

**REGULAR CALENDAR**

**April 20, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on Commerce and Consumer Affairs to which was referred SB 210,**

**AN ACT relative to the sale of manufactured housing parks. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.**

**Rep. Joyce Weston**

**FOR THE MAJORITY OF THE COMMITTEE**

**MAJORITY  
COMMITTEE REPORT**

|                          |  |
|--------------------------|--|
| <b>Committee:</b>        | <b>Commerce and Consumer Affairs</b>                       |
| <b>Bill Number:</b>      | <b>SB 210</b>  |
| <b>Title:</b>            | <b>relative to the sale of manufactured housing parks.</b> |
| <b>Date:</b>             | <b>April 20, 2022</b>                                      |
| <b>Consent Calendar:</b> | <b>REGULAR</b>   |
| <b>Recommendation:</b>   | <b>OUGHT TO PASS</b>                                       |

**STATEMENT OF INTENT**

This bill clarifies the notification of sale provision required of the current owners of manufactured housing parks before a park is sold. It requires the NH Community Load Fund, or any organization assisting a tenants' association, to provide details of the sale proposal, including mortgage terms, rent to the homeowner, and any other costs or fees. This will help the residents become better informed about the terms and conditions of the sale and should promote greater voter participation. A form to request an absentee ballot will be included in the notification package. This bill also limits to \$5 the joining fee to a tenants' association in order to vote. The bill does not change the current requirement of a simple majority to move forward with the sale, but we felt that the use of absentee ballots should increase participation in these important community decisions.

Vote 16-2.

Rep. Joyce Weston  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

## **REGULAR CALENDAR**

### **Commerce and Consumer Affairs**

**SB 210**, relative to the sale of manufactured housing parks. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joyce Weston for the **Majority** of Commerce and Consumer Affairs. This bill clarifies the notification of sale provision required of the current owners of manufactured housing parks before a park is sold. It requires the NH Community Load Fund, or any organization assisting a tenants' association, to provide details of the sale proposal, including mortgage terms, rent to the homeowner, and any other costs or fees. This will help the residents become better informed about the terms and conditions of the sale and should promote greater voter participation. A form to request an absentee ballot will be included in the notification package. This bill also limits to \$5 the joining fee to a tenants' association in order to vote. The bill does not change the current requirement of a simple majority to move forward with the sale, but we felt that the use of absentee ballots should increase participation in these important community decisions. **Vote 16-2.**

Original: House Clerk

Cc: Committee Bill File

**REGULAR CALENDAR**

**April 20, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on Commerce and  
Consumer Affairs to which was referred SB 210,**

**AN ACT relative to the sale of manufactured housing  
parks. Having considered the same, and being unable  
to agree with the Majority, report with the following  
resolution: RESOLVED, that it is INEXPEDIENT TO  
LEGISLATE.**

**Rep. Kristina Fargo**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

|                          |  |
|--------------------------|--|
| <b>Committee:</b>        | <b>Commerce and Consumer Affairs</b>                       |
| <b>Bill Number:</b>      | <b>SB 210</b>  |
| <b>Title:</b>            | <b>relative to the sale of manufactured housing parks.</b> |
| <b>Date:</b>             | <b>April 20, 2022</b>                                      |
| <b>Consent Calendar:</b> | <b>REGULAR</b>   |
| <b>Recommendation:</b>   | <b>INEXPEDIENT TO LEGISLATE</b>                            |

**STATEMENT OF INTENT**

The minority of the Commerce and Consumer Affairs Committee recognizes the value of improving communications related to the tenants' rights to notification prior to the sale or transfer of a manufactured housing park. The addition of a certified or hand-delivered letter detailing the agreed upon terms and fees as well as the ability to request an absentee vote are a big step forward. Also, capping the fee increases is also very beneficial. However, the minority objection to the bill is the definition of a "simple majority." In this bill the simple majority is only the majority of the members who are voting, either in person or by absentee vote. This could potentially result in the situation where a very small number of owners could make a significant financial decision on behalf of all of the owners within a manufactured housing park without their consent.

Rep. Kristina Fargo  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## **REGULAR CALENDAR**

### **Commerce and Consumer Affairs**

**SB 210**, relative to the sale of manufactured housing parks. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Fargo for the **Minority** of Commerce and Consumer Affairs. The minority of the Commerce and Consumer Affairs Committee recognizes the value of improving communications related to the tenants' rights to notification prior to the sale or transfer of a manufactured housing park. The addition of a certified or hand-delivered letter detailing the agreed upon terms and fees as well as the ability to request an absentee vote are a big step forward. Also, capping the fee increases is also very beneficial. However, the minority objection to the bill is the definition of a "simple majority." In this bill the simple majority is only the majority of the members who are voting, either in person or by absentee vote. This could potentially result in the situation where a very small number of owners could make a significant financial decision on behalf of all of the owners within a manufactured housing park without their consent.

Original: House Clerk

Cc: Committee Bill File

**HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS**

**EXECUTIVE SESSION on SB 210**

**BILL TITLE:** relative to the sale of manufactured housing parks.

**DATE:** April 20, 2022

**LOB ROOM:** 302-304

**MOTIONS:** OUGHT TO PASS

Moved by Rep. Weston

Seconded by Rep. Potucek

Vote: 16-2

**CONSENT CALENDAR: NO**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Keith Ammon, Clerk



2022 SESSION

## Commerce and Consumer Affairs

 Bill #: SB 210 Motion: OTP AM #: \_\_\_\_\_ Exec Session Date: 4/20/22

| <u>Members</u>                 | <u>YEAS</u> | <u>Nays</u> | <u>NV</u> |
|--------------------------------|-------------|-------------|-----------|
| Hunt, John B. Chairman         | 16          |             |           |
| Potucek, John M. Vice Chairman | 1           |             |           |
| Osborne, Jason M.              | 2           |             |           |
| Ammon, Keith M. Clerk          | 3           |             |           |
| Abramson, Max                  |             |             |           |
| Ham, Bonnie D.                 | 4           |             |           |
| Depalma IV, Joseph             | 5           |             |           |
| Greeson, Jeffrey               | 6           |             |           |
| Johnson, Dawn M.               | 7           |             |           |
| Terry, Paul A.                 | 8           |             |           |
| Bartlett, Christy D.           | 9           |             |           |
| Abel, Richard M.               |             | 1           |           |
| Herbert, Christopher J.        | 10          |             |           |
| Van Houten, Constance          | 11          |             |           |
| Fargo, Kristina M.             |             | 2           |           |
| Weston, Joyce                  | 12          |             |           |
| Beaulieu, Jane E.              | 13          |             |           |
| Burroughs, Anita D.            | 14          |             |           |
| McAlear, Chris R.              | 15          |             |           |
| <b>TOTAL VOTE:</b>             | 16          | 2           |           |



HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

**SUBCOMMITTEE WORK SESSION** on SB 210

**BILL TITLE:** relative to the sale of manufactured housing parks.

**DATE:** April 14, 2022

**Subcommittee Members:** Reps. Hunt, Potucek, Johnson, Terry, Bartlett, Abel and Weston

**Comments and Recommendations:**

**MOTIONS:** OUGHT TO PASS

Moved by Rep. Rep. Weston

Seconded by Rep. Rep. Potucek

Vote: 7-0

Respectfully submitted,

Rep. John Hunt  
Subcommittee Chairman

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on SB 210

BILL TITLE: relative to the sale of manufactured housing parks.

