

# From the Computer of Fred Neil

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Statement by Fred Neil, in Favor of HB 436, with the following amendment.

It is hard to imagine any elected official being in favor of permitting a seller to fool a buyer in order to increase the price of the item they are selling. That unintentionally can happen when a tenant home owner on lease land sells a home.

§ 7022 permits the home seller to transfer the lease. By doing so, the rent amount is good for the remainder of the annual lease. If they do not wish to transfer the lease for any reason, the landlord can raise rents without limit which could: (1) Drop the resale value of the home or (2) Kill the sale.

In reality, the Realtor Listing contains the existing monthly rental but does not show if the lease is being transferred or not, leading the buyer to believe they will be paying the monthly rent amount for the duration of the Annual lease.

Realtors are not required to know Title 25, Chapter 70 law to sell a home on leased land. That means they do not know of the need for the declaration 3 weeks in advance of the sale to transfer or not transfer until they arrive at the settlement table and the buyer is hit with an unexpected increase. Imagine that happening to you when you have a Moving Van due to arrive at any moment?

The transfer of the lease is permitted by law, HB 436 does not change that. The amendment suggested only requires transparency in the transaction that any honorable business should not object to.

Here is my suggested amendment to HB 436

30 Three (3) weeks prior to the sale of property, the Landlord must obtain a signed  
32 document from the seller indicating that the lease is to be transferred or not. The landlord  
33 will counter sign the document and provide copies to the seller and buyer within two  
34 (2) business days.