



SPONSOR: Rep. Carson & Sen. Hoffner
Rep. Harris

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
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, a federal holiday, or a State legal holiday under
6 § 501 of Title 1 when the specified number of days is 12 or less. When the specified number of days is 12 or more
7 "day" means a calendar day. If the first or last day falls on a Saturday, Sunday, federal holiday, or State legal holiday
8 under §501 of Title 1, the date shall be extended to the next business day.

9 ~~(6)~~ (7) "Guest" or "visitor" means a person who is not a tenant or resident of a manufactured home
10 community and who is on the premises of the manufactured home community with the express ~~or implied~~ permission
11 of a tenant or resident of the community. "Guest" or "visitor" does not include a business invitee.

12 ~~(26)~~ (27) "Tree" for the purpose of this chapter means a woody, perennial plant at least 25 feet in height or
13 with a main stem a minimum of 6 inches in diameter. "Tree" includes the root system, limbs, trunk, and stem.

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

16 § 7008. Provisions of a rental agreement.

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

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

20 a. Maintain and regrade the lot ~~area~~ areas, bulkheads, streets, and other grounds where necessary and in
21 good faith, as permitted by law, to prevent the accumulation of standing water thereon and to prevent the

22 detrimental effects of moving water if such efforts do not cause the creation of any new accumulations of standing
23 water or detrimental effects of moving water on another lot area. Areas defined by local, state, or federal
24 regulations as wetlands, flood plains, tidal areas, water discharge areas, or recorded drainage systems are exempt
25 from this paragraph.

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 Substitute bill clarifies that the definition of "day" does not include Saturday, Sunday, any federal holiday, or any State legal holiday when the specified number of days is 12 or less. When the specified number of days is more than 12 days, "day" means a calendar day. If the first or last day falls on a Saturday, Sunday, federal holiday, or State holiday under § 501 of Title 1, the date shall be extended to the next business day.

This Substitute bill also clarifies that the definition of "guest" or "visitor" does not include a business invitee.

This Substitute bill also removes the additional wetland provision in H.B. 372 and restores the original language in this section of the title.