



PRESERVING HOUSING AFFORDABILITY IN NYS

Models of Manufactured
Home Community Ownership



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If you are looking for assistance with your manufactured home please contact your local Rural Preservation Corporation (RPC). RPCs are non-profit housing organizations located in rural communities and are the point of contact for assistance with state housing programs like RESTORE, ACCESS and the Mobile and Manufactured Home Replacement Program (MMHRP).

Visit www.ruralhousing.org to learn more

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Manufactured Home Communities Provide New Yorkers with Critical Affordable Housing

Manufactured homes are the largest source of affordable unsubsidized housing in New York (homes built in factories prior to June 1976 are considered “mobile homes”—post 1976 homes are designated as “manufactured homes”).

- In NY there are 1,800 manufactured home communities (MHCs) with 65,000 manufactured homes
- The cost of manufactured homes (MHs) is 10-35% less per square foot as site-built homes (excluding land)
- Approximately half of all manufactured homes are in manufactured home communities
- Manufactured homes comprise roughly a tenth of all new home starts in the US

The stereotype that manufactured homes don’t increase in value is contradicted by industry data that shows that the median value for MHs increased by 39% compared to 33% for site-built homes. The value of manufactured homes over time reflects local housing markets similar to



site-built homes.

Manufactured homes haven’t looked like mobile homes for decades. In 1976 the federal government’s Department of Housing and Urban Development (HUD) created the first national building code for MHs, requiring better fire resistance, energy efficiency, and strength and durability. In the 1990s the standards were updated to enhance energy efficiency, ventilation and wind resistance.

The preservation of affordable housing options in MHCs is absolutely critical as the stock of affordable apartments in rural areas may be drastically reduced due to USDA-financed projects reaching mortgage maturity. The same trend is happening in the manufactured housing community sector. Since 1989 the number of registered manufactured home communities in NY has declined by over 10%. Although sales of manufactured homes have increased in recent years, shipments of manufactured home have been down by more than half since the industry’s peak in the 1980s.

The influx of “predatory equity” into the MHC industry over the past two decades has triggered an uptick in lot rent increase, disinvestment in infrastructure and community closure as real estate investment trusts (REITs) and out-of-state investors seek to maximize short-term profits at the expense of lower income homeowners. The number of out-of-state investors has increased by 165% since 1990 (Historic Manufactured Home Park Registrations: 1989-2019, www.data.ny.gov). Recent conversions to resident owned communities in New York revealed long deferred maintenance by the previous investor owners.



Cook Properties, now the largest owner of MHCs in NY, is facing a rent strike due to deferred septic maintenance

How to Preserve More Manufactured Home Communities

Two affordable preservation strategies already exist in New York and have proved viable in other states:

- Non-profit purchase of MHCs
- Cooperative conversion (resident-owned communities)

Over the last several decades a couple dozen MHCs have converted to cooperatives and within the last few years three MHCs were acquired by non-profits.

In Vermont, where an opportunity to purchase law was enacted in 1989, the legislation requires owners to notify residents of their intent to sell. The residents then have a choice whether they would like to make an offer to purchase the community (as a limited equity cooperative) or whether they would like a non-profit to purchase the community. If they choose either

of those options the state requires the owner to negotiate in good faith with either the residents or the non-profit.

As a result, 28% of the manufactured home communities in Vermont are now owned either by residents or a non-profit. This market density can have an impact on the local rental market, helping preserve affordability for residents of investor-owned communities as well. However, in New York, ROCs and non-profit owned MHCs comprise less than 2% of the market.

Resident Choice

NYS housing staff have expressed their support for MHC residents to have the opportunity to learn about both ROC and non-profit purchase models and have an opportunity to vote on which option they prefer. The non-profit pur-

chase option is, of course, only available in those parts of the state where there is a willing non-profit purchaser. One objective of producing this manual is to encourage more non-profits to join the 30 non-profits who have expressed an interest in MHC preservation purchases.

Another scenario is the purchase by a nonprofit with plans to stabilize the community by repairing homes, filling vacant sites and/or improving infrastructure, then convert it to cooperative ownership on an agreed-upon timeline.

The best MHC candidates for cooperative conversion are Manufactured Home Communities (MHCs) with more than 40 sites, low vacancy rate and a high percentage of resident owned homes. Only homeowners can be members of the co-op and it's im-

