



SPONSOR: Rep. Wilson-Anton & Rep. Kowalko & Rep. Carson &
Sen. Pinkney
Reps. Bentz, Longhurst, Lynn, Morrison, Osienski,
K. Williams; Sen. Ennis

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 180

AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RIGHT OF FIRST OFFER FOR
MANUFACTURED HOME COMMUNITIES.

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 as follows and redesignating accordingly:

3 § 7003. Definitions.

4 Unless otherwise expressly stated, if a word or term is not defined under this section, it has its ordinarily accepted
5 meaning or means what the context implies. For purposes of this chapter:

6 (5) “DMHOA” means the Delaware Manufactured Home Owners Association or its successor.

7 Section 2. Amend § 7026, Title 25 of the Delaware Code by making deletions as shown by strike through and
8 insertions as shown by underline as follows:

9 § 7026. Right of first offer; duty to negotiate in good faith, penalties for noncompliance.

10 (d) A community owner must provide the identity of a potential purchaser of the community if requested by the
11 community’s homeowner association.

12 Section 3. Amend § 7028, Title 25 of the Delaware Code by making deletions as shown by strike through and
13 insertions as shown by underline as follows:

14 § 7028. Right of first offer; notice not required before sale of manufactured home community.

15 (a) A manufactured home community owner is not required to give notice of or extend a right of first offer to a
16 community’s homeowner association, DMHOA or its successor, or the Authority under the any of the following
17 circumstances:

18 (b)(1) If notice under § 7027 of this title is not required under subsection (a) of this section, the manufactured
19 home community owner shall provide notice of the decision to sell, transfer, or convey all or part of the community to the
20 community’s homeowner association, if one exists, DMHOA or its successor, and to the Authority.

21 (2) If the community does not have a homeowner association, the Authority, after receiving the notice under
22 paragraph (b)(1) of this section, shall send notice to all of the residents of the community regarding the community
23 owner's decision. The community owner shall provide a complete list of current residents, with each resident's
24 address, to the Authority.

SYNOPSIS

This Act revises Chapter 70 of Title 25, which governs manufactured homes on rented lots in manufactured home communities, by adding disclosure requirements to the right of first offer process when the community owner decides to sell, transfer, or convey all or part of the community.