☺

DATE: 4/14/22

Subcommittee Members: Reps. Hunt, Potucek, Ammon, Osborne, Abramson, Ham, Depalma IV, Greeson, Johnson, Terry, Bartlett, Abel, Herbert, Van Houten, Fargo, Weston, Beaulieu, Burroughs and McAleer

Comments and Recommendations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MOTIONS: (OTP) OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)  
(Please circle one)

Moved by Rep. Weston Seconded by Rep. Potucek AM Vote: 2-0

Adoption of Amendment # \_\_\_\_\_

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

\_\_\_\_\_ Amendment Adopted \_\_\_\_\_ Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)  
(Please circle one)

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ AM Vote: \_\_\_\_\_

Adoption of Amendment # \_\_\_\_\_

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

\_\_\_\_\_ Amendment Adopted \_\_\_\_\_ Amendment Failed

Respectfully submitted,

Rep. [Signature]  
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON COMMERCE & CONSUMER AFFAIRS

PUBLIC HEARING on Bill # SB210

BILL TITLE:

DATE: 4/7/2022

ROOM: Zoom Time Public Hearing Called to Order: 2:30 PM

Time Adjourned: 3:28 PM

(please bold if present)

**Committee Members:** **Reps. Hunt, Potucek, Ammon, Osborne, Abramson, Ham, Depalma IV, Greeson, Johnson, Terry, Bartlett, Abel, Herbert, Van Houten, Fargo, Weston, Beaulieu, Burroughs and McAleer**

TESTIMONY

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

**Sen Donna Soucy**

I'm here on behalf of Senator Bradley and myself as a co-sponsor Senator Bradley sends his apologies. But really I worked quite a bit with Senator Bradley on this legislation, particularly in crafting the amendment, which replaced the bill. And I think we have reached what is a good compromise, and I'm happy to present that here for you today. First Senator Bradley wanted you to know that it was conversations with many people that reside in manufactured housing parks that led him to sponsor this bill in particular Mrs. Louise Rideout, who you're going to hear from, I believe in just a bit. And some of the concerns expressed led to the original filing of the bill. Um after that lengthy hearing that you watched Mr. Chairman Senator Bradley, and I had an opportunity to sit down on several occasions with chair Rearden from the community loan fund, who I believe you will hear from, and Karen Susi from the New Hampshire manufactured housing association to work through some of the issues that had been identified and presented to us and to try to negotiate the compromise that is here before you today. So I'll just walk you through what the bill does. The Bill's primary purpose was to encourage greater participation by residents of a park contemplating acquisition and becoming a resident owned community often called a rock. So the first section of the bill, if you look on the first page you'll see in bold several references to notice being made, not only to the New Hampshire housing finance authority, but also to the New Hampshire manufactured housing association that notice is limited in scope it's merely it would exclude price terms and conditions of the offer, but it is merely a notice if you turn to the second page that's where pretty much the heart of the legislation is starting line three. The bill provides for greater notice to the tenant currently residing within the park. So it requires either a certified letter or we recognized that there were significant costs to that, and that might not be sustainable or a verified hand delivered letter. And the process we weren't specific on, we believed that it could likely be a photograph taken with a cell phone upon delivery of the letter. That letter would include the mortgage terms the land rent per homeowner and other costs or fees that would be associated with it. But the most important part begins line six, where it says such letters shall include a form to request an absentee vote for or against the purchase of the park. One of the concerns that we were

attempting to address was that in some instances, and I know there are statistics available, I'm not going to go through all of them, but in some instances, you had a very, very, very small percentage of residents actually participating in the vote to become a resident owned community. And it was our feeling that such an acquisition and such a substantial decision should be made by a larger group of residents. Now, once again, it's like elections, we all stand for election. Some voters choose to exercise their rights. Some do not the same will be true here. But we wanted the absentee process in place to ensure that there weren't obstacles to people being able to go to vote, whether it was childcare or not wanting to be within the group. Many of these facilities do not have actual facilities on premises within the park where a meeting can take place. There are costs associated with them leasing space. So we felt it important that we, at the very least attempt to make the process as open as possible and to inform residents as much as possible. The other thing that we did beginning line seven was to ensure that in order to cast the vote members residents have to become part of the association, want to ensure that those association fees are no more than \$5. And the reason for that is that we want the residents to have buy in and you'll hear testimony about the reason for that to become part of the cooperative, but also, we didn't want the fee to be so high that it, once again, would preclude someone from being able to cast their vote. In addition, we wanted to ensure that there was a mechanism for fair process, open process of counting the votes and then beginning online 14 one of the issues. And once again, it was only one park that was cited. I, I can't tell you there are any others, but in one instance there was a resident community where those tenant, those residents who were not part of the association had to pay an additional \$200 a month in rental fees. And given that we view manufactured housing as potentially another form of affordable housing, the concern was that there needed to be some restraint on how much you could charge, therefore online 14 and 15, you see the language limiting it to no more than \$25. If there's going to be that distinction, once again, that's a determination made by the residents. It's a form of their self-governance, but it was something that had been been raised and we thought needed to be addressed. The last part that you will see beginning online 18 put the language that I mentioned about the \$5 fee into the corporation statutes, so that it's in two places. So if somebody is going to look to form such a cooperative, they might not go directly to the manufactured housing legislation, but if they're going to form a cooperative specific to a manufactured housing park, that language is there as well. So that it's illustrated that they cannot charge more than the \$5. As I said Senator Bradley and I spent a lot of time, we had a lot of good meetings with Ms. Rearden who's here and Mrs. Soucy. and we continued to hear from a number of residents throughout this process. So this was, this was our attempt at a compromise. I think it's a reasonable compromise. I think it puts in place some very good guardrails for the process. It encourages greater participation, and I hope that for those folks that choose to become resident owned communities and engage in self-governance it's a better way for them to start. And it's a good way to provide additional affordable housing in our state. So with that I would conclude my testimony. I'd be happy to answer any questions. As I said, I know there are others that will follow me, that will give you more detail about acquisition and the process, and also tell you about specific issues they've encountered. So thank you, Mr. Chairman. Thank you. We do have a question.

**Q: Rep Johnson** - Would this impact any of the current communities to make them follow these rules now? Or would they be grandfather to do what they're doing now? I guess, you know, how would we handle before and now?

**A:** So any existing community that it's already a residential owned community would have already cast their vote. They'd have their association fee, the rental portion would apply to those. And I think you'll be hearing another bill that Senator Bradley also sponsored requiring additional resolution processes for those tenants that reside in the resident-owned communities. So those that have

already formed resident-owned communities would not have that significant impact by this legislation, but new resident-owned communities going forward would

**Q: Rep Abel** - The amended bill that we have in front of us does mention sale of a manufactured housing park. Mm-Hmm <affirmative> would this also apply if the owner wanted to sell to someone other than the residents or it could you please address that part?

