

DRAFT

FOR DISCUSSION PURPOSES ONLY

District/City of _____ **Manufactured Home Park Redevelopment/Closure and Tenant Assistance Policy**

Purpose:

The Council recognizes Manufactured Home Parks as an important source and supply of affordable housing in the District/City of _____.

This policy is intended to:

- Apply where a proposed redevelopment or closure of an existing Manufactured Home Park, or part of an existing Manufactured Home Park, can be expected to result in the displacement of tenants.
- Improve on the notification, assistance, and compensation provided to Homeowners at risk of displacement due to potential redevelopment or closure of Manufactured Home Parks within the District/City of _____.
- Supplement Provincial Regulations, such as *The Manufactured Home Park Tenancy Act*, in providing assistance and compensation to homeowners

Definitions:

“Manufactured Homes” are structures designed for human habitation and include trailers, mobile homes, modular homes and manufactured homes, and all attachments and outbuildings located on the rented Manufactured Home Park space. Manufactured Homes do not include recreational vehicles or commercial coaches.

“Homeowner” is a person(s) who owns or occupies a Manufactured Home and rents space in a Manufactured Home Park for the Manufactured Home. Also known as “Manufactured Homeowner” or “Tenant.”

“Manufactured Home Park” includes any area of land where two or more Manufactured Homes sites are rented, or held out for rent, to accommodate Manufactured Homes used for habitation. Manufactured Home Parks do not include a manufactured home subdivision, cooperative ownership or strata ownership and, as such, are exempt from this policy. Also known as a “Park.”

“Manufactured Home Space” is any area, tract of land, site, lot, pad or portion of a Manufactured Home Park designed or used for the occupancy of one manufactured home. Also known as a “Space.”

“Manufactured Park Owner” refers to any entity that owns a Manufactured Home Park that rents space to a Manufactured Homeowner and is closing or redeveloping the Manufactured Home Park for another use. Also known as “Park Owner” or “Park Developer.”

Tenant Communication Package:

Prior to the closure of a Park or submission of requests for any rezoning or redevelopment of any Park, the Park Owner must develop and implement a Tenant Communication Package.

The Tenant Information Package is to communicate plans to each individual Homeowner regarding the redevelopment or closure of the park and must include, but not limited to, the following:

- Notification in writing to all Homeowners as soon as possible that plans for closure or redevelopment are being made.
- A copy of the District/City of _____'s Manufactured Home Park Redevelopment/Closure and Tenant Assistance Policy.
- Inform Homeowners of their rights under *The Manufactured Home Park Tenancy Act*.
- A detailed description of the proposed use to which the manufactured Home Park is to be converted to.
- The proposed timetable for implementation of the conversion and development of the site or closure of the Park.
- A statement advising that a homeowner assistance and compensation package, in accordance with the *Manufactured Home Park Tenancy Act* and *The District/City of _____'s Manufactured Home Park Redevelopment/Closure and Tenant Assistance Policy* is being developed.
- Notices to be posted on communal notice boards and facilities in the Manufactured Home Park. The notice should specify the nature of the closure or redevelopment plans and the tentative timeframe for implementation

Relocation Plan Report:

Prior to consideration of a rezoning or redevelopment application and before Public Hearings are held, the Manufactured Home Park Owner must submit a Relocation Plan Report to the District/City of _____.

This plan is to be developed in consultation with Park Homeowners and address the relocation needs of each individual Homeowner based on their individual characteristics, needs and preferences.

The Relocation Plan Report is to be issued as soon as possible after plans for Park Redevelopment or Closure have been communicated and is to include the following:

- A detailed description of the notification and consultation process that has occurred with homeowners.
- A demographic profile of homeowners residing in the Park, where this information is available, including, but not limited to:
 - Number of residents in the park
 - Their ages
 - Family size/structure
 - General income levels
 - Housing needs and options

- Relocation preferences
- The name and mailing address of the primary homeowner/resident of each manufactured home within the Manufactured Home Park for the purpose of mailing “Notice of Public Hearings.”
- A report outlining the impact of the redevelopment or closure of the Manufactured Home Park on its Homeowners and/or residents.
- A report outlining affordable housing options and replacement housing available to homeowners who will be displaced.
- A report indicating the affordable Housing availability that will result if the rezoning application is approved.
- A detailed description of the Manufactured Home Spaces within the Park, including, but not limited to:
 - The total number of Manufactured Home Spaces in the Park and the number of spaces occupied
 - The length of time each Space has been occupied by the present Homeowner/Resident
 - The monthly rent currently charged for each space, including any utilities or other costs paid by the present residents
- A profile of the condition of the Manufactured Homes, based on a professional appraisal of each Manufactured Home, indicating, but not limited to:
 - The age, size, type, manufacturer and condition
 - Compliance with building codes.
 - The potential to be moved to a new site
- A timeline for the implementation of the Relocation Plan

