



SPONSOR: Sen. Walsh & Sen. Townsend & Rep. Wilson-Anton &
Rep. Baumbach
Sens. Lockman, S. McBride, Sokola, Sturgeon; Reps.
Smyk, K. Williams

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 312

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

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

1 Section 1. Amend § 7008, Title 25 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 7008. Provisions of a rental agreement.

4 (a) All new and renewing rental agreements, including those rental agreements whose original term has expired,
5 for a lot in a manufactured home community must contain all of the following:

6 (15) For a manufactured home community that is supplied by potable water from a private water system, a
7 provision requiring the landlord to do all of the following:

8 a. Comply with the testing requirements for a community water system as established by the Division of
9 Public Health under § 122(3)c. of Title 16.

10 b. Report the results of testing required under paragraph (a)(15)a. of this section to those required by the
11 Division of Public Health for a community water system and to all of the following in a timely manner and as
12 required under § 7015 of this title:

13 1. The tenants of the manufactured home community.

14 2. The Division of Public Health.

15 3. The Department of Justice's Manufactured Housing Ombudsperson.

16 (16) For a manufactured home community with an on-site wastewater treatment and disposal system, a
17 provision requiring the landlord to do all of the following:

18 a. Cause the on-site wastewater treatment and disposal system to be emptied by a Class F liquid waste
19 hauler licensed by the Department of Natural Resources and Environmental Control ("Department") and serviced

20 at least every 3 years to ensure the system's working condition and to provide sufficient sewage capacity as
21 required under other law of this State and the county or municipal government with jurisdiction over the
22 manufactured home community.

23 b. Cause the on-site wastewater treatment and disposal system to be inspected by an independent third
24 party when the system is serviced.

25 1. For an on-site wastewater treatment and disposal systems with a design flow rate of less than
26 2,500 gallons per day, the inspection must be performed by a Class H system inspector licensed by the
27 Department. The Class H inspection must be performed and reported to the Department under the Class H
28 inspection requirements adopted by the Department under Regulation 7101 of Title 7 of the Delaware
29 Administrative Code.

30 2. For an on-site wastewater treatment and disposal system with a projected wastewater design flow
31 of 2,500 gallons per day or greater, the inspection must be performed by a Class B designer or Class C
32 designer licensed by the Department. The results of the inspection must be reported to the Department on a
33 form approved by the Department within 72 hours of the completion of the inspection.

34 c. Report, in a timely manner and as required under § 7015 of this title, the results of the inspection to the
35 tenants, the Department of Justice's Manufactured Housing Ombudsperson, and the county or municipal
36 government with jurisdiction over the manufactured home community.

SYNOPSIS

This Substitute Act requires all new and renewing rental agreements for a lot in a manufactured home community to contain the following:

(1) For a manufactured home community that is supplied by potable water from a private water system, a provision requiring the landlord to have the water tested in compliance with the requirements applicable to a community water system and report the findings to those required for a community water system, including tenants, the Division of Public Health, and the Department of Justice's Manufactured Housing Ombudsperson.

(2) For a manufactured home community with an on-site wastewater treatment and disposal system, a provision requiring the landlord to have the system emptied, serviced, and inspected at least every 3 years and to report the findings to tenants, the Department of Natural Resources and Environmental Control, the Department of Justice's Manufactured Housing Ombudsperson, and the applicable county or municipal government.

This Substitute Act differs from the original Act by better aligning the requirements for testing of a manufactured home community's private water system and for emptying, servicing, and inspection of a community's on-site wastewater treatment and disposal systems to existing State regulatory authority.

Author: Senator Walsh