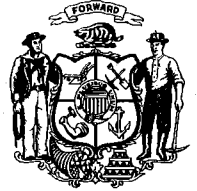


Frank Lasee
WISCONSIN STATE SENATOR
FIRST SENATE DISTRICT



Senator Lasee's Testimony

Senate Bill 430/Assembly Bill 515

Clarifying Code Enforcement Laws for Manufactured Home Parks

Senate Bill 430/Assembly Bill 515 is a very short and simple bill with very short and simple testimony:

The bill simply clarifies that when local building inspectors find a dwelling code infraction on a manufactured home in a manufactured home facility that the action be taken with the owner of the manufactured home instead of the manufactured home park. In cases where code enforcement officials would erroneously cite the park operator, the operator had only one remedy: to evict the home from the park which isn't very practical.

Please support this thoughtful clarification.



JOAN BALLWEG

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Rep.Ballweg@legis.wi.gov

WISCONSIN STATE REPRESENTATIVE

41ST ASSEMBLY DISTRICT

AB 515/SB 430: Dwelling Code Compliance
Testimony of State Representative Joan Ballweg
Joint Assembly Housing and Real Estate and Senate Insurance, Housing and Trade Committees
October 17th, 2017

Thank you, Chairmen Jagler and Lasee, and members of the Assembly Housing and Real Estate and Senate Insurance, Housing and Trade Committees for holding this public hearing on AB 515/SB 430. This bill will improve compliance to code regulations in manufactured home communities by clarifying that code enforcement officials should send compliance notices and cite the owner of a manufactured home who is out of compliance rather than the manufactured home community operator.

There are 1,066 manufactured home communities across the state that provide affordable housing for about 54,000 Wisconsin families. Manufactured homes are often one of the few, if not the only option, for affordable unsubsidized housing in a community. An owner of a manufactured home will own the home, but they will lease the land with exclusive rights to the property from the community operator or, in some cases, a cooperative.

Under current law, a municipality sends a compliance notice or fine to the community operator. For example, if a homeowner builds a deck without a permit, the municipality will send the building code violation notices and fines only to the community operator. A community operator has no legal authority or responsibility to fix a home that is owned by the tenant. A community operator's only option, if the owner of the home continues to be out of compliance, is eviction, which is undesirable for the homeowner and costly for the community operator.

AB 515/SB 430 changes the law to require a municipality to send code compliance notices and fines to the owner of the manufactured home rather than the community operator. I believe that this common-sense change will improve compliance to the dwelling code by notifying the owner of the home who actually has the ability to bring the home into compliance.

The Wisconsin Housing Alliance supports this bill.

Thank you for your consideration of AB 515/SB 430. I am happy to answer any questions that you may have.



**OUR MISSION: TO BE AN ADVOCATE FOR MEMBERS,
FACILITATING RELATIONSHIPS WHICH EDUCATE,
SUPPORT AND PROMOTE THE INDUSTRY**

October 17, 2017

Dear Senate Committee on Insurance, Housing and Trade and Assembly Committee on Housing and Real Estate:

Thank you for allowing public testimony on AB515 and SB430.

Wisconsin's manufactured housing industry provides an important source of unsubsidized housing in Wisconsin. There are currently 1066 manufactured home communities in the state occupied by nearly 54,000 proud homeowners and their families.

While the owner of a manufactured home pays a municipal permit fee (which is basically property taxes on the home), many municipalities do not recognize them as homeowners when it comes to building code or enforcement actions for items such as non-code compliant exit steps, decks or home attachments. The municipality often sends the code enforcement notices to the owner of the manufactured home community. Unfortunately, if the home is not the property of the community, a landlord cannot simply start making corrections to the property owned by a lessee. The only recourse a community owner has is to evict the tenant and that is subject to a judge granting the eviction.

Several municipalities use the code violation of a homeowner to threaten the manufactured housing community's license rather than notifying the homeowner.

AB515 and SB430 will make it very clear that a homeowner is responsible for any code violation and not the manufactured home community owner. If the municipality and community owner work together with a homeowner, the likelihood of compliance will be greatly improved.

If you would like any further discussion or information, feel free to give me a call. I urge you to pass this legislation and I thank you for taking the time to hear testimony on this bill.

Sincerely,

Amy Bliss
Executive Director
Amy@housingalliance.us



October 16, 2017

Senate Committee on Insurance, Housing and Trade
Assembly Committee on Housing and Real Estate:

Dear Members;

Thank you for allowing public testimony on AB515 and SB430.

I have been an owner of manufactured housing communities located in Wisconsin for over 33 years. An issue I have faced as the owner of communities has been building code or enforcement actions for non-code compliant exit steps, decks or home attachments constructed by the homeowner.

While the owner of a manufactured home pays a municipal permit fee, which is like paying property taxes on the home, many municipalities do not recognize the residents as homeowners when it comes to building code or enforcement actions for items such as non-code compliant exit steps, decks or home attachments. Most municipal officials or building inspector's send the code enforcement notices to the owner of the manufactured home community. Because the home is not the property of the community, a landlord cannot simply start making corrections to property owned by a lessee.

The only recourse a community owner has is to begin a long and costly eviction action against the homeowner which is then subject to a judge's decision to grant the eviction. As a community owner, eviction is not necessarily the result that I am seeking when a non-code compliant structure is added to a home. But, because there is no other remedy to the community owner, that is how we are forced to proceed.

I have also had instances of a municipality using code violations of a homeowner to delay the manufactured housing community's license renew rather than acting against the homeowner directly.

AB515 and SB430 will make it very clear that a homeowner is responsible for any code violation and not the manufactured home community owner. If the municipality and community owner work together with a homeowner, the likelihood of compliance will be greatly improved.

If you would like any further discussion or information, feel free to give me a call. I urge you to pass this legislation and I thank you for taking the time to accept written testimony on this bill.

Sincerely,
Great Value Homes, Inc.

A handwritten signature in black ink, appearing to read "Richard J. Rand", is written over the typed name and company name.

Richard J. Rand
President

Date: October 16, 2017

To: Senate Comm. on Insurance, Housing and Trade and Assembly Comm. on Housing and Real Estate:

From: Dick Hajeck, Owner
Cozy Acres
4900 Olson Dr #66
Eau Claire, WI 54703-9700

RE: AB515 and SB430

I am the owner of a manufactured home community with 69 sites in Eau Claire, WI. I fully support the passage of AB 515 and SB430 because Eau Claire County has been trying sending code violations to me for items such as decks, steps, sheds and even aesthetic issues that are not part of the building codes. When I have asked them to send the violation notices to the homeowner, they tell me to simply evict the tenant if they don't comply.

Eau Claire County position is to evict the tenant while in fact the county could and should issue citation directly to the tenant. As statute is now written a 5 or 14 day notice is the only proper venue for a Mobile Home Park Owner to commence moving this violation directly to homeowner.

Eviction is not good or proper for either the tenant or park operator but clearly a citation is--- as this will spread by word of mouth throughout the community.

Thank you for your consideration on these points to improve and cover all bases in this statute.