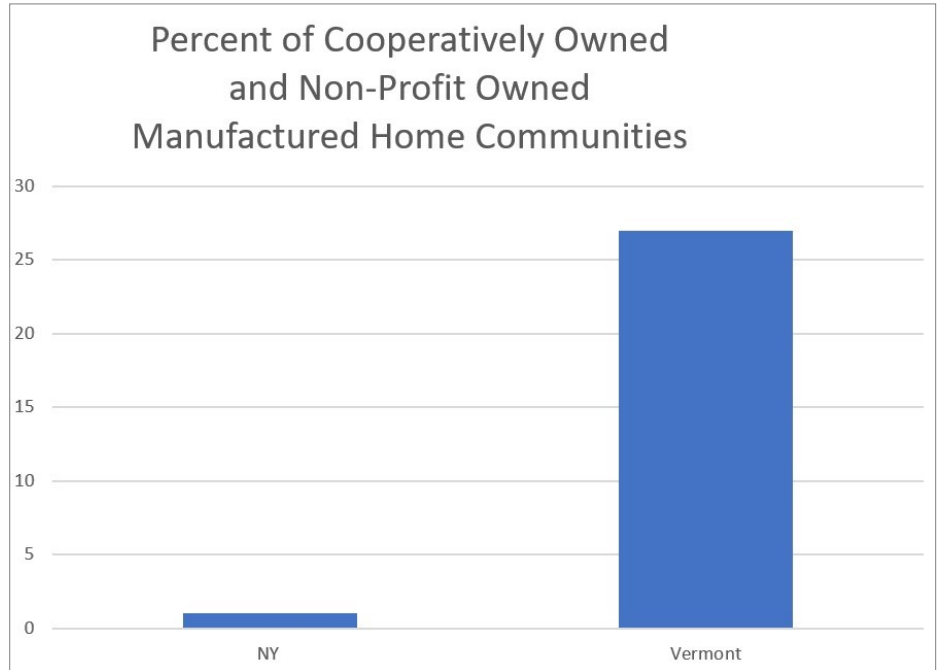
| | Resident Owned Community | Non-Profit Owned Community |
|--|--|---|
| Resident Involvement | 10-15 committed volunteers to serve on the board and committees | No resident work required |
| Financing | <ul style="list-style-type: none"> • State and private financing available • Membership fees (typically one time \$10-\$20 joining and \$100 member fee) | <ul style="list-style-type: none"> • State and private financing available • No membership fees |
| Property Management | Professional property management company selected by and accountable to residents | Nonprofit staff or professional property management company |
| Who owns the land? | Resident owned corporation | Nonprofit |
| Decision making/Control <ul style="list-style-type: none"> • Rent • Infrastructure improvements • Infill • Park rules • Evictions | Residents via their democratically elected board | Nonprofit |

How to Preserve More Manufactured Home Communities

portant to have enough members to draw from for election to the co-op board and to serve on committees.

However, non-profits in other areas of the US have shown interest in all sizes of MHCs. And some non-profits like the opportunity to bring in new homes for vacant sites and rent out the homes as well as the lots. The small size, high vacancy and high park owned home percentages can be seen as benefits to a non-profit.

It is also more cost effective to preserve affordable housing via non-profit acquisition and co-op conversion than building new affordable housing. Additionally, the Carsey Institute study (Resident Ownership in New Hampshire's "Mobile Home Parks:" A Report on Economic Outcomes, revised 2010) found that homes in ROCs sell faster and for more money than homes in commercially-owned MHCs, helping to preserve and create wealth. This is confirmed in NY through the last two



annual reviews of ROCs in which manufactured homes in the NY ROCs either held their value or appreciated.

Recent Expansion of State Programs

New York State Homes & Community Renewal has expanded its manufactured home repair and replacement


programs to include homes in MHCs. Non-profits around the state are eligible to apply to serve residents of manufactured home communities. RESTORE funding is for seniors and includes up to \$20,000 for emergency home repairs to an eligible senior citizen (e.g., a roof repair). HOME funding can be used to serve income

eligible residents (<80% of area median income) of any age in MHCs. There are three ways non-profits could potentially assist MHC homeowners or home buyers:


- Home rehab (up to \$65,000/home)
- Replacement (up to \$140,000/home)
- Down payment assistance (up to \$80,000/home)

The ACCESS to Home program continues to provides assistance for veterans or residents with disabilities to be able to remain in their homes.


Manufactured Housing in the United States




General Profile




22 Million
People live in manufactured homes



9%
Of new single-family home starts




71%
Of residents cite affordability as a key driver for choosing manufactured housing




62%
Of all residents anticipate living in their homes for more than 10 years

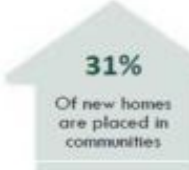
Manufactured Home Communities




43,000+
Land-lease communities



4.3 Million
Estimated home sites



31%
Of new homes are placed in communities



3.5%
Average annual site rent increase (less than 1% in ROCs)

Non-Profit Acquisition

First Step – Feasibility

Whether you are a resident of a manufactured home community, or a staff member of a non-profit, the process of purchasing the community starts with the same step – feasibility. The projected lot rent and other income need to be sufficient to cover operating expenses and the cost of financing the purchase at a price close to what the owner is asking. Moreover, NYS Homes and Community Renewal requires the Debt Service Coverage Ratio (DSCR) to be greater than 1.15% (the DSCR is Net Operating Income divided by the Annual Debt Service).

Non-profit purchasers of MHCs can include a reasonable developer's fee in the project financing as they would with a multifamily rental development.

