

## New Protections for Manufactured Home Owners

Versión en español en el  
otro lado de la hoja

As of April 2002, a new set of laws (Chapter 94 of the Texas Property Code) went into effect for tenants who lease a lot for a manufactured home or recreational vehicle that they own. These new laws apply to manufactured home communities in which four or more lots are offered for lease. Under the new laws:

### Lease terms

You have the right to a written Lease

- You must be offered an initial lease term of at least 6 months.
- You must be provided a copy of the signed lease and community rules.
- Among other things, the lease must contain the rent amount, fees, and grounds for eviction.

You have the right to at least 60 days notice if the landlord chooses not to renew the lease.

If a park is to be closed, landlords must give at least 120 days notice to residents.

### Park rules

- Must be reasonable and evenly applied to all residents.
- Residents must be given 30 days notice of changes; 90 days if it will cost the resident more than \$25 to comply.
- You have **the right to organize** and hold meetings regarding manufactured home living.

### The landlord must:

- provide a lot that is suitable for the installation of a manufactured home;
- maintain all common areas so they are in a clean and usable condition;
- maintain tenant mailboxes if they are kept in a common location;
- maintain roads and provide for the removal of garbage and solid waste;

This fact sheet is not a comprehensive listing of the rights the law provides. It should not be considered conclusive or a substitute for legal advice. Chapter 94 of the Texas Property Code is new law and is subject to interpretation. Unique facts may render broad statements inapplicable. Anyone needing legal assistance should contact an attorney.

- repair or remedy conditions on the lot and common areas that materially affect the **physical health or safety** of an ordinary tenant.

### The landlord may not:

- enter a tenant's manufactured home unless the tenant allows the landlord to enter, an emergency exists, or the tenant abandons the property; nor
- require the owner to designate the landlord as agent or broker for the sale of the manufactured home or pay a commission or fee from the sale of the home unless the owner of the manufactured home agrees in writing.

### Evictions:

- Tenants must be given ten days to cure (i.e. pay) a rent delinquency before the landlord can give a notice to vacate and file for eviction.
- An evicted tenant may get an additional thirty days to move his or her home by paying rent for the next thirty days to the landlord or into the court registry.

### Remedies:

Except as noted in specific sections of the law, **a tenant may sue** a landlord who violates these laws for:

- actual damages;
- a civil penalty in an amount equal to two month's rent and \$500;
- reasonable attorney's fees and costs.

You cannot waive your rights under this law. State and federal fair housing laws also protect you from discrimination due to your race, color, national origin, religion, sex, mental or physical disability, or familial status.

More detailed information on tenants rights from the Austin Tenants Council is available online at [www.housing-rights.org](http://www.housing-rights.org). Travis county residents may also call their counseling line at 512-474-1961. Information from Consumers Union on manufactured housing is available at [www.consumersunion.org/mh](http://www.consumersunion.org/mh) Information about RV/MHOAT, an organization of Mobile Home and Recreational Vehicle Owners is available at [www.rvmhoav.org](http://www.rvmhoav.org)