

1985 Senate Bill 217

Date of enactment: April 10, 1986
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1985 Wisconsin Act 235

AN ACT to create 710.15 of the statutes, relating to mobile home parks.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 710.15 of the statutes is created to read:

710.15 Mobile home park regulations. (1) DEFINITIONS. In this section:

(a) "Lease" means a written agreement between an operator and a resident or mobile home occupant establishing the terms upon which the mobile home

may be located in the park or the mobile home occupant may occupy a mobile home in the park.

(b) "Mobile home" has the meaning given under s. 66.058 (1) (d) but does not include any unit used primarily for camping, touring or recreational purposes.

(c) "Mobile home occupant" means a person who rents a mobile home in a park from an operator.

(d) "Operator" means a person engaged in the business of renting plots of ground or mobile homes in a park to mobile home owners or mobile home occupants.

(e) "Park" means a tract of land containing 2 or more plots of ground upon which mobile homes are located in exchange for the payment of rent or any other fee pursuant to a lease.

(f) "Resident" means a person who rents a mobile home site in a park from an operator.

(1m) **REQUIREMENT AND TERM OF LEASE.** Every agreement for the rental of a mobile home site or mobile home shall be by lease. Every lease shall be for a term of at least one year unless the resident or mobile home occupant requests a shorter term and the operator agrees to the shorter term.

(2) **RULES INCLUDED IN LEASE.** All park rules that substantially affect the rights or duties of residents or mobile home occupants or of operators, including park rules under sub. (2m) (b), shall be made a part of every lease between them.

(2m) **EMERGENCY SHELTER DISCLOSURE.** (a) Every lease shall state whether the park contains an emergency shelter.

(b) If a park contains an emergency shelter under par. (a), the park rules shall state the location of the emergency shelter and procedures for its use.

(3) **PROHIBITED CONSIDERATION OF AGE OF MOBILE HOME.** (a) An operator may not deny a resident the opportunity to enter into or renew, and may not include, exclude or alter any terms of, a lease to continue to locate a mobile home in the park solely or in any part on the basis of the age of the mobile home.

(b) An operator may not require the removal of a mobile home from a park solely or in any part on the basis of the age of the mobile home, regardless of whether the ownership or occupancy of the mobile home has changed or will change.

(4) **PROHIBITED CONSIDERATION OF CHANGE IN OWNERSHIP OR OCCUPANCY OF MOBILE HOME.** An operator may not require the removal of a mobile home from a park solely or in any part because the ownership or occupancy of the mobile home has changed or will change. An operator may refuse to enter into an initial lease with a prospective resident or mobile home occupant for any other lawful reason.

(4m) **NO INTEREST IN REAL ESTATE; SCREENING PERMITTED.** Neither sub. (3) (b) nor sub. (4) creates or

extends any interest in real estate or prohibits the lawful screening of prospective residents and mobile home occupants by an operator.

(5m) **TERMINATION OF TENANCY OR NONRENEWAL OF LEASE.** Notwithstanding ss. 704.17 and 704.19, the tenancy of a resident or mobile home occupant in a park may not be terminated, nor may the renewal of the lease be denied by the park operator, except upon any of the following grounds:

(a) Failure to pay rent due, or failure to pay taxes or any other charges due for which the park owner or operator may be liable.

(b) Disorderly conduct that results in a disruption to the rights of others to the peaceful enjoyment and use of the premises.

(c) Vandalism or commission of waste of the property.

(d) A breach of any term of the lease.

(e) Violation of park rules that endangers the health or safety of others or disrupts the right to the peaceful enjoyment and use of the premises by others, after written notice to cease the violation has been delivered to the resident or mobile home occupant.

(em) Violation of federal, state or local laws, rules or ordinances relating to mobile homes after written notice to cease the violation has been delivered to the resident or mobile home occupant.

(f) The park owner or operator seeks to retire the park permanently from the rental housing market.

(g) The park owner or operator is required to discontinue use of the park for the purpose rented as a result of action taken against the park owner or operator by local or state building or health authorities and it is necessary for the premises to be vacated to satisfy the relief sought by the action.

(h) The physical condition of the mobile home presents a threat to the health or safety of its occupants or others in the park or, by its physical appearance, disrupts the right to the enjoyment and use of the park by others.

(i) Refusal to sign a lease.

(j) Material misrepresentation in the application for tenancy.

(k) Other good cause.

(5r) **NOTICE REQUIREMENTS APPLY.** The notice requirements of s. 704.17 (1) (a), (2) (a) and (3) apply to a termination of tenancy under sub. (5m) (a) and the notice requirements of s. 704.17 (1) (b), (2) (b) and (3) apply to a termination of tenancy under sub. (5m) (b) to (k).

SECTION 2. Initial applicability. This act first applies to leases entered into or renewed on the effective date of this SECTION.