Homeowner Relocation Assistance and Compensation Package:

The Compensation Plan is intended to provide compensation to homeowners who are displaced, and is in addition to the statutory requirements under *The Manufactured Home Park Tenancy Act*. This plan is a commitment to provide homeowner relocation assistance and compensation, and should include, but not be limited to, any of the following components:

- A commitment to hire a qualified professional to assist homeowners with this change by:
 - Identifying satisfactory housing options
 - Advocating on behalf of Homeowners in accessing available subsidies and programs
 - An indication of the preferred option of the homeowner
 - Assist the homeowner in determining the condition of their manufactured homes, its ability to be moved, and its compliance to the building code
 - Liaising with appropriate agencies
 - Provide homeowners with information and advice that will assist them in making plans for alternative living arrangements including options for relocating in the local and regional area and opportunity in other manufactured Home Parks
 - Providing options for tenants to remain on the subject site under a Housing Agreement to secure any low-cost housing options

- The Manufactured Home Park Owner is to arrange and pay for the disposal of the Manufactured Homes considered to be at the end of their useful life, that cannot be legally relocated or where the homeowner chooses to pursue other forms of accommodation.
- Arrange and pay for the moving of the Homeowners Manufactured Home to another Manufactured Home Park.
- Unconditional compensatory payments of a value based on the greater of professionally appraised values, British Columbia assessed values or \$10,000.00 – which ever is the greater. The appraised value and British Columbia assessed value is not to consider the affect of the change of use or closure of the Manufactured Home Park. The compensatory payment would be in addition to the mandatory payments under *The Manufactured Home Park Tenancy Act*.
- A commitment to provide opportunities for the first right of refusal to purchase a new dwelling unit in the proposed new development, with the compensatory amount being applied as a down payment to the fair market value of the new unit.
- To pay all reasonable moving and relocating costs.
- To provide updates to the District/City of _____ on the progress of the Homeowner Relocation Assistance and Compensation Plan.

Rezoning/Redevelopment Applications or Park Closure Notice:

The Rezoning/Redevelopment Application or Park Closure Notice must be submitted to the District/City of _____ with, but not limited to, the following:

- A complete copy of the Tenant Communication Package, Relocation Plan Report and Homeowner Relocation Assistance and Compensation Package.
- Rezoning/Redevelopment Application or Park Closure Notice.
- Agenda, including date, time, and location of the rezoning/redevelopment or Park Closure public information meeting, whereby tenants will be given ample opportunity to voice concerns about the redevelopment proposal or Park closure.

District/City of _____ staff will evaluate the Tenant Communication Package, Relocation Plan Report and Homeowner Relocation Assistance and Compensation Package in accordance with the rezoning/redevelopment application, and include this information and their evaluation in a staff report to Council.

Prior to Receiving Final Approval:

Prior to receiving final approval of the Redevelopment/Rezoning Application, the Manufactured Park Owner must provide to the District/City of _____, but not limited to, the following:

- Regular updates on the progress of the Homeowner Relocation Assistance and Compensation Package.
- Demonstrate compliance with the conditions of the Homeowner Relocation Plan by either completing these requirements or submitting securities in the amount of the required compensation to ensure honoring these commitments.
- Demonstrate acceptance from tenants with regard to relocation packages.

District/City of _____ staff will evaluate, measure and report on implementation compliance of the Homeowner Relocation Assistance and Compensation Package, and its merits in meeting the homeowner's needs. This evaluation Report will be included as a measure of the criteria for a favorable recommendation to the District/City of _____ for Final Approval of any applications for rezoning or redevelopment.

Final Application or Closure:

Rezoning, redeveloping, issuing of building permits and Park Closure will not to be approved or issued by the District/City of _____ until:

- The proposed use of the property is consistent with the District/City of _____'s Affordable Housing Policy and Official Community Plan
- The Homeowner Relocation Assistance and Compensation Package has been implemented.

Violations:

In addition to any remedies or penalties for noncompliance with any District/City of _____ bylaw or policy, any Manufactured Park Owner who violates any rights of any Homeowner established under this policy shall be liable to said person for actual damages caused by such violation, plus costs and reasonable attorney's fees.

In addition, no park owner shall take any willful action to threaten, retaliate against or harass any homeowner with the intent to prevent such residents from exercising his or her rights under this Policy.

Drafted by
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