

**MINUTES**

**MOBILE MANUFACTURED HOME ADVISORY COUNCIL**

**JUNE 18, 2008**

The Mobile Manufactured Home Advisory Council convened at 10:05 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Members Present:	Keith Jensen Ben Castonguay Jennifer Ponte Myriam Clarkson Leonard S. Campbell George Cote Al Hricz	Park Owner, Acting Chairperson CT Real Estate Commission Member DECD Representative Mobile Manufactured Home Industry Rep. Town Planner Banking Industry Representative Park Tenant
Member Absent:	Bennett Pudlin Timothy Coppage Marcia L. Stemm Lawrence F. Hallisey Michelina G. Lauzier Neil Gervais	Attorney at Law, Acting Chairperson CT. Housing Finance Authority Rep. Park Owner Park Owner Park Tenant Park Tenant
Board Vacancies:	One Senior Citizen One Representative of the Housing Advisory Committee	
DCP Staff Present:	Nelson Leon, Advisory Council Secretary Vicky Bullock, Administrative Hearings Attorney	
Public Present:	Mark R. Berkowitz	

**Note:** The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division.  
For information call Richard M. Hurlburt, Director, at (860) 713-6135.

**Agency Web site:** [www.ct.gov/dcp](http://www.ct.gov/dcp)

## **MINUTES OF PREVIOUS MEETINGS**

The Advisory Council voted unanimously to approve minutes of the March 19, 2008 Mobile Manufactured Home Advisory Council meeting, with amendment to page-3 under the heading Legislative / Finance Committee, line three, spelling correction from conviction to eviction.

## **REPORT FROM SUB-COMMITTEES**

- **EDUCATION COMMITTEE**

Ms. Bullock said that a DCP website presentation will be provided at the next meeting scheduled for September 17, 2008.

- **LEGISLATIVE COMMITTEE**

Mr. Jensen reports on a court case in Shelton, CT on the abandonment statute. The abandonment statute was designed to get abandoned homes out of the communities so that they can be replaced with a producing asset for community owners and taxes for the town. As a result, it wiped out all the liens, which the town of Shelton did not like the idea that all liens were being wiped-out.

In the court case, the community owner had gone through the abandonment procedure and had received a clear title. However, the community owner received a tax bill from the town. The Community owner challenged the tax bill and the court sided with the town, and they based their argument on whether it was real estate or personal property. The real question is whether the town taxes are wiped-out as a result of the abandonment statute. Mr. Jensen said once the Legislative Committee meets to discuss this matter, the committee will report on it at the next meeting.

- **FINANCE COMMITTEE – No Report**

## **CORRESPONDENCE**

Letter dated May 15, 2008 addressed to State Representative Linda Orange, from CT Attorney General Richard Blumenthal, concerning a legal opinion regarding the legality of a mobile park owner requiring, as part of the rental agreement, a right of first refusal in the sale of a mobile home, and whether a right of first refusal that allows a mobile park owner fifteen days to respond is an unfair and deceptive trade practice.

The Advisory Council discussed this matter and the general consensus is that (5) five days is a reasonable amount of time in which a mobile park owner may exercise a right of first refusal in the sale of a mobile home, once he is provided with notice of the sale. Members of the Council stated that most park owners do not have this provision as part of the rental agreement.

## **OLD BUSINESS**

The Council asked if there were any new appointments to the Mobile Manufactured Home Advisory Council. Ms. Bullock reports that there has been no activity concerning Advisory Council appointments.

## **NEW BUSINESS**

Ms. Clarkson discussed oil leaks and asked a procedural question on starting a program encouraging people to change over to a safer form of fuel, particularly to prevent unnecessary costly oil spills, which significantly impact revenue and gets passed on via rent increases. Ms. Clarkson said has been working with an insurance group that is offering individual insurance policies and would like to know if she can have the park community pay for the insurance policy.

Ms. Clarkson would like to know if she can assess her unit owners \$200.00 per year, billed over a period of twelve months if they have older oil tanks. Ms. Bullock said that there can be no demand or mandate that tenants convert unless it has been determined that there is an imminent health issue. The fee cannot cause an economic hardship to the tenants. Ms. Bullock said that previous arguments have been made that oil spills do not happen frequently and that one has to be able to show that this is something that benefits the park as a whole and that it is for the safety and welfare of the tenants.

Ms. Clarkson said the insurance offers \$100,000.00 of coverage per oil spill incident, also covers the leak, cleaning of the soil, replacement of the oil tank and lost oil, with a \$500.00 deductible.

Ms. Bullock suggested Ms. Clarkson provide her with a copy of the proposed insurance policy for review by DCP to determine whether it poses an economic hardship on the tenant. DCP will confer with the Attorney General's office.

**MISCELLANEOUS**

Ms. Bullock said that the tax collector from the town of Clinton, CT called DCP and requested permission for some of the town residents to attend and speak at the next mobile home meeting scheduled for September 17, 2008.

There being no further business, the meeting adjourned at 10:50 a.m.

Respectfully submitted,

Nelson Leon  
Advisory Council Secretary

**The next meeting of this Advisory Council is scheduled for Wednesday, September 17, 2008.**