**A:** So when the owner intends to sell, the residents are given an opportunity to acquire the park. There's, there's a whole scheme within the statute already for how they go about acquiring the park. And it's typically the community loan fund that would assist them in that process. And there are certain timeframes and benchmarks to do so if I may just Mr. Chairman, just along those lines, I neglected to add one thing regarding this, when the vote is cast to become resident own community, it is a simple majority of those participating in person and the absentee ballots. I know there was a concern previously that there were certain thresholds and that that would preclude any new resident own communities. This legislation does not include that. It's simply majority of those participating.

**Karen Soucy** - NH Manufactured Housing Authority

Mostly I think I'm here just to answer questions that you may have by chance. The intent really is to create more transparency, remove barriers from voting and certainly increase voter participation. And I guess I can sort of follow up on what Senator SUID mentioned earlier with regard to a small number of residents participating. I have some minutes that I'd like to hand out to you if you don't mind. So while that's being distributed the documents are meeting minutes for bear view crossing cooperative. That's a cooperative located in Allentown, New Hampshire. That is a community that consists of, I believe 300 housing units, according to these meeting minutes from March 6th, 2019, on the second page, which is highlighted, there's a question, how many people do you need to buy the park? According to the pre-acquisition bylaws, the quorum needed is one third of the total membership. Okay. And it resulted in the fact that if only 27 members were present for the majority to vote, yes, excuse me, the majority would be 14. So 14 people could commit a 300 housing unit community to move forward with a \$20 million purchase. I just wanted to bring that to your attention. So that is why we are moving forward with this bill. This is why the association has worked collaboratively with the residents that I believe are scheduled to testify here today. Do you have any questions?

**Q: Rep Terry** - I think you mentioned there are approximately 300 housing units, correct. In this bear view crossing cooperative and there are 80 members. Could you explain the difference between the number of housing units being 300 and a membership of 80, if there are only 80 members what about the other 220 housing units? Are they not members?

**A:** That is my understanding. You are not required to be a member of the park, but in order to vote, you are required to be a member. If that makes sense.

**Q: Rep Terry** - Do, do you have any do you have any idea what the membership requirements are for this particular crossing cooperative?

**A:** It's my understanding that membership requirements vary for each cooperative. I know that this one, I believe the I believe it was \$300 to join, but I believe the residents, excuse me, the residents will have that more information on that

**Q: Rep Terry** - So to be a member of the association in the bear view, crossing cooperative one would have pay \$300?

**A:** That is my understanding.

**Q: Rep McAleer** - I guess I don't quite understand that if a minority of the people vote to, to buy the park that does that obligate everybody else to do the same thing.

**A:** Yes. So once a, the minority of people vote to purchase the park, all the remaining households are committed to paying off that mortgage.

**Q: Rep McAleer** - So the only way they got opt out is to get out of the park, sell their property, et cetera?

**A:** That would be my understanding.

#### **Louise Rideout -**

I'm really happy with all the work that Senator Bradley and Senator Soucy did for us because I live in Bayview crossing and we have approximately 300 household there. It was purchased in July of 2019, and it became that's when it became the community. Unfortunately, not enough. People were really informed. I think that any purchase, it was 18 million. That was the purchase price. Our loans are close to 21 million. So even if people heard 18 million, the neglecting to tell us the true loan amount was detrimental because some people would've said yes, not knowing the other fees that were involved in getting that funding. And I had to pay \$10 to be able to vote, to be a member, to vote the membership fee. There is \$300 and we're allowed to, in the beginning, we were allowed to like pay \$10 and \$5 a month, or you could pay it all up front. Now they require people who are moving into the pack to pay it all up front. And we should, all, all residents should have access to the mortgage terms and land rent per homeowner, before voting to purchase a pack. It's just a good consumer in homeowner. I mean, we're, we want to make the best buy, you know, you don't, it sounds so threatening when your pack is being sold. I moved there in October 2018, and I found out less than a month later that it was going to be sold. And I really had no idea about co-ops or anything. So it was all new to me, but I attended many, many meetings and I asked many, many questions, which I had been said that I do ask a lot of questions. And I was hoping that more people were, would participate. And it kind of made me not understand why people wouldn't want to, but a lot of the people were not informed properly. And this is great that there is a, there is a way to get to the people, have them informed, give them notices. They, they need to know what they're getting into and it, if, and then at that point, if they choose not to vote, that's on them. But I love the fact that I've voted my whole life. And I love the fact that the participation will strengthen the, the co-ops. It will really strengthen everybody's because some people are afraid. People like I'm 67 people that are older than me. They're afraid to go outta the houses sometimes, but if you have an absentee and we were not allowed to do absentee any of our, anything in the co-op. So this is exciting for people who are able to do an absentee ballot. You know, I, I think it's an exciting bill and I know Senator Susi and Senator Bradley worked so hard, and I know they worked hard with the community loan fund. And I think that what they're presenting to you is amazing. I think it's a move a, a forward direction for affordable housing and let's get people more involved and be better. And it's, it's not, you know, just, it's great. It's a great bill. And I really appreciate the time. Well, you might want to add that.

And only like only two of the 22% of the paid membership. And you did ask about how many members we have now. Well, because our fee for non-membership is \$200 a month. People were really, yeah. On top of the 5 64 that we pay before water and sewer. That's a lot, that's not even affordable. That gets the point of not affordable. So yes. So now a lot of there are a lot of members. I'm not sure the exact amount of members, but most of the people had to join or pay that because remember community loan fund services low to moderate income. So if you take this and say, oh, that let us pay an extra 200, you're not really serving the people that you're trying to serve. So we have to, I think you have to look at the whole, whole package of it. Now. It doesn't become low-income housing. Yeah. Now it, now it doesn't become what you're trying to work with. And a lot of people are excited to get it and be in it. There are, there are issues here, and I'm not going to say the wrong, but there are, but I, I really support this bill and we hope that you support this bill. We believe that this is a step in the right direction in order to shed more light on the operations in the New Hampshire commute loan fund. And I'm just going to let, I'm going to pass this out and it will make sure the residents are better informed and more involved in the purchase of a multimillion-dollar park. And all residents should have access to the mortgage terms. We have four loans only at one point where we told that one of our loans was a balloon loan. I just found out that all of our loans are balloon loans and they're all due and they're all due 20, 29. So we have it's uphill battle for us. And this doesn't, this bill might not affect our co-op directly. It does in away, but let's go forward with the other co-ops. Thank you for listening.

