

2010 Legislative Session: 2nd Session, 39th Parliament
FIRST READING

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MR. SHANE SIMPSON

BILL M 208 — 2010

MANUFACTURED HOME PARK TENANCY
AMENDMENT ACT, 2010

Explanatory Note

This bill will protect a vulnerable group of our society by amending the *Manufactured Home Park Tenancy Act*, S.B.C. 2002, c. 77. Currently, tenants renting land in manufactured home parks have little protection against an eviction for the purposes of development. This group of people face unique obstacles and barriers when they receive an eviction notice due to the permanent nature of their dwelling and the high costs associated with relocating the manufactured home. By amending sections 42 and 44 of the *Manufactured Home Park Tenancy Amendment Act*, this legislation provides protection for tenants in manufactured home parks in primary ways:

- requiring that a park owner provide 12 months notice of eviction when redeveloping land under any form of tenancy agreement;
- requiring that a park owner, at the time of eviction, pay a tenant's relocation expenses, up to \$25,000;
- requiring that a park owner pay those tenants who are unable to relocate their manufactured homes because of local building standards an amount equal to the fair market value of the manufactured home, as compensation.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1 Section 42 (2) of the Manufactured Home Park Tenancy Act, S.B.C. 2002, c. 77, is amended by repealing the section and replacing it with:

42 (2) A notice to end a tenancy under this section must end the tenancy effective on a date that is not earlier than 12 months after the date the notice is received and is the day before the day in the month, or in the other period on which the tenancy is based, that rent is payable under the tenancy agreement.

2 Section 44 (1) of the Manufactured Home Park Tenancy Act, S.B.C. 2002, c. 77, is amended by repealing the section and replacing it with:

44 (1) A landlord who gives a tenant notice to end a tenancy under section 42 [*landlord's use of property*] must pay the tenant's actual moving costs up to \$25,000. Moving costs shall include:

- (a) disconnection of services, hydro, water, cable, sewer and reconnection fees at new site,
- (b) removal of skirting and reinstallation,

- (c) removal of porches, additions if possible without negatively impacting the integrity of home,
- (d) trucking costs,
- (e) living out expenses until home can be moved back into safely and
- (f) re-landscaping to approximate condition of current lot.

3 Section 44 of the Manufactured Home Park Tenancy Act, S.B.C. 2002, c. 77, is amended by adding the following subsection:

44 (3) In addition to the amount payable under subsection (1), if a landlord has ended a tenancy under notice of section 42 and the tenant is unable to relocate the manufactured home because,

- (a) of building restrictions in that jurisdiction,
- (b) the manufactured home fails to meet transportation safety standards, or
- (c) a suitable site within 50 kilometers cannot be found,

the landlord shall pay the tenant the amount that is the greater, the manufactured home's professionally appraised value as it stands on its site, or the assessed value of the manufactured home. Cost of appraisal to be borne by the park owner.

Explanatory Note

This bill will protect a vulnerable group of our society by amending the *Manufactured Home Park Tenancy Act*, S.B.C. 2002, c. 77. Currently, tenants renting land in manufactured home parks have little protection against an eviction for the purposes of development. This group of people face unique obstacles and barriers when they receive an eviction notice due to the permanent nature of their dwelling and the high costs associated with relocating the manufactured home. By amending sections 42 and 44 of the *Manufactured Home Park Tenancy Amendment Act*, this legislation provides protection for tenants in manufactured home parks in primary ways:

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