Acquisition Checklist

- For MHCs listed for sale, receive Offering Memorandum from broker
- Receive additional financial information from owner (as much as they are willing to provide):
 - 3 years of financial statements
 - 5-year history of capital improvement
 - 5-year look-back on lot rent
 - Rent roll with addresses
 - Details on lots (vacancies, undeveloped, tenant owned



In 2021 Ithaca Neighborhood Housing Services purchased a 138 site manufactured home community and is currently working to remove blighted homes, upgrade existing vacant pads, bring in energy efficient homes, as well as repairing roads, septic, lighting, water, and drainage.

- vs park owned homes)
- Municipal water and sewer or well and/or septic
- Tax information from local municipality
- Drive through MHC to assess community (age and exterior condition of homes, presence of gardens versus garbage and debris, number of vacant homes, presence of fire hydrants, condition of roads, electric meter stands, trees, presence and condition of community room, playground or other structures
- Complete operating & development budgets: taxes, insurance, improvements needed for park, contracts (e.g., snow removal)
- Develop estimate of value
- Develop pro-forma
- Identify potential lenders
- Feasibility Loan Structuring Call with Lender (typically financed with 30-year mortgages with 10-year terms)
 - Confirm interest rate assumptions
 - Confirm EOV assumptions and LTV
 - Confirm rent assumptions
 - Identify any potential issues
- Confirm sources of pre-development capital
- Create Essential Dates Calendar
- Purchase and sale agreement executed; earnest money paid
- Title report due
- Financing contingency date
- Purchase and sale agreement expiration date/closing date
- Hire engineering company for Property Conditions Report:
 - Water
 - Sanitary
 - Storm
 - Electrical

Multi-family housing development is complex and time-consuming. For non-profits with limited housing development experience, the most successful endeavors have involved close partnership with groups that have experience and dedicated staff to do the work. Non-profits that have not previously acquired and preserved real estate should bring together expertise either in a joint venture or consulting capacity.

Non-Profit Acquisition

- Roads
- Environmental Assessment
- Lender orders appraisal
- Complete due diligence (Property Conditions Report and Environmental Assessment)
 - Property Conditions Report should include 10 year Capital Improvement Plan and an estimate of the capital improvement needs of all park-owned homes
- Receive and review seller documents required in purchase and sale agreement:
 - All information, notices, plans, specs or estimates regarding any septic or water improvement projects completed, underway or planned
 - Zoning information
 - Engineers' reports on conditions
 - Department of Health reports
 - Municipal violations citations
 - Copies of contracts or agreements (service contracts, employment, management, rent supplement)
 - Copies of approvals and permits and copies of all permits, plans, specs and approvals for any expansion completed, underway, or planned
 - Copies of appraisals
 - Copies of delinquent notices, demands, pending eviction actions, notices to quit or writs of possession
 - Copies of any notices of liens
 - Copies of certificates of occupancy, if any
 - Copies of most recent tax bills covering all taxes and assessments
 - Copies of loss reports from current insurance
 - Current rent roll
 - Description of storage tanks
 - Last 12 months utility bills
 - Legal description
 - Operating statements (income and expense) for the last 3 years
 - Records of capital expenditures and maintenance for the last 36 months

PARK @ 220 The Park of the Future HERKIMER, NEW YORK



Architectural drawing of The Greater Mohawk Valley Land Bank Park @220. The previous owner was behind on taxes and water bills. Rather than turning off the water, the municipality worked with the Land Bank to take ownership of the park. GMVLB was awarded a Park of the Future grant for Park @220. The grant allows the Land Bank to replace the old homes with Zero Energy modular homes, potentially saving owners hundreds of dollars a month.

- Copies of tenant leases and rental agreements including lease to purchase
- Zoning compliance letter
- Develop property management plan, engage vendors
- Prep for closing
- Closing & community celebration

Non-profits that own MHCs with a significant number of park-owned homes will have to factor in the additional cost associated with extra administration, property management and maintenance and repair of those homes.

Infill and Infrastructure Repair

Managing a Manufactured Home Community is multifaceted, involving infill (filling vacant sites), rehab and resale or rental of vacant homes, managing infrastructure improvement projects (roads, water, storm, sewer/septic, electrical, and trees), capital improvement planning, and potential preparation for conversion to coop ownership.

Planning infill starts with determining the market absorption rate. Local realtors, retailers and chattel lenders can provide information on local home sales. There are variety of approaches to filling vacant sites, including working with retailers to place spec homes, buying, placing and selling homes (new or used), and advertising the vacant lot for new residents to place their own homes. MH Village and Facebook Marketplace are popular sites to market homes in addition to Zillow and other traditional real estate sites. If a new pad is needed the park can split the cost with the new owner, include the pad in the cost of the home, or cover the cost entirely. Market conditions will help determine the best option.

SONYMA Manufactured Home Loans are now available for manufactured homeowners who live in all MHCs in NY. The low cost financing could save residents tens of thousands of dollars. Whether the park is a ROC or owned by a non-profit or investor owner, the park is required to on-

board to the SONYMA program before residents can apply for a loan for their home. Up to \$30,000 is available in down payment assistance for homebuyers with low incomes

State programs have recently expanded to provide more assistance for MHC residents to replace or repair their homes. Residents can also access down payment assistance for a new home (see page 5)

It is important to note that home sales in NY should be done by a certified retailer and that pads are regulated (installed according to the manufacturer's requirements and limitations). Newly placed homes require a building permit and NYS Installers Warranty Seal.

