February 17, 2022 - Introduced by Representatives Considine, Pope, Brostoff, Hebl, Hesselbein, Hong, Shelton, Sinicki, Stubbs, Subeck and Vruwink, cosponsored by Senators Erpenbach, Roys and Smith. Referred to Committee on Housing and Real Estate.

AN ACT to amend 710.15 (5r) of the statutes; relating to: the notice requirement for terminating a lease in a mobile or manufactured home community.

Analysis by the Legislative Reference Bureau

This bill requires the landlord of a mobile or manufactured home community to provide a tenant in the community with at least 90 days’ notice before terminating the tenant’s lease for certain reasons.

Under current law, a lease in a mobile or manufactured home community may not be terminated except for certain enumerated reasons, which include 1) failure to pay rent, taxes, or other charges; 2) disorderly conduct that disrupts others’ use of the community; 3) vandalism or commission of waste; 4) breach of a lease term; 5) violation of community rules that endangers health or safety; 6) violation of federal, state, or local laws relating to mobile or manufactured homes; 7) the community owner or operator seeks to permanently retire the community from the rental market; 8) the community owner or operator is required to stop renting as a result of action taken by local or state building or health authorities; 9) the physical condition of the tenant’s home presents a threat to the health or safety of its occupant or others or, by its appearance, disrupts others’ use and enjoyment of the community; 10) refusal to sign a lease; 11) material misrepresentation in the application for tenancy; or 12) other good cause.

Under current law, a landlord that wishes to terminate a tenancy may give the tenant two different types of notices. For all types of tenancies, the landlord may give the tenant a notice that requires the tenant to either remedy the tenant’s violation (by paying rent or otherwise) or move out within at least five days after the notice
is given (a five-day notice). If the tenant fails to pay the rent or otherwise remedy
the breach by that date, the tenancy is terminated. For month-to-month tenancies,
a landlord may choose instead to give the tenant a notice requiring the tenant to
move out within at least 14 days, without providing the tenant the option to remedy
their violation and continue the tenancy (a 14-day notice). For year-to-year
tenancies, and tenancies that last one year or less, the landlord may choose to give
the tenant a 14-day notice but only if the landlord has already given the tenant a
five-day notice during the previous 12 months. For tenancies under a lease that lasts
more than one year, the landlord must provide at least 30 days’ notice before
terminating the tenancy. These notice requirements apply to tenants in a mobile or
manufactured home community.

Under the bill, a notice terminating a tenancy in a mobile or manufactured
home community must provide the tenant with at least 90 days’ notice if the tenancy
is being terminated for any of the following reasons: 1) failure to pay rent; 2) the
community owner or operator seeks to permanently retire the community from the
rental market; 3) the community owner or operator is required to stop renting as a
result of action taken by local or state building or health authorities; 4) the physical
condition of the tenant’s home presents a threat to the health or safety of its occupant
or others or, by its appearance, disrupts others’ use and enjoyment of the community;
5) refusal to sign a lease; 6) material misrepresentation in the application for
tenancy; or 7) other good cause. For all other lease terminations, the notice
requirements remain the same.

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

SECTION 1. 710.15 (5r) of the statutes is amended to read:

710.15 (5r) Notice requirements apply. The notice requirements of s. 704.17
(1p) (a), (2) (a) and (3) apply to a termination of tenancy under sub. (5m) (a) and the,
except that a notice to pay rent or vacate or a notice to vacate shall provide at least
90 days’ notice. The notice requirements of s. 704.17 (1p) (b), (2) (b) and (3) apply to
a termination of tenancy under sub. (5m) (b) to (k), except that, for a termination of
tenancy under sub. (5m) (f) to (k), a notice to remedy a default or a notice to vacate
shall provide at least 90 days’ notice.

(END)