



SPONSOR: Sen. Sturgeon

DELAWARE STATE SENATE  
150th GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1  
TO  
HOUSE BILL NO. 46

AMEND House Bill No. 46 by deleting line 108 in its entirety and inserting in lieu thereof the following:

“(8) Challenging a rent increase under Subchapter III of this chapter, if all of the following apply:

a. The proposed rent increase is 500 or more basis points higher than the CPI-U.

b. A simple majority or more of the homeowners who received notice of the proposed rent increase under § 7043 of this title support the challenge. For purposes of this paragraph (b)(8)b., all of the following apply:

1. A simple majority is calculated based on 1 vote for each home that received notice.

2. Support for the challenge is documented through a vote conducted in a manner consistent with the bylaws of the homeowners association or signatures on a petition.”.

FURTHER AMEND House Bill No. 46 by deleting line 180 in its entirety and inserting in lieu thereof the following:

“(8) Challenging a rent increase under Subchapter III of this chapter, if all of the following apply:

a. The proposed rent increase is 500 or more basis points higher than the CPI-U.

b. A simple majority or more of the homeowners who received notice of the proposed rent increase under § 7053 of this title support the challenge. For purposes of this paragraph (b)(8)b., all of the following apply:

1. A simple majority is calculated based on 1 vote for each home that received notice.

2. Support for the challenge is documented through a vote conducted in a manner consistent with the bylaws of the homeowners association or signatures on a petition.”.

SYNOPSIS

To promote the likelihood that funds are available to address the most egregious violations of Chapter 70 of Title 25, including high rent increases as well as troubling issues of safety, health, and welfare, this Amendment allows an attorney funded by the Delaware Manufactured Home Owner Attorney Fund to represent manufactured homeowners in challenges to rent increases if the proposed rent increase is 500 or more basis points higher than the CPI-U and a majority of the homeowners affected by the increase support the challenge.

Author: Senator Sturgeon