



SPONSOR: Rep. Wilson-Anton & Sen. Ennis
Rep. Kowalko

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 374

AN ACT TO AMEND TITLE 25 OF THE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE AND MANUFACTURED HOME AND MANUFACTURED HOME COMMUNITIES ACT.

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

1 Section 1. Amend Subchapter I of Chapter 70 of Title 25 of the Code by making deletions as shown by strike
2 through and insertions as shown by underline as follows:

3 § 7003. Definitions.

4 (11) “Manufactured home” means ~~a factory-built, single-family dwelling; either of the following:~~

5 a. ~~Transportable in 1 or more sections, which is either 8 body feet or more in width and 40 body feet or~~
6 ~~more in length, or, when erected on site, has more than 400 square feet in living area; and~~

7 b. ~~With or without a permanent foundation and designed to be used as a year-round dwelling when~~
8 ~~connected to the required utilities; and~~

9 c. ~~If manufactured since June 15, 1976, built in accordance with manufactured home construction~~
10 ~~requirements promulgated by the federal Department of Housing and Urban Development (HUD) or by other~~
11 ~~applicable codes. “Manufactured home” is synonymous with “mobile home”, “trailer”, and similar terms used~~
12 ~~elsewhere in this title.~~

13 a. A factory-built, single-family dwelling that is all of the following:

14 1. Transportable in 1 or more sections, which is either 8 body feet or more in width and 40 body feet
15 or more in length, or, when erected on site, has more than 400 square feet in living area.

16 2. With or without a permanent foundation and designed to be used as a year-round dwelling when
17 connected to the required utilities.

18 3. If manufactured since June 15, 1976, built in accordance with manufactured home construction
19 requirements promulgated by the federal Department of Housing and Urban Development (HUD) or by other
20 applicable codes. “Manufactured home” is synonymous with “mobile home”, “trailer”, and similar terms used
21 elsewhere in this title.

22 b. A home consisting primarily of a camper trailer, recreational vehicle, motor home, or similar vehicle or

23 trailer designed to serve as a mobile, temporary residence if all of the following are true:

24 1. The camper trailer, recreational vehicle, motor home, or similar vehicle or trailer is located in a
25 manufactured home community that contains at least two manufactured homes as defined by Section
26 7003(11)a or contained two such homes at the time the tenant obtained title to the camper trailer, recreational
27 vehicle, motor home, or similar vehicle or trailer.

28 2. The camper trailer, recreational vehicle, motor home, or similar vehicle or trailer is the primary
29 residence of the tenants.

30 3. The camper trailer, recreational vehicle, motor home, or similar vehicle or trailer has been present
31 and immobile on the property for a minimum of 5 years.

32 4. At the time the current tenant obtained title to the camper trailer, recreational vehicle, motor home,
33 or similar vehicle or trailer; the camper trailer, recreational vehicle, motor home, or similar vehicle or trailer
34 was not mobile and could not reasonably be returned to a condition where it would be mobile.

35 § 7004. Exemptions.

36 (a) Except for homes defined as manufactured homes in Section 7003(11), the rental of ground upon which a
37 recreational vehicle is placed, including any facilities or utilities thereon, is exempt from the requirements of subchapters I
38 through V of this chapter and nothing in subchapters I through V of this chapter may be construed as determining,
39 regulating, or governing the legal rights of parties to any lease or rental agreement for the ground on which a recreational
40 vehicle is situated.

SYNOPSIS

This bill extends protections to homeowners in manufactured home communities even if their homes do not qualify as “manufactured homes” under the current definition of manufactured home. Currently there exists a population of Delawareans living in camper trailers on rented land. Due to this unique living situation these individuals are not protected under the landlord-tenant code or our state's manufactured housing laws. This act remedies this inequality for Delawareans who have lived in this situation for at least 5 years. Currently there exists a population of Delawareans living in camper trailers on rented land. Due to this unique living situation these individuals are not protected under the landlord-tenant code or our State's manufactured housing laws. This Act remedies this inequality for Delawareans who have lived in this situation for at least 5 years.