



SPONSOR: Rep. Carson & Sen. Hoffner

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 372

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

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

1 Section 1. Amend § 7003, Title 25 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline and by redesignating accordingly as follows:

3 § 7003. Definitions.

4 For purposes of this chapter:

5 (6) “Day” means a calendar day excluding Saturday, Sunday, or any State legal holiday under § 501 of Title 1.

6 (6) ~~(7)~~ “Guest” or “visitor” means a person who is not a tenant or resident of a manufactured home
7 community and who is on the premises of the manufactured home community with the express or implied permission
8 of a tenant or resident of the community.

9 ~~(26)~~ (27) “Tree” for the purpose of this chapter means a woody, perennial plant at least 25 feet in height or
10 with a main stem a minimum of 6 inches in diameter. “Tree” includes the root system, limbs, trunk, and stem.

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

13 § 7008. Provisions of a rental agreement.

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

16 (13) Provisions requiring the landlord to do all of the following:

17 a. Maintain and regrade the lot ~~area~~ areas, bulkheads, streets, and other grounds where necessary and in
18 good faith, as permitted by law, to prevent the accumulation of standing water thereon and to prevent the
19 detrimental effects of moving water if such efforts do not cause the creation of any new accumulations of standing
20 water or detrimental effects of moving water on another lot area. ~~Areas defined by local, state, or federal~~
21 ~~regulations as wetlands, flood plains, tidal areas, water recharge areas, or recorded drainage systems are exempt~~
22 ~~from this paragraph.~~ For areas defined by local, state, or federal regulations as wetlands, flood plains, tidal areas,

23 water recharge areas, or recorded drainage systems, the landlord must coordinate with the appropriate local, state,
24 or federal agency to prevent any lot flooding, and must keep the tenant informed, at a minimum, on an annual
25 basis, of any flood prevention or drainage projects.

26 b. Maintain the manufactured home community in such a manner as will protect the health and safety of
27 residents, visitors, and guests.

28 c. Identify each lot area in the community in such a way that each tenant can readily identify that tenant's
29 own area of responsibility.

30 d. Maintain the community, including common areas and rental lots not under rent, keeping it free of
31 species of weeds or plant growth which are noxious or detrimental to the health of the residents.

32 e. Make a good faith effort to exterminate insects, rodents, vermin, or other pests which are dangerous to
33 the health of the residents when an infestation exists in the common areas of the community.

34 f. Maintain all water, electrical, plumbing, gas, sewer, septic, and other utilities and services provided by
35 the ~~landlord~~ landlord, up to the connection to the home distribution point, in good working order, repairing these
36 utilities and services within the earlier of 48 hours after written notification of a utility or service problem, or as
37 soon thereafter as is practicable if a repair within 48 hours is not practicable.

38 (14) Provisions requiring the tenant to do all of the following:

39 a. Keep the exterior of the manufactured home and the rented lot in a clean and sanitary condition.

40 b. Refrain from storing outside on the lot occupied by the tenant's manufactured home building materials,
41 furniture, or similar items usually not stored outside a home by a property owner in a residential area.

42 c. Dispose of all rubbish, garbage, and other waste materials in a clean and sanitary manner.

43 d. Abide by all reasonable written rules concerning use, occupation, and maintenance of the premises,
44 under § 7018 of this title.

45 e. Abide by all reasonable written manufactured home standards under § 7007 of this title.

SYNOPSIS

This Act amends the Delaware Manufactured Homes and Manufactured Home Communities Act by defining the term "day" to mean a calendar day excluding Saturdays, Sundays, and State legal holidays. This Act eliminates anyone with implied permission under definition of "guest" or "visitor". The Act expands the definition of "tree" to include root system, limbs, trunk and stem. This Act clarifies that a landlord is responsible for maintenance and repairs of all utilities and services up to the home distribution point. This Act requires the landlord to maintain and regrade, in addition to lots, bulkheads, streets and grounds. This Act also requires the landlord to include in rental agreements that for all areas designated by local, state, or federal regulations as wetlands, flood plains, tidal areas and water discharge areas the landlord will coordinate with the appropriate authorities to prevent any lot flooding and keep the tenant advised on, at least an annual basis, of any flood prevention or drainage projects.