

Bill as Introduced

HB 596 - AS INTRODUCED

2011 SESSION

11-0756

05/04

HOUSE BILL

596

AN ACT

establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park.

SPONSORS:

Rep. Emerton, Hills 7

COMMITTEE:

Judiciary

ANALYSIS

This bill establishes a procedure for the tenants' association to pay association fees and maintenance costs for a manufactured home that has been abandoned or is in foreclosure, and to obtain a priority lien against the housing for such costs.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

1 VIII. Upon initiating an eviction proceeding under paragraph VII, the park owner or
2 operator shall give notice of the proceeding to the tenants' association, if any. Within 3 months of
3 initiating a proceeding under paragraph VII, if the park owner, operator, or eligible lienholder has
4 not paid outstanding association fees or maintenance costs owed by the tenant, the tenants'
5 association may, upon a majority vote of the association, pay such fees and costs. The tenant's
6 association shall have a priority lien on the manufactured housing for the amount of any fees and
7 costs paid by the association. The lien shall be in the nature of a security interest in the
8 manufactured housing as provided in RSA 477:44, VI and shall take priority over all prior liens,
9 including those of the park owner or operator, other than liens on the account of real estate taxes
10 and liens of eligible lienholders except as otherwise provided in paragraphs VI and VII.

11 3 Effective Date. This act shall take effect July 1, 2011.

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HOUSE BILL 596

BILL TITLE: establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park.

DATE: March 1, 2011

LOB ROOM: 208 **Time Public Hearing Called to Order:** 10:30 am

Time Adjourned: 10:45 am

(please circle if present)

Committee Members: Reps. Rowe, Sore, Souza, Hagan, Silva, Andolina, Giuda, LaCasse, McClarren, Murphy, Palmer, Peterson, Fregenza, Wheaton, Wall, Potter, Weber and Watrous.

Bill Sponsors: Rep. Emerton, Hills 7

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Watrous, introduced the bill.

Establish procedure upon abandonment and foreclosure of manufactured homes. Manufactured homes are mobile homes in a mobile home park.

Jodi Grimbilus, Bianco Professional Association - opposes

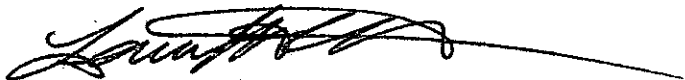
She represents the New Hampshire Manufactured Housing Association.

If a home is abandoned by owner, how are the taxes paid? Law states it is the homeowner. Mobile park in Ossipee, NH wanted the home removed. Town said to pay taxes first. Park did not want to pay the taxes. Who should pay? The Municipal and County Government Committee have a similar bill and have retained it for further study.

Christiana Thornton, New Hampshire Bankers Association - opposes

Has issues in statutes are being looked at in the Municipal and County Government. Lines 10-12, current lien holder, lender could lose lien holder status. More work needs to be done.

Respectfully Submitted,



Rep. Lenette M. Peterson

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HOUSE BILL 596

BILL TITLE: establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park.

DATE: 2011 3-1-11

LOB ROOM: 208

Time Public Hearing Called to Order:

10:30am
pm 10:45

Time Adjourned: {Time}

(please circle if present)

Committee Members: Reps. Rowe, Sorg, Souza, Hagan, Silva, Andolina, Giuda, La Casse, McClarren, Murphy, Palmer, Peterson, Tregenza, Wheaton, Wall, Potter, ~~Watts~~ and Watrous.

Bill Sponsors: Rep. Emerton, Hills 7

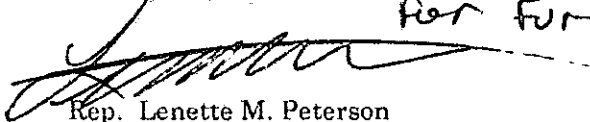
TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Watrous - introduced the bill - establish procedure upon a abandonment or foreclosure. Manufactured homes are mobile homes in a mobile home park.

Jodi Grimbilus - (0) If a home is abandoned by owner, how are the taxes paid? Law states its the homeowner. Ossipee town said wanted the home removed, town said to pay taxes first, park didn't want to pay. Who should pay? Municipal & County. have a similar bill and have retained it for further study.

Respectfully Submitted,



Rep. Lenette M. Peterson

Christina Thornton (0) - issues in statutes are being looked
NH Bankers Assn at Municipal + County. Lines 10-12 -
current lien holder, lender could lose
lien holder status. More work needs
to be done -

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 596

BILL TITLE: establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park.

DATE: March 1, 2011

LOB ROOM: 208

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Silva

Seconded by Rep. Wall

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,


Rep. Lenette Peterson, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 596

BILL TITLE: establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park.

DATE: 3-1-11

LOB ROOM: 208

Amendments:

Sponsor: Rep.	OLS Document #:
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Motions: OTP, OTP/A, (ITL) Interim Study (Please circle one.)

Moved by Rep. Silva

Seconded by Rep. Wall

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

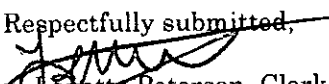
Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Lorette Peterson, Clerk

JUDICIARY

Bill #: 596 Title: _____

PH Date: 3 / 1 / 11 Exec Session Date: 3 / 1 / 11

Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Rowe, Robert H, Chairman	✓	
Sorg, Gregory M, V Chairman	✓	
Souza, Kathleen F	✓	
Hagan, Joseph M	✓	
Silva, Peter L	✓	
Andolina, Donald C	✓	
Giuda, J. Brandon	✓	
LaCasse, Paul D	✓	
McClarren, Donald B	✓	
Murphy, Brian JX	✓	
Palmer, Barry J	✓	
Peterson, Lenette M	✓	
Tregenza, Norman A	✓	
Wheaton, Gary W	✓	
Wall, Janet G	✓	
Potter, Frances D	✓	
Weber, Lucy M	✓	
Watrous, Rick H	✓	
	15-0	
TOTAL VOTE:		

Committee Report

CONSENT CALENDAR

March 1, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on JUDICIARY to which was referred

HB 596,

AN ACT establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park. Having considered the same, report the same with the following Resolution: **RESOLVED**, That it is **INEXPEDIENT TO LEGISLATE.**

Rep. Peter L. Silva

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	JUDICIARY
Bill Number:	HB596
Title:	establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park.
Date:	March 1, 2011
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill was voted unanimously Inexpedient to Legislate. Committee members felt this was the best vote because HB 232, relative to abandoned homes in manufactured housing parks, is currently in Municipal and County Government for further study during the summer.

Vote 15-0.

Rep. Peter L Silva
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

JUDICIARY

HB 596, establishing a recommended procedure upon the abandonment or foreclosure of a manufactured home within a housing park. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter L. Silva for JUDICIARY. This bill was voted unanimously Inexpedient to Legislate. Committee members felt this was the best vote because HB 232, relative to abandoned homes in manufactured housing parks, is currently in Municipal and County Government for further study during the summer. Vote 15-0.

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE:

Judiciary

BILL NUMBER:

HB 596

TITLE:

Establishing a recommended procedure upon the abandonment.

DATE:

3-1-11

CONSENT CALENDAR:

YES

NO

OUGHT TO PASS

OUGHT TO PASS W/ AMENDMENT

INEXPEDIENT TO LEGISLATE

INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This bill was unanimous 15-0 I TL

Comm. He members felt I TL was the best vote because HB 232 is currently in M & C Govt for further study during the summer

For Amended bill on the same subject (M&C)

COMMITTEE VOTE:

15-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep.

Peter L. Silva

For the Committee