### **Bonnie Gawrys**

I'm here to support this SB 210 as well. This bill, as Luis said, it, it helps everybody in the park. Now, people that are coming into a co-op and it gives better insight on what you're, what you're putting your money into. These people were told a lot of how do I want to put this, this \$200 fee. Most of the people in this park were forced to join this co-op and to, to jump on the bandwagon because the majority of the people in our park are elderly like myself. I'm 69, you're 60 something you're in your seventies. We all live on fixed incomes, 5 64 a month with 200. And now you spend a 40 or \$50 on top of that for your water and sewer. So now you're over \$800 a month. My social security check is \$1,200 a month that doesn't leave and I have a mortgage. So this gives better insight again, so that people, that the people that wound participate and have this co-op, they know what they're getting into. They they'll look at the bill and they'll say, well, not three years later. Oh my God, we have three balloon loans. Nothing was, was brought forward. That was truthful to the people in this co-op it, everything was unli under the rug. Our park is in default. It's been a non-monetary default for six months. But again, getting back to this, this bill, it would do a world of good for everybody in our co-ops. Now people that want to go and do a co-op, they have more insight. They'll know what they're getting into, and we would appreciate anything you do. Again, I have to thank Senator Susi, Senator Bradley for spending the time with the three of us, listening, to listening to what we had to give them the insight we gave them and for the, all the hard work they did to put this bill forward. And I'm going to cry.

**Q: Rep Terry** - Did you have to pay in order to become a resident at this location, have a unit in the bare view, grossing cooperative.

**A:** If you buy a house, now you have to pay \$300 to join the coop.

**Q: Rep Terry** - Okay. And then you have to pay \$200 more every month after you pay the 300.

**A: Louise Rideout** - Okay. If you, if you don't pay the 300 and you don't want to be to, to be able to vote, we had to pay. So there are a lot of people that didn't pay and weren't didn't vote. So that's why

the low turnout, and that's why the numbers are so low. But at this point, if you don't, you, you choose not to be a member. Then you do pay the 200.

**Q: Rep Hunt** - Why don't you start it by first telling us how much was the rent before any, this thing occurred?

**A: Louise Rideout** - When I moved in the rent, Hines corporation owned it. The rent was \$541 a month,

**Q: Rep Hunt** - \$541 a month.

**A: Louise Rideout** - And then what happened was before, because we had a investor RHP that wanted to buy. So we were told that Hines raised the rent to 559. And then after we voted for the cop, I do not know why our, we raised the rent, another \$5. So in the course of between January of 2019 and July of 2019, our rent went up with 20 something dollars.

**Q: Rep Hunt** - Now you had to pay for the mortgage that would've been to, who knows what the rent would've been once, this new Hines corporation,

**A: Louise Rideout** - Well, Hines owned it. So Hines, you know, it was it's

**Q: Rep Hunt** - They wanted to sell it.

**A: Louise Rideout** - They wanted to sell. So a lot of people were afraid of an investor like RHP coming in and charging an extra \$200 a month for our lot fee.

**Q: Rep Hunt** - Who, for who knows, it's an unknown? You don't know

**A: Louise Rideout** - It was an unknown

**Q: Rep Hunt** - It was an unknown, what, you know, it was an unknown, but so at this point, the members of the community, you know, a handful got together and say, let's go to the, you know, to the community loan fund and put this package together. And the problem is that there was a limited amount of people who were showing up that initial vote to make that decision.

**Q: Rep Terry** - So, so in addition to the fact that you mentioned that there was not very good information prior to the meeting, I wonder, would you believe, okay that's would you believe? Of course not. Did you mention something about a \$10 fee to vote to vote? So in addition to all the other fees and rents and everything else that you're paying even if you were up to date with all of these payments and fees, you had to pay \$10 just for the privilege to vote. Yes. This is not for, for, thank you very much, Mr. Chair. This sounds like a poll tax to me. This, I thought that was illegal or is that only in the south? this is outrageous. Thank you.

**Q: Rep Greeson** - I'm still trying to wrap my head around all of this as well. Who is responsible for paying this 1820 1 million mortgage that you own and how where's that money coming from to make that payment? Cuz you now you've said that the park is actually

**A: Louise Rideout** - It's in a non-monetary default.



**Q: Rep Greeson** - Yeah. Okay. So who who's responsible for paying that where's that money coming from? Because it takes \$300 to join plus \$200 a month to be a member.

**A: Louise Rideout** - No, it, it it's a \$300 membership fee to join

**Q: Rep Greeson** - To join, but some people don't even have to, right?

**A: Louise Rideout** - No, if you do not join your option is to pay 200 extra dollars a month as a non-member.

**Q: Rep Greeson** - Got it. Okay.

**A: Louise Rideout** - And the money comes from all of us

**Q: Rep Greeson** - And then it's extra to vote.

**A: Louise Rideout** - It was extra to vote. But the, our payments for these loans, which are one loan is almost 5%. The other one's a little bit less, those loans, every loan payment. And we're only paying interest as you know, with balloon loans that comes from our lot rent of 5 64 a month. So it's coming from us. We don't,

**Rep Greeson** - Well, I, yeah, as it should, but right,

**A: Louise Rideout** - Right, right. Is our responsibility.

**Q: Rep Greeson** - So it's either, it's either \$300 to join the association. Your lot. Rent's 5 84 or you don't join the association. And your lot rent is 7 84, 7 64, 7 64, excuse me. 7 64. And you're paying to pay for the privilege of voting. Okay. I think I understand. And I am exhausted.

**A: Louise Rideout** - You're exhausted. We are too. We are too.

**Q: Rep Fargo** - Thank you. And, and I'm sorry if you had to go through this, this some kind of appalling to me and, but I must not be understanding properly. What happens to those people who were living there who didn't want to didn't want to be a part of it? Like, let me answer that maybe they didn't vote or they voted no. What happened to them? I mean, do, are they still held?

**A: Bonnie Gawrys** - Yeah. Okay. What happened to the people that didn't vote and didn't want the co-op? What they ended up doing was they were, they paid their money to, to vote. And then they, when they were told that they had to pay \$200 extra a month on top of their lot fee, if they didn't join the co-op, then they opted to, to, to pay, to join the co-op and pay five or \$10 a month, every month with their lot rent. So that when they get to their 300, then their membership was in the park was okay. So it, it was almost like they forced, they did the most, the majority of these people because they said, well, if you don't join the co-op, then you have to pay \$200 extra a month on rent. Like I said to you before, most of us are senior citizens. We live on social security. Wow. 7 64, \$50 a month for water and sewer.