The engineer's property conditions report should provide a ten year projection of infrastructure repairs to inform annual budgeting. Non-profits and ROCs can apply to New York States Manufactured Home Advantage Program (MHAP) for below market rate financing for rehabilitation of infrastructure as well MHC purchase (see page 15).

Resident Owned Communities in NYS have had success in securing Community Development Block Grants (Public Infrastructure, Public Facilities) for infrastructure repairs, including water, sewer and electrical repairs.

Cooperative Conversion

Resident Owned Communities (ROCs) provide housing security. Members of the cooperative have a right to remain in the community in perpetuity (as long as they pay their lot rent and don't violate community rules). Stability is critical for families and child development. The loan agreements for NYS ROCs prevent displacement by ensuring that the land use will not change. ROCs are incorporated as non-profit housing corporations, therefore if a ROC should dissolve, its assets would be transferred to a non-profit serving the affordable housing needs of the community, thereby precluding sale to a private investor.

In contrast to the housing security experienced by ROC members, residents of investor owned MHCs in New York who have not signed a lease can lose their right to remain on the site. Relocating their home is not always an option. Not all homes can be moved and for homes that can be moved the cost of moving starts at several thousand

dollars. MHCs have also changed uses in NY, with residents losing the ability to stay in place. Residents who have to leave their homes behind lose all the equity they have accumulated in their home.

In investor-owned communities, even though residents own their homes, the park owner controls the lot rent. Each time the community is sold to a new owner the rent is likely to increase. Resident-owned communities can provide a bulwark against rising rental prices in rural NY. Studies show that Resident Owned Communities raise monthly site fees at lower rates

Two terms
Same thing

Resident Owned Community = Cooperative

Cooperative Conversion

(0.9% annually, Colliers/USA, 2020) than industry averages (3.9%, MH Insider, July/August 2019). Over 15 years the monthly lot fee in a resident-owned community (based on \$500 monthly lot fee) would be \$572, as opposed to \$888 in investor-owned communities after 15 years.

First Step – Feasibility

Whether you are a resident of a manufactured home community, or a staff member of a non-profit, the process of purchasing the community starts with the same step – feasibility. The projected lot rent and other income need to be sufficient to cover operating expenses and the cost of financing the purchase at a price close to what the owner is asking. Moreover, NYS Homes and Community Renewal requires the Debt Service Coverage Ratio (DSCR) to be greater than 1.15% (the DSCR is Net Operating Income (NOI) divided by the Annual Debt Ser-

vice).

For residents of MHCs interested in pursuing co-op purchase, PathStone, a certified technical assistance provider in the ROC USA Network, typically does the feasibility analysis. PathStone obtains sales price expectation and operating information from the owner and negotiates the terms of a letter of intent.

PathStone charges a fee at closing (2-4% of the purchase price) and provides ongoing technical assistance for the 10-year term of financing paid through the annual operating budget. PathStone may also be paid in part or in full via the lender.

Next Steps Toward Purchase

PathStone then assists residents with formation of the resident organization and helps organize members. Members elect an Interim Board of Directors, and PathStone provides training

to the new resident corporation as they enter into a purchase agreement.

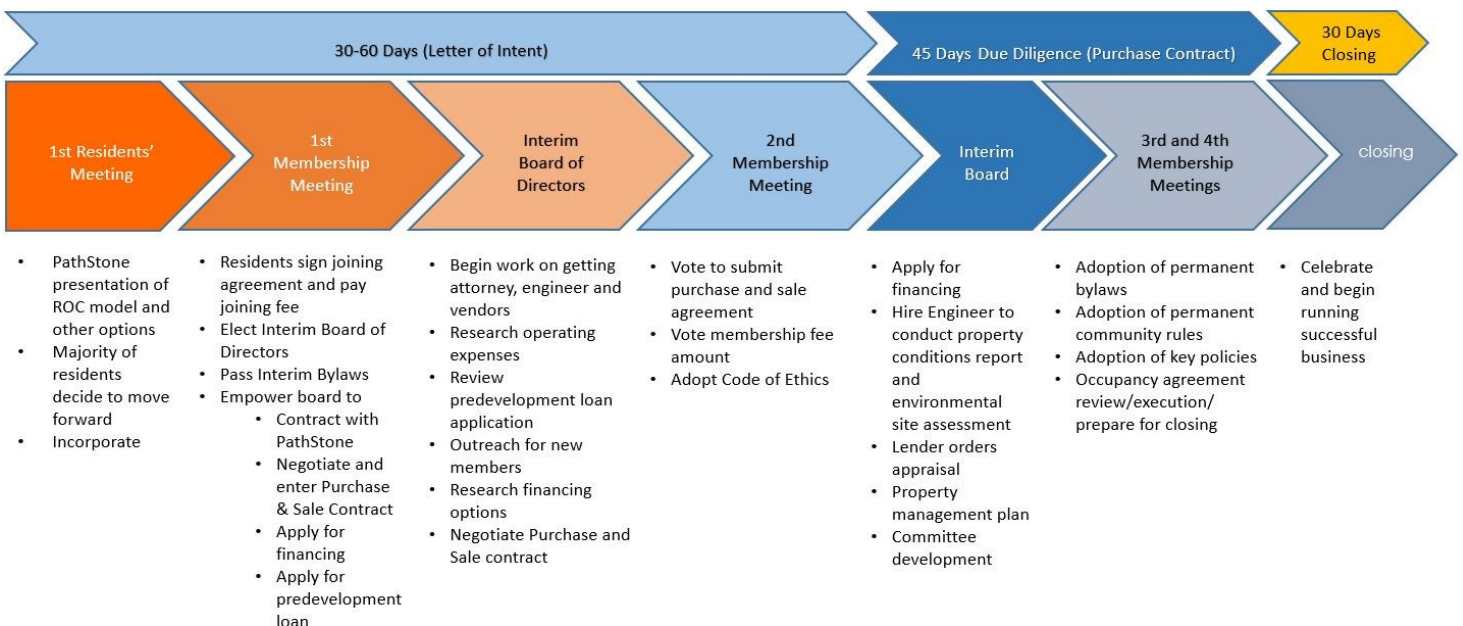
1. Incorporate resident corporation; elect officers.
2. Resident corporation enters into technical assistance agreement with PathStone
3. Confidential survey of residents to determine: income & jobs, family size, mobile home debt, residency length, park needs, maximum affordable rent & ability to participate

