



SPONSOR: Rep. Briggs King & Sen. Pettyjohn

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 383

AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE ACCEPTANCE OF RENT FOR MANUFACTURED HOME COMMUNITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 7015A, Title 25 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           § 7015A Rent — Prohibited lump sum ~~payments~~; payments; acceptance of rent.

4           (a) Rental payments shall must be paid by the tenant to the owner/landlord in equal dollar amounts, or as close  
5     thereto as possible, and shall must be extended equally, pro rata, over a calendar year. Any provision in a rental ~~agreement~~  
6     ~~or otherwise which agreement, or otherwise, that~~ requires rental payments or rental increases to be paid in 1 lump sum ~~shall~~  
7     ~~be null and is~~ void. Nothing herein shall This subsection does not preclude a tenant from requesting, and the owner/landlord  
8     from agreeing thereto, that rental payment be made in a 1-time lump sum, semi-annual, or quarterly payment made by the  
9     tenant; nor does ~~anything herein this subsection~~ prevent a ~~landowner~~ an owner/landlord from offering discounts as  
10    incentives to homeowners to pay annually, ~~semi-annually or quarterly~~ semi-annually, or quarterly, provided it is made clear  
11    that the homeowners are under no obligation to pay in any way except monthly.

12           (b) If an owner/landlord accepts a cash payment for rent, the owner/landlord shall, within 15 days, give the tenant  
13     a receipt for that payment. The owner/landlord must maintain a record of all cash receipts for rent for 3 years.

14           (c) An owner/landlord must accept a rental payment tendered by a tenant, unless the owner/landlord has filed an  
15     action for summary possession under Chapter 57 of this title. A violation of this subsection is a retaliatory act under § 7023  
16     of this title.

SYNOPSIS

This Act requires an owner/landlord to accept rental payments from a manufactured home owner/tenant and makes the failure to accept a rental payment a retaliatory act. This Act adopts a provision of the Delaware Residential Landlord-Tenant Code that requires an owner/landlord to provide a receipt for a cash payment of rent and to maintain records of cash payments for 3 years.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.