**A: Louise Rideout** - And, and if I can add to that, when we had this meeting and one of the board members motioned, this was in all of these rules and I had read everything and he said, I motioned to raise first. It was supposed to be \$50. I motioned to raise it to 200. I started up and I said, Kyle, that's outrageous. You can't do that to people, somebody on the board. Second. It, and that was it. So this bill is, this bill is amazing. It's do you,

**Q: Rep Fargo** - Do you, do you own anything? I mean, do you own your lot? No. Do you own anything?

**A: Bonnie Gawrys** - We own at the homes that we live in, but if you look at Brock's website, right?

**A: Louise Rideout** - They say we're homeowners.

**A: Bonnie Gawrys** - We are landowners.

**Q: Rep Hunt** - So, let's, let's step back and I was going to let Tara introduce this, but let's, I can be sure everybody understands a little bit going back at one point in time, we have I think it was Jensen company was a big, was a big owner of manufactured housing parks. And the issue was that they could sell that park out, you know, and to anybody they want. The issue that I thought was a little disconcerting was the vast majority of these homeowners do not have a lease. So they actually have no control over rent increases. Correct. So a park could be sold to somebody else who could triple, triple the rent. Okay. Mm-hmm <affirmative> so in the wisdom of the legislature, we decided to create the community loan association to allow the parks to be purchased by the hallmarks. Right. Mm-Hmm <affirmative> now I could say in my one town, we have one park, it was already bought before I moved to rent. So, so I, I didn't have, you know, so to me that seemed perfect sense. The problem is the devils in the details of when the legislation was created, that it said is, well, if you're going to have this initial vote, who's going to make the vote. And I, I wasn't around for when that law was created. At least I don't think so, but maybe it was, I don't know. And it was okay, good. And, but that in there, they had this concept of members creating a member and you, you pay a nominal fee. Wasn't really stated what the fee was. And it was a little loose goosey, but that was the beginning effort to how do we make this process work to allow the park to be sold to one of these loan funds? And so what happened was, as you could all see that, that, you know, the devils in the details, and then the, the thing blew up because they got out of control with the fees, they got out control of the relationships that people who showed up and then this whole idea of the members. And obviously that's the reason why this legislation is here because we just need to clarify and make it a little fair, a little more common sense and more rational than what was originally.

**A: Bonnie Gawrys** - And not only that, it helps the people that live in the co-ops too, and it gives them a better insight of what they're getting into. Don't you think?

**Louise Rideout** - And my last statement here, if you, if you read, I I'm here on behalf of many residents who are too afraid to appear here today, they are already facing retaliation from our neighbors and they are fearful that there would be more to come because of our efforts today. I didn't really want to say that. I thought that you could read it, but that's our reality

**Bonnie Gawrys**

Just to mirror that Louise and I have been under constant, constant retaliation since the three of us have brought this bill forward in testified. It's

### **Rep Hunt**

We would, but you're benefiting, they're benefiting the other people who correct. Who also going forward? Right. And so there there's a little egg on the face of the, of your

### **Bonnie Gawryst**

Right. But, but that, again, they should be happy because that would get more people involved in co-ops when they can see what they have. So to retaliate against three people who have been trying to help the co-ops and the people upcoming the people now, it's just not, it's not fair. It

### **Tara Reardan - NH Community Loan Fund – Supports**

I work for the New Hampshire community loan fund, which is a community development, finance authority. It is a federally created financial institution. There's about a thousand of them nationwide, but the community loan fund is one of the oldest and the best known we're a New Hampshire non-profit organization, not associated with the state and our service footprint is New Hampshire. Our mission is to assist people who don't have access to capital. Nobody will lend money. Is that what that translates to, to more fully participate in new Hampshire's economy? We do that by taking in local investments from New Hampshire people, we pay them a return on that investment, and we lend it out to other people who otherwise wouldn't be participating. So 37 years ago, the New Hampshire community loan fund started with a Meredith manufactured housing park that was going to close because the mom and pop owners were entering a nursing home and the, the people were going to lose their, their land to redevelopment. There were 17 homes. They went to every bank. They couldn't get a loan from any place, but they did meet a student who connected them to the community loan fund. And the sisters of mercy made the community loan fund. Its very first investment. So the community loan fund in fact could help out Meredith village cooperative a successful co cooperative to this day, those same homes still sitting in the same place and the, and the son of one of them who we stay in touch with tells us what a difference it made in his life. Um so manufactured homes are a great home ownership opportunity for even low- and moderate-income people. They're affordable. That's the good news. And 75% of the people populations that we work with fit the low- and moderate-income criteria. The bad news is when you own your home and it's on rented land. There's some instability there. You always face the possibility that the land can be bought by somebody else. It may be another investor. Who's going to run it as a manufacture housing park. It may be somebody who's going to clear that land because it's a nice flat site that they can develop. And in in fact sometimes there's closure and the land isn't even developed or it can be a lot increased so high that you can't afford to live there anymore. And you don't move these homes. You walk away from these homes if you can't sell them. So representative de Palmer, I wish he was here has the most famous of those examples in the state of New Hampshire, where it happened in Littleton, in a community called Willowdale, which had a really sad outturn. So a smart, common sense solution for that is for the residents to come together form a cooperative and buy the land themselves. And that's what the community loan fund does. And we've done it 142 times in the state of New Hampshire. It is an incredible and, and all are still successful. We've not only lent them the money to do that, but we've provided on the average 20,000 hours of technical assistance a year to help people run their community. As introduced SB two 10, would've almost eliminated this program. We would have closed one of those communities in the last two years that, that I went back and looked at that part and all of the talk that you're hearing about voting and voting thresholds and

how many people were at the meeting was eliminated in this bill when in fact Senator sushi and Senator Bradley redrafted the amendment, not an issue anymore, but I'll clear up a little bit of that in a minute. So the most successful New Hampshire created homegrown local solution to an affordable housing crisis. Sounds like something that we probably ought to be preserving. Not only has New Hampshire done this with 142 co-ops, but the movement has taken off across the United States. There's 150 more of these communities in 20 other states. So we worked with Senator Bradley and Senator Soucy and came up with this amendment and it brought up some really good discussion and some really good agreements resulted from that. The most onerous, as I said, the voting threshold was taken out that we are have thankful for that absentee ballots are a great idea. We know that not everybody can get out of their house. They have challenges sometimes to getting out, to voting in cooperative, being a low dollar joining fee is a great idea. And the small differential for rent for members, non-members \$200. We find that offensive. That is nothing we have anything to do with. In fact, the residents vote for that. So you would hope that neighbors would help out neighbors and be thoughtful of that. And that didn't happen. We have no other community that has a \$2 rent differential in the state of New Hampshire. I am proud to say, but it has also brought up conversations at the New Hampshire community loan fund, us as a lender going forward will flag those kinds of things. We have the choice to fund those groups and decide whether or not that's a group that we want to fund. And in fact, the answer may be no in some of those situations where neighbors don't have their neighbor's best interests in mind. So S SP two 10 adds it to law and it adds it to 205 a I think it's probably suited better in 301 a, which is actually the consumer cooperative statute we needed to get to an agreement. Um we did, I mentioned, we are thinking about that in our lending criteria, having a lot of conversation about that. And the other part of the bill that changed was you notice that the park owners association gets notice of the residents buying these communities or that there's a community available to purchase. We ask that the terms of that deal be excluded from the statute. You can find out that the park is being sold, but we don't want other park owners finding out what the term of the deal is. That's that is just not something that we're in favor of. In our book, a little, a little, little invasive for our, especially an unrelated party that they have nothing to do with there was a companion bill, 324 that you'll hear next week. It set up a dispute resolution, which in the event, there was a dispute resolution in each one of these communities. They could probably take care of that themselves. I don't know what's going to happen to SB 324, but we're committed at the community loan fund to look at the template bylaws we provide and make sure that that can be happening on the ground level in each one of these communities I also want to offer, I would be glad all of you probably have a resident owned community with 142 of them in your community someplace. I would love to have a conversation to tell you what's in your district. We do business and childcare lending to the community loan fund is a really great resource for the state of New Hampshire. We want to make sure people not only know about it but can take advantage. I want to just go back to a couple of the things that were said in response to questions and maybe not, not asked of the person that could best respond to those. Um the, so the boating threshold isn't in the bill anymore. Bear view cooperative. I went back and looked after our Senate hearing. There were actually 100 members when they made their final vote when they knew what their mortgage was going to be, what their lot rent would increase to. And all of that, as you know, because you're all elected officials, I'm an elected official. If you can get, you know, 50% of people to show up for a that's pretty amazing nowadays, but we do go through that proforma line by line. And I will say bear view had very, very high rent and they had a Fannie Mae mortgage that has to be de fees, which I won't tell you about. It's just, it adds a million dollars to the sales price that complicated that they do have four mortgages on the property bank pro an institutional lender who sees these as great opportunities. Uh we're a second mortgage holder on their community. We were also a third mortgage holder. They needed more money than they had to close in those mortgages. And we gave them a 0% loan because we didn't want them to raise their rent more than \$5. At the time we look at these transactions very, very carefully. And you'll hear from