PathStone helps the Interim Board complete due diligence, organize their newly incorporated business, and secure financing for the purchase of the property.

Final Steps Toward Purchase

- Complete operating & development budgets: taxes, insurance, improvements needed to park,

ROC Acquisition Timeline



Cooperative Conversion

contracts (e.g., snow removal)

- Secure pre-development funding
- Earnest money deposit for purchase agreement
- Property Conditions Report: Water, sanitary, storm, electrical, roads
- Environmental Assessment
- Appraisal
- Complete due diligence and create Capital Improvement Plan
- Identify potential lenders
- Pursue the best available financing (ROCs are typically financed with 30-year mortgages with 10-year terms)
- Lender orders appraisal
- Secure loan commitments, remove contingencies in purchase contract
- Close on community purchase and hold celebration!
- For cooperatives, after the purchase, PathStone provides on-going technical assistance and support.

How do ROCs work?

- One household, one vote – nobody is required to join
- Members must own their home and reside in

community

- Members elect Board to run the business on a day-to-day basis
- Members approve documents that govern the co-op and community
- Board and Members supported by professional property management
- Although members own their own homes, all members collectively own the land beneath their homes
- ROCs are limited equity cooperatives
- Members purchase a small share, usually \$100
- Membership agreements provide members the right to remain in perpetuity (unless they are evicted by the community for rules violations or failure to pay monthly fees).

It Takes Work

- Serving on the board
- Serving on committees
- Showing up at Member Meetings
- Learn new skills and processes and work together to solve problems
- Challenge of managing infrastructure improvements

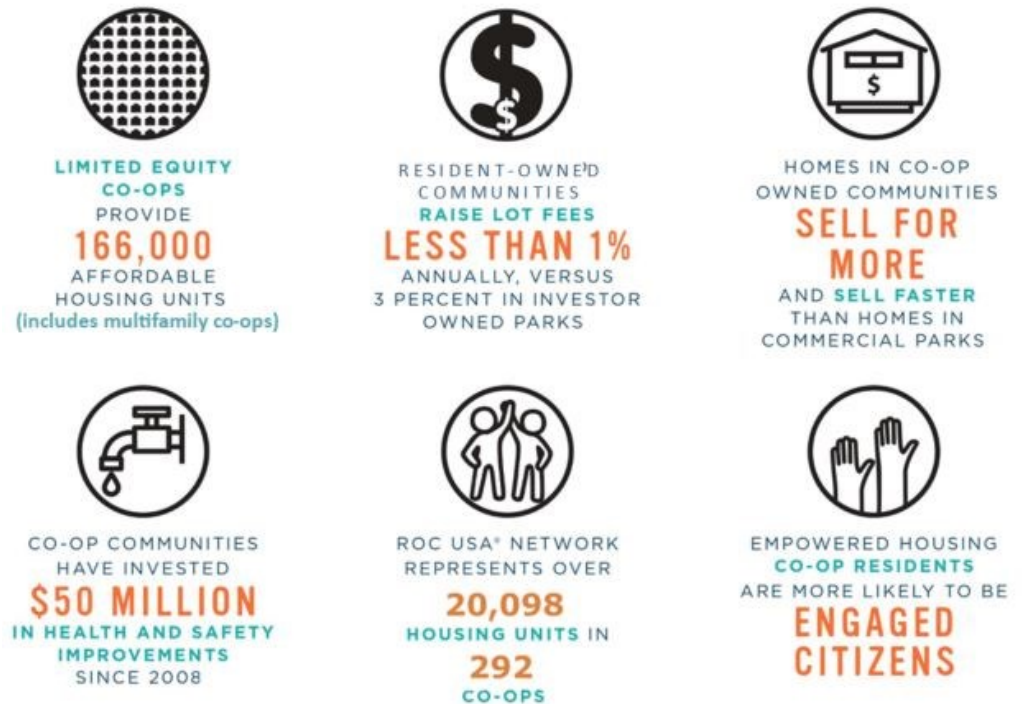


Cooperative Conversion Checklist

PathStone Conversion Checklist

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 - 5-year history of capital improvement
 - 5-year look-back on lot rent
 - Rent roll with addresses
 - Details on lots (vacancies, undeveloped, tenant owned vs park owned homes)
 - Municipal water and sewer or well and/or septic
- Tax information from local municipality
- Drive through MHC to assess community (age and exterior condition of homes, presence of gardens versus garbage and debris, number of vacant homes, presence of fire hydrants, condition of roads, electric meter stands, trees, presence and condition of community room, playground or other structures)
- Develop estimate of value
- Develop pro-forma
- Feasibility Loan Structuring Call with Lender
 - Confirm interest rate assumptions
 - Confirm EOV assumptions and LTV
 - Confirm rent assumptions
 - Identify any potential issues
 - Confirm eligibility for a pre-development loan

Housing Co-op Impact By The Numbers



National data from ROC USA, 2021

- Negotiate and execute a Letter of Intent, providing an estimated sales price and securing a 45–60 day period for resident meetings and initial organizing
- Send letter to residents / follow up with door-knocking
- Prepare for first resident meeting
 - Secure space
 - Secure AV
 - Secure Interpreter if necessary
 - Invite and brief any local non-profit potential purchaser
 - Determine if resident/HOA representative will speak
 - Determine if an onsite manager will create dissension
 - Develop packet
 - Mail or hand-deliver packet to residents, with meeting notice
- Create Essential Dates Calendar
 - Purchase and sale agreement executed
 - Pre-development loan application due
 - Title report due
 - Earnest dollars due
 - Date to notice meetings
 - Due diligence due
 - Financing contingency date
 - Prep for closing and celebration
 - Purchase and sale agreement expiration date/closing date
- Submit an offer
- Execute Purchase and Sale Agreement
- Seller documents for purchase and sale agreement
 - All information, notices, plans, specs or estimates regarding any

Cooperative Conversion

- septic or water improvement projects completed, under-way or planned
- Zoning information
- Engineers' reports on condi-tions
- Department of Health re-ports
- Municipal violations citations
- Copies of contracts or agree-ments (service contracts, em-ployment, management, rent supplement)
- Copies of approvals and per-mits and copies of all per-mits, plans, specs and ap-provals for any expansion completed, underway, or planned
- Copies of appraisals
- Copies of delinquent notices, demands, pending eviction actions, notices to quit or writs of possession
- Copies of any notices of liens
- Copies of certificates of occu-pancy, if any
- Copies of most recent tax bills covering all taxes and assessments
- Copies of loss reports from current insurance
- Current rent roll
- Description of storage tanks
 - Last 12 months utility bills
 - Legal description
 - Operating statements (income and expense) for the last 3 years
 - Records of capital expend-itures and maintenance for the last 36 months
 - Copies of tenant leases and rental agreements including lease to pur-chase
 - Zoning compliance letter

Legal and Regulatory Compliance

PathStone, together with professional property manage-ment firms and attorneys, help ROCs comply with state and federal regulations, including:

- Section 233 of NYS Real Property Law
 - <https://hcr.ny.gov/system/files/documents/2018/12/mfhp-program.pdf>
- NYS biannual MHC Registration
 - <https://data.ny.gov/Government-Finance/Manufactured-Home-Park-Registrations-Beginning-202/nq2i-9jge/data>
- Fair Housing regulations
 - <https://dos.ny.gov/system/files/documents/2021/08/fairhousingnotice.pdf>
 - <https://dhr.ny.gov/system/files/documents/2022/05/nysdhr-fair-housing-guide-2021.pdf>
- Fair Credit Reporting Act
 - <https://www.federalreserve.gov/boarddocs/supmanual/cch/200611/fcra.pdf>
 - <https://www.ftc.gov/system/files/documents/plain-language/bus49-using-consumer-reports-what-landlords-need-know.pdf>
- Americans with Disabilities Act
 - <https://www.justice.gov/crt/us-department-housing-and-urban-development>
- Assistance animals
 - https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals
- Local zoning laws
 - <https://dos.ny.gov/system/files/documents/2021/09/municipal-regulation-of-manufactured-housing.pdf>
- NYS Department of Health regulations



Legal and Regulatory Compliance

- https://www.health.ny.gov/regulations/nycrr/title_10/part_17/
- NYS Department of Health MHC database
 - <https://health.data.ny.gov/Health/Mobile-Home-Parks-Last-Inspection/d3mj-xg62/data>
- NYS Not for Profit Corporate Law
- HUD's Part 3280 –Manufactured Home Construction and Safety Standards
 - <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280>
- NYS Building Standards and Codes - Article 21-B (Manufactured Homes) of the New York State Executive Law
- FAQ – foundations, tie downs, installation, state vs local code enforcement
 - <https://dos.ny.gov/system/files/documents/2019/10/2016-synopsis-21b-and-1210-rev-2.pdf>
- Warranty seals, certification of retailers, manufacturer, mechanics, and installers
 - <https://dos.ny.gov/system/files/documents/2019/10/part1210.pdf>
- Warranty Seal Bulletin chrome-
 - https://assets.noviams.com/novi-file-uploads/nyha/2022_Warranty_Seal_Changes.pdf
- List of certified installers, manufacturers, mechanics and retailers
 - <https://dos.ny.gov/system/files/documents/2022/07/july-2022-manufactured-housing-certification-list.pdf>
- The Federal Manufactured Home Construction and Safety Standards of the US Department of Housing and Urban Development (24 CFR Part 3280 “HUD Code”) preempts the NYS Uniform Fire Prevention and Building Code
- Local code officials can get plan review from Design Approval Primary Inspection Agency
- Local code officials can get construction inspections from Production Inspection Primary Inspection Agency
- Wind zones and thermal zones and roof loads available from manufacturer

Attorney General Approval

The Attorney General's office regulates the offer and sale of interests in cooperatives. Sales of co-op units can only be made after all potential co-op members have received a copy of an Offering Plan which has been approved by the Attorney General's office. Offering plans are typically several hundred pages long and resemble a prospectus for an initial offering of stocks or bonds. This plan includes detailed information on the structure, proposed operations, budget of the co-op and physical condition of the property. The Offering Plan review

process can take 4-6 months. These consumer protection regulations (The Martin Act 1921) developed from the need to address the cooperative conversion of multifamily housing in the NYC area and to protect prospective cooperative residents from fraud.

For manufactured home cooperatives the cooperative organizing process, corporate structure and relationship of homeowners to the cooperative is significantly different from multifamily housing cooperatives. PathStone has made efforts to have the AG's office enact a regulatory process that is less

onerous for ROCs.

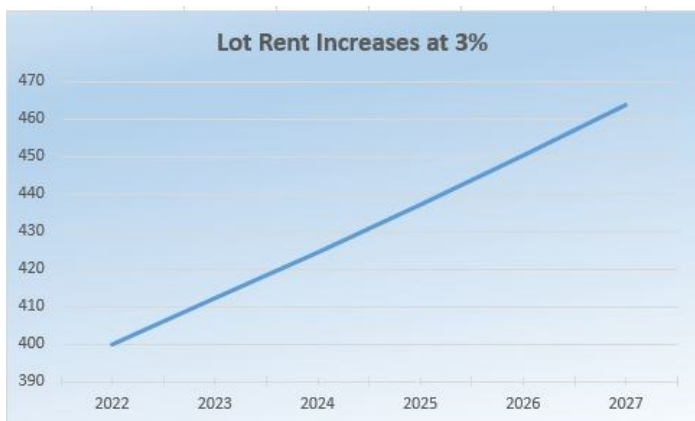
In lieu of an offering plan, cooperatives with a super majority of residents as members of the co-op can apply for a No-Action Letter from the Attorney General's office, which may be less costly and more expeditious than the Offering Plan process. ROCs need legal counsel to help with the submission and to respond to requests from the AG's office for additional information.

This process does not apply to non-profit purchases of MHCs.

Housing Stability, Tenant Protection Act

Rent Cap

- As part of the New York State Housing Stability and Tenant Protection Act, owners are capped at a 3% lot rent increase per year
- Owners can charge up to 6% if they experienced increases in operating expenses, property taxes or improvement costs
- Homeowners can challenge rent increases above 3% in court
- Although the rent cap stops steep yearly increases, like the 40% increase that Sunrise Capital Investors tried to charge residents of Akron Mobile Home Park, over time, the allowable increases add up.
 - <https://hcr.ny.gov/system/files/documents/2021/08/rent-increases-in-manufactured-home-parks.pdf>



Rent to Own

- Renters with rent-to-own contracts, who are evicted, have the right to get back the money they paid for the manufactured home as well as the interest
- The new law also requires owners to disclose fees and charges before entering into a rental agreement
 - <https://hcr.ny.gov/system/files/documents/2021/08/manufactured-home-rent-to-own-contracts.pdf>

Limitations on Fees

- Park owners can't bill tenants with attorney's fees, unless they have been awarded by the judge
- All charges must be disclosed in writing before entering into a rental agreement
- Late charges may not exceed 3% of rent
 - <https://hcr.ny.gov/system/files/>

[documents/2021/08/housing-stability-tenant-protection-act-and-manufactured-home-park.pdf.pdf](https://hcr.ny.gov/system/files/documents/2021/08/housing-stability-tenant-protection-act-and-manufactured-home-park.pdf.pdf)

Change in Use

- If an owner is selling to somebody who intends to change the use the land within 5 years of purchase (no longer maintain it as a manufactured home community), residents have a right to make an offer to buy the park and own it as a cooperative
- If an MHC is closed and the land converted to another use, the park owner must provide homeowners a stipend of up to \$15,000 for relocation.
- A warrant for eviction cannot be executed until the stipend has been paid to the manufactured homeowner.
- The court will calculate the stipend based upon consideration of the following factors:
 - The cost of relocation of the manufactured home
 - The number of manufactured homes in the same park that would be receiving a stipend
 - The amount the real property is being purchased for
 - The value of the real property the manufactured home is located on
 - The value of the development rights attached to real property parcel the manufactured home is located on
 - Any other factors the court determines are relevant
 - <https://hcr.ny.gov/system/files/documents/2021/08/sale-of-manufactured-home-parks.pdf>

Lease Renewal

- All manufactured home tenants are now entitled to new leases (good standing has been eliminated as a requirement for renewal)
- A tenant can still be evicted for good cause, including nuisance
- All leases must include the DHCR issued lease rider, enumerating tenant rights
 - <https://hcr.ny.gov/system/files/documents/2019/09/DHCR%20MH%20Lease%20Rider%20Final%20September%2026%202019%20%28004%29.pdf>
- Rent can only be increased with a new lease
 - <https://hcr.ny.gov/manufactured-home-park-tenants-owners-information-sheet>

Resources

MH Advantage term sheet

- <https://hcr.ny.gov/manufactured-home-advantage-program-mhap>

Manufactured Home Cooperative Fund (MHC FP)

- <https://hcr.ny.gov/manufactured-home-cooperative-fund-mhcfp>

SONYMA

- <https://tinyurl.com/3vjyxp5>

Community Development Block Grant

- <https://hcr.ny.gov/community-development-block-grant>

First Resident Meeting slide deck

- <https://tinyurl.com/5n6vefkv>

MHC listings and brokers

- <https://rochcomrealestate.com/>
- <https://ireinvestment.com/>
- <https://rockbridgerealtygroup.com/>
- <https://www.marcusmillichap.com/new-york-tri-state>
- <https://www.cbredealflow.com/>
- <https://www.mhpglobal.net/>

MHC Listing Sites

- <https://www.mobilehomeparkstore.com/mobile-home-parks-for-sale/new-york>
- <https://www.loopnet.com/search/mobile-home-parks/ny/for-sale/?sk=4202562eb5bad2fdf1daed19f9714bfb>

MHC Home Sales

- <https://www.mhvillage.com/>

NYS MHC Registry – Identifies the MHCs in your county and provides number of sites, owner and contact info

- Database - Manufactured Home Park Registrations: Beginning 2020 <https://data.ny.gov/Government->

[Finance/Manufactured-Home-Park-Registrations-Beginning-2020/nq2i-9jge/data](https://data.ny.gov/Government-Finance/Manufactured-Home-Park-Registrations-Beginning-2020/nq2i-9jge/data)

- Manufactured Home Parks Registration Portal— <https://www.tax.ny.gov/bus/mhp/>

PathStone

- <https://pathstone.us19.list-manage.com/subscribe?u=60b1b21f542dc2c201f6a37f9&iid=035a899a71>

State certified MH professionals, mechanics, retailers and manufacturers

- <https://dos.ny.gov/system/files/documents/2022/07/july-2022-manufactured-housing-certification-list.pdf>
- Attorney recommendations from New York Housing Association (manufactured home industry trade association) <https://www.nyhousing.org/news/attorney-recommendations>

Resident rights and protections

- <https://tinyurl.com/27jy6sf>
- <https://tinyurl.com/mrvxazpf>

Local and National Trade Associations and Advocacy Organizations

- New York Housing Association (NY manufactured home industry trade group) <https://www.nyhousing.org/>
- Manufactured Housing Institute (national trade association) <https://www.manufacturedhousing.org/>
- MH Action (grassroots MHC resident leadership and organizing) <https://www.mhaction.org/>
- ROC USA <https://rocusa.org/>
- Housing Assistance Council (provides lending, technical assistance and training, policy formulation, and research and information services to assist community-based organizations and policy-

makers who are working daily to improve life in rural communities across the United States) <https://ruralhome.org/>

- Prosperity Now (provides research, advocacy, policy and narrative change toward an economy that is just, fair, and free from structural racism) <https://prosperitynow.org/>
- National Cooperative Business Association <https://nbaclusa.coop/>
- New Economy Project (campaigns to challenge corporations that harm communities and perpetuate inequality and poverty; and works to build strong local economies, by fostering democratically-structured, community-controlled initiatives such as worker cooperatives, community development credit unions, community land trusts, and mutual housing) <https://www.neweconomy.nyc.org/>
- Enterprise Community Partners—dedicated to increasing housing supply, advancing racial equity and building resilience and upward mobility <https://www.enterprisecommunity.org/>
- Housing Justice for All (statewide movement of tenants and homeless New Yorkers united in the fight for housing as a human right) <https://housingjusticeforall.org/>

DOH regional offices

https://www.health.ny.gov/facilities/cons/more_information/regional_offices.htm

MHC Consultants

<https://consultwithmhc.com/about/>