailers, Nikolakakos countered that lawmakers should think about mobile-home evictions as akin to a “quasi-foreclosure.”

“A month-to-month lease? I ask the committee to ask yourselves: Is it reasonable for someone to put a \$50,000 or \$70,000 or \$80,000 investment into something that cannot move without thousands of more dollars on a contractual term of 30 days at a time. Is that reasonable? I don’t think that’s reasonable,” Nikolakakos said.

Both bills now face initial votes in the House Judiciary Committee. In order to become law, both must pass the Montana House and Senate and then survive the governor’s veto pen.

Source: <https://montanafreepress.org/2023/02/13/landlords-push-back-on-pro-tenant-mobile-home-park-bills/>