Elliot Barry, we are very, very conscious about what the, what the acceptable market rate rent is in that area and not to go above that because when we do that, it makes it really hard for them to sell a home there's other choices and they won't be able to sell their home. If in fact that happens and the perform, we do a performer, obviously as all lenders do for all of those transactions. I, I also just want to point out that nobody paid two or \$300 to vote when you, when you want to buy a piece of property that costs \$18 million banks. Don't just say, okay, those five guys over there can have the loan. You have to form a business entity, the business entity that we help people form as a consumer cooperative. The, the statute requires that there be some kind of joining fee for you to join that cooperative. We, in most cases make it five bucks. That's what people can afford. They are member afford their membership fee may in fact be 300. Again, the residents decide that themselves, we don't, we don't do that. And they don't pay that 300 unless they buy the community. We're not going to have somebody pay 300 bucks up front to join a cooperative. If in fact, they never buy the community it's unaffordable. So when they buy the community, they then can pay it at the rate of \$5 a month with their rent. And if it takes them, you know, six years to pay it off, then that's what happens. New people coming in, just like a condo or any other conveyance, you pay your membership fee as part of your closing costs when you come in. So I hope that clears things up. There are some instances when neighbors make bad decisions for their, that include their other neighbors. We are not in favor of that. We are in instituting practices to keep that from happening in the future. And I would be more than happy to answer questions or clarify anything else that you've heard. That really feels ugly.

**Q: Rep Greeson** - The information of the 142 communities in the state how many of these communities have paid off their mortgage and they own it free and clear? What was the average amount of time taken to pay off those loans? Because I'm, this may just be an exceptionally bad deal or something because I don't see how bear Creek pays off in under a hundred years.

**A:** I can't tell you the exact number of co-ops that have paid off their mortgage, but I can tell you they have a party when it happens and get very, very excited for sure. There is a co-op in Winchester, New Hampshire who has not raised its rent does not have a mortgage, has not raised its lot rent in 20 years, it's still \$240. And that's the beauty of a, not for profit consumer cooperative. So as to the 21 million, the prices for manufactured housing parks are becoming extreme because they are such a hot investment for private equity money coming from outside the state of New Hampshire. And it's wild. We do a 10-year mortgage with a 40 year amortization and refinance that at 10 years as do the lenders TD bank of New Hampshire bank pro everybody that's in the first place position because lenders aren't going to commit to that interest rate more than 10 years, we will refinance it at that time and they'll have another 40 year amortization. But our explanation to the resident is you want to pay your home off, cause you're dying to retire someday on the fixed incomes that, that you have the cooperative. We don't want to hire rent right now. So somebody gets to live cheap in 50 years. This is a forever perpetual corporation, and it makes sense for us to do it that way. Thank

**Q: Rep Greeson** - I crunched the numbers on 10. If they, if it was 10 years, just paid it off in 10 years, it's \$583 and \$33 per month just to pay off the principle per household in that park. So that's just not doable.

**A:** We have a community right now in Rochester that we just started working with this week. It has 491 homes in the community. Their rent is over \$500 and the purchase price for the community is \$54 million. It's the same owner as they had the same park owner that they have. Who's a, a guy out of Canada. The lot rent alone in that community brings in over \$250,000 a month. So when we talk

about debt service, we look at that. So at the income that's coming in right now, there's \$3 million available to, you know, mow the lawns, pay the property manager and and pay the debt service. So the, the lot rents completely dictate what, what size debt service could be serviced. Yeah.

**Q: Rep Abel** - Thank you for explaining things, but I have to be honest and say that I understand this less now than I did when I read this. And I, I would like to ask sort of a general question. I don't feel ever that I can vote for a bill if I don't understand it. I do not understand this bill. And if we were having our executive session now I would certainly vote against the bill. I wonder how you would respond to that.

**A:** I served on this committee for seven terms. We had a lot of bills that covered a lot of subject matter. That was very hard to be an expert in each one of those. I respect what you have to say. And I will say, I tried to note in my testimony, some of the red flag issues that we've seen, we are going to fix as a lender and, and not be a lender if there's a \$200 rent differential. So although this bill might not survive the point I'm making is a lot of the issues that we have seen in the communities. We can probably handle as a lender to that community by prohibiting those practices.

#### **Elliot Berry** - NH Legal Assistance

I'm the director of housing justice at New Hampshire legal assistance where I've been a practicing attorney for over 40 years. I'm even older than John. I think I have an interesting viewpoint about all this, I should say from the start that I'm one of the founders of the New Hampshire community loan fund. I also was one of the drafters and lobbyists behind the, the RSA 205 section. Was it 17 through 22, which started this co-op movement? And, but interestingly enough, right now today, most of my involvement comes from E from defending tenants who are getting evicted from parks, including co-op parks. So I'm not going to sit here and tell you, this is like the greatest thing that has ever happened to owners of manufactured housing. However, a what makes me so happy about this amendment is that it closes one of the biggest problems that I have seen, and that is that giant rent differential, two hundreds off the charts and this, that their part is the only one I've ever seen it. But I really thank the folks from bear. It used to be bear Brook. I forget what bear view they've done a great service by, you know, creating momentum to, to really make it as affordable as it possibly can be. And, and it is terrific. If I could just give you a little bit of background. The reason that the current law is in effect that gives the tenants notice and an opportunity to purchase. It came out of basically a disaster in Milford where an owner was selling the park and the new owner was going to close it. And there were 55 people there who were absolutely, it was, you know, like a tornado would come and wipe out the whole community. So that created momentum to create a situation where, to the maximum possible extent, people who own their homes in a manufactured housing park, never had to worry about getting, having their park closed and getting displaced by that, or by having a series of investor owners purchase and sell purchase and sell purchase and sell until, and the price just keeps skyrocketing, which is in fact, still happening in the private market today. That's a benefit that no matter what the chinks are, what the problems are in certain co-ops that benefit is I think so outweighs any of those problems that that I think, especially with the improvements that have that this bill is making is just going to provide the maximum amount of protection that manufactured housing park owners will have. There's still going to be plenty of cases though. The way the prices are going crazy on manufactured housing parks. They're going to be CA places at times when the tenants, even with the, even with the funding, from the community loan fund and bankers who have understood their value, but there's going to be times we're just not going to be able to do it, but at least the log that we currently have will give, gives the ch the tenants, a fighting chance, or the

homeowners, a fighting chance, and with the changes we've made it'll enable them to keep the rents as low as possible. So with that, I just joined the love and asked you all to support the amendment.

