



WATCHDOG

Guarding manufactured/mobile home owner rights

February 13, 2023

FMO Legislation for 2023

During the past month, FMO has been working with Representative Paula Stark (Kissimmee) and her team to develop legislation that would bring some important changes to manufactured and mobile home owners. She has filed her legislation and House Bill 751 it can be found here:

<https://www.flsenate.gov/Session/Bill/2023/751/BillText/Filed/PDF>

There are several elements of this bill:

- Eliminates sales tax on the resale of a manufactured or mobile home;
- Creates enforcement by the Office of the Attorney General of sections of Chapter 723 relating to obligations of both the mobile home park owner and the mobile home owner and the determination of unreasonable lot rental increases.
- Clarifies the mobile home park owner must maintain the lots in the park which he owns in good order; park owner may not require additional liability coverage for common areas if there is already a policy in effect; prohibit attempt to enforce a park rule not adopted pursuant to statute; and prohibit collection of a proposed lot rental increase with pending litigation or mediation.
- Requires participation for Chapter 723 disputes with the existing pursuit mediation process that has been created for condominium, cooperative, and HOA disputes. This will avoid the ineffective dispute process that currently exists within the Division.
- Clarifies that a homeowner or HOA may file a complaint in circuit court without mediation;
- Requires that a park owner or park manager must respond to an applicant who desires to be a park resident with the results of the screening within 15 business days and provides for a limit on the fees for the process.
- Provides that damages may be awarded as a result of litigation and that the court may award treble damages to a prevailing party.
- Provides that the HOA may represent some or all of the home owners in legal proceedings.

Further information and requests will be forthcoming as we make progress!

If you have questions, please contact your Section Director or District President.