Respectfully submitted,

Rep. Keith Ammon, Clerk





# House Remote Testify

## Commerce and Consumer Affairs Committee Testify List for Bill SB210 on 2022-04-07

Support: 8 Oppose: 2 Neutral: 0 Total to Testify: 0

Export to Excel

| <u>Name</u>              | <u>City, State</u><br><u>Email Address</u>               | <u>Title</u>           | <u>Representing</u>  | <u>Position</u> | <u>Testifying</u> | <u>Non-Germane</u> | <u>Signed Up</u>   |
|--------------------------|--|------------------------|----------------------|-----------------|-------------------|--------------------|--------------------|
| Daniels, Senator Gary    | Senate District #11, NH<br>debra.martone@leg.state.nh.us | An Elected Official    | Myself               | Support         | No                | No                 | 3/30/2022 6:20 PM  |
| Birdsell, Senator Regina | Hampstead, NH<br>regina.birdsell@leg.state.nh.us         | An Elected Official    | Senate District 19   | Support         | No                | No                 | 3/31/2022 10:15 AM |
| Soucy, Donna             | Manchester, NH<br>donna.soucy@leg.state.nh.us            | An Elected Official    | SD 18                | Support         | No                | No                 | 4/1/2022 4:22 PM   |
| Campbell, Leonard        | Meredith, NH<br>lsoup03@gmail.com                        | A Member of the Public | Myself               | Oppose          | No                | No                 | 4/4/2022 7:14 AM   |
| Hennessey, Erin          | Senate District 1, NH<br>peter.oneill@leg.state.nh.us    | An Elected Official    | Myself               | Support         | No                | No                 | 4/5/2022 9:13 AM   |
| Bradley, Jeb             | SD3, NH<br>jeb.bradley@leg.state.nh.us                   | An Elected Official    | SD3                  | Support         | No                | No                 | 4/6/2022 9:33 AM   |
| Lucas, Janet             | Campton, NH<br>janluca1953@gmail.com                     | A Member of the Public | Myself               | Oppose          | No                | No                 | 4/6/2022 10:21 AM  |
| Gray, James              | Rochester, NH<br>James.Gray@leg.state.nh.us              | An Elected Official    | Sen. James Gray SD 6 | Support         | No                | No                 | 4/6/2022 10:55 AM  |
| Giuda, Bob               | Warren, NH<br>daley.frenette@leg.state.nh.us             | An Elected Official    | Senate District 2    | Support         | No                | No                 | 4/7/2022 8:51 AM   |
| Cote, Lois               | Manchester, NH<br>lcote06@outlook.com                    | A Member of the Public | Myself               | Support         | No                | No                 | 4/7/2022 8:55 AM   |

**Archived:** Thursday, May 19, 2022 12:44:35 PM  
**From:** Leonard Campbell  
**Sent:** Monday, April 11, 2022 9:29:23 AM  
**To:** ~House Commerce Committee  
**Subject:** I oppose SB210  
**Importance:** Normal

---

Hon. Representatives,

I Oppose SB210.

NH has a long and vested history of finding ways to empower its citizens.

Housing is one of the most important ways citizens can become self-sufficient. Cooperative manufactured communities have been one vehicle towards that end.

Removing tenants' associations is restricting the ability of a group of tenants to purchase homes they have been living in. Considering only individual offers is a sure way of defeating the purpose of cooperative manufactured communities.

Please return SB210 as inexpedient to legislate so that "all government of right originates from the people, is founded in consent, and instituted for the general good."

Respectfully,

Len

Leonard Campbell

Meredith, NH

603-455-1105

**Archived:** Thursday, May 19, 2022 12:44:34 PM  
**From:** Leonard Campbell  
**Sent:** Monday, April 18, 2022 7:56:20 AM  
**To:** ~House Commerce Committee  
**Subject:** I Oppose SB210  
**Importance:** Normal

---

Hon. Representatives,

I Oppose SB210.

NH has a long and vested history of finding ways to empower its citizens.

Housing is one of the most important ways citizens can become self-sufficient. Cooperative manufactured communities have been one vehicle towards that end.

Removing tenants' associations is restricting the ability of a group of tenants to purchase homes they have been living in. Considering only individual offers is a sure way of defeating the purpose of cooperative manufactured communities.

Please return SB210 as inexpedient to legislate so that "all government of right originates from the people, is founded in consent, and instituted for the general good."

Respectfully,

Len

Leonard Campbell

Meredith, NH

603-455-1105

A companion bill, SB 324, is the vehicle to provide a forum for these residents to solve these and other issues going forward, we hope that at a minimum the manufactured housing section of that bill will become law. We will monitor that bill going forward.

Glad to have a conversation with anyone of you about the ROCs or business or childcare lending that we have done in your area. Or if you would like to be included when we do a bus tour. Glad to be a resource for the committee going forward and answer any questions that you have.

Thanks for your time.

**SB 210 Testimony  
Tara Reardon  
New Hampshire Community Loan Fund**

Good afternoon, Chairman Hunt, and members of the House Commerce Committee. My name is Tara Reardon, and I am employed by the New Hampshire Community Loan fund. We are a Community Development Finance Institute (CDFI), there are about a 1,000 nationwide, but we are one of the oldest and most-well known. We are a NH non-profit, that is our service area footprint, and our mission is to assist people who don't have to access capital to help them more fully participate in NH's economy. We do that with local investments, people in NH that would like to assist other NH people provide us with funding, we pay them a return on that investment, that we in turn lend out to others.

So, 37 years ago we got started by helping some folks in Meredith form a cooperative and buy the land under their homes, to save their manufactured or mobile homes. Our first investment was from the Sisters of Mercy. Manufactured Homes are a home ownership opportunity for even low-moderate income, that make up 75% of residents of the communities we work with. People get to homeownership, that's a good thing for wealth-building, but if your home is on rented land – that the majority of MH is, you risk losing that home if the land is sold – which may lead to a community closure and redevelopment, or a lot rent increase that makes that community affordable for you to live in. Rep. DePalma has had that happen in Littleton. So, a smart common-sense solution to that is for those residents to come together, form a non-for-profit cooperative and own the community jointly. So that has happened 142 times in NH, and the role that the NH Community Loan Fund has played is to, as your heard before, access to funding, and technical assistance – we have provided nearly 20,000 hours of technical assistance.

As introduced, SB 210, would have all but eliminated the most-successful NH-created home-grown local solution to the affordable housing crisis. This solution is not only great here in NH but has taken off and is being replicated nationwide – now in 20 other states where they are 150 ROCs.

We have worked with Senator Bradley and Senator Soucy to remove the onerous part of the bill as introduced. Some of the issues raised in the hearing, have shown up in the bill in a couple of places. We think absentee ballots are a good idea, lots of low-income residents have challenges to getting out so they can participate in cooperative meetings. A low dollar joining fee to join the cooperative, and a small rent differential for members and non-member of the cooperative's rents are both sensible. These are all issues, decided upon by the residents of each of these independent cooperatives, that we all would have hoped that neighbors would have treated their own neighbors better, but sometimes not. So, SB 210 adds it to law, in 205-A, probably better suited in 301-A. At the Community Loan Fund, we have amended our lending criteria so we will flag those items, and let ROCs know that it will prevent funding whether this law passes or not. Another part of this legislation, providing to notice to the park owners that belong to the park owners' association, we asked that the terms of the deal be excluded, we found it offensive that a law would be require giving anyone's private real estate sales transaction information to another unrelated party.

\*Confusion with the voting – had to do vote twice. Too many cards out for the number of member households in attendance. Only one vote per household. Some people had gone up to the table to get a card while Carl and Ruth were still trying to get people registered.

#### **Open Forum:**

**How many votes at the meeting?** 41. 41-member households/one vote per household.

**Can anyone post notices for the community?** Yes, but only the Board can post for Membership issues. People should attend Board meetings. Ruth is building an email list to send minutes to anyone who would like them .

**Can we get receipts for our joining fees?** Yes – Ruth will fill out receipts for everyone who joined this evening.

**Can we have the phone numbers for the Board members?** ROC-NH pointed out that the Board would have to decide how to handle contact info – they are volunteers – email might be the better solution, but the Board can decide how to handle it. A lot of people live in the park – the volunteer board of directors have jobs and might not be able to handle a huge volume of calls – members and residents should attend the Board meetings or ask for Minutes of the meetings. There is a FB page that residents can ask to join to get info as well.

**How many people do you need to buy the park?** According to the Pre-Acquisition Bylaws, the quorum needed is one third of the total membership. With a membership of 80, that means to meet quorum we need 27-member households in attendance for the meeting. If only 27 members show up the majority to vote yes would be 14 - \*This led to lots of comments about what's fair and what's not. \*Meetings are posted – get involved, talk to your neighbors, attend meetings! More members mean more people voting!!! Membership needs to increase – 80 is still a low number given the number of homes in the park.

**Thank you to the Board for donating your time and meeting every week since early December!**

#### **Comments about the pros and cons of buying the park**

One resident has lived here since the late 70's – she thinks they should buy it to control the land. She had to walk away from her home when Hannaford bought the land her home was on.

Some don't think it makes sense because it's too much money and will make their rent too high and what if they have to do a big project to replace sewer or water – what then?

Some think they can't afford NOT to buy it. Price keeps going up every time the park changes hands. Other people think what will it cost next time? \$40 million? If not now, when?

ROC-NH reminded everyone that we are still in the fact-finding stage. When we have more information, we'll have another Membership Meeting. Next piece is CDBG \$500,000 grant.

**Meeting Adjourned at 8:05pm**

## **Bear View Crossing Cooperative, Inc.**

Membership Meeting Minutes

March 6, 2019 – United Methodist Church Pembroke

### **Board Members:**

President: Russ Raymond

Vice President: Rick Dube

Treasurer: Carl Caporale

Secretary: Ruth Kirkhuff

Operations: Gene Gregory – absent

63 people in attendance

41-member households represented – quorum met

Michelle Supry and Chris Bourcier from ROC-NH/The Community Loan Fund attended

### **Meeting called to order at 6:45pm**

**Secretary Report:** \*Reviewed Minutes from the Dec. 10, 2018 Membership Meeting held at Pembroke Academy. Minutes accepted – unanimous

**Treasurer Report:** Balance of checking - \$480 – additional money collected when more people joined was not included in the balance – Carl will deposit.

As of 7:05pm the cooperative had a total of 80 members households

### **Update on purchase process from ROC-NH:**

Michelle Supry from ROC-NH gave update: Hynes Group finally signed the Purchase and Sales Agreement. Effective date of the signed contract is Feb 24, 2019. The Co-op's attorney, Bob Shepard of Smith-Weiss Shepard PC, submitted the contract January 15<sup>th</sup> to stay within the initial 60 Day timeline after the Notice was delivered to residents. Contract has gone back and forth with the attorneys since it was submitted. We're now in the 1<sup>st</sup> 60-day period **after** the contract was signed for the due diligence which covers the engineering inspections. Holden Engineering is doing the property condition report – our first due diligence period expires April 25<sup>th</sup>. The financing due diligence period does not expire until June 23<sup>rd</sup>. President Russ Raymond attended the CDBG hearing in Epsom for the grant. News will not be available about whether we get the \$500,000 grant money until late March, early April. Michelle said they may be around again to try to get more income surveys done. ROC-NH/The Community Loan Fund does not know yet what the final loans will look like – The Community Loan Fund is working very hard to find the best financing options that will keep our lot rent affordable.

### **Vote to increase the forgivable predevelopment loan amount for \$25,000 to \$60,000.**

Motion was made to increase the forgivable predevelopment loan to cover additional expenses for legal work and engineering.

**Motion passes: 29 yes / 12 no.**

## HOUSE COMMERCE & CONSUMER AFFAIRS

04/07/22

SB 210, relative to the sale of manufactured housing parks.

### LOUISE RIDEOUT

- My name is Louise Rideout and I live in Bear View Crossing Cooperative in Allenstown and I support Senate Bill 210.
- Our park has 300 units and we became a resident owned community in July 2019.
- I had to pay at least \$10 of the required \$300 membership fee in order to vote to purchase of the park. I continue to pay off the \$300 membership fee. No one should have to pay \$300 in order to vote.
- All residents should have access to the mortgage terms and land rent per homeowner before voting to purchase the park. We did not have access to the terms of the loans that we were voting on.
- Only 22% of the paid membership (not the entire park) was enough to allow residents to purchase the park. SB 210 allows for voting by absentee ballot. This will promote more voter participation.
- This bill will make sure that residents are better informed and more involved in the purchase of a multi-million-dollar park.
- We hope that you will support this bill. We believe that this is a step in the right direction in order to shed more light on the operations of the NH Community Loan Fund.
- I am here on behalf of many residents who are too afraid to appear here today. They are already facing retaliation from our neighbors and they are fearful that there will be more to come because of our efforts today.



SB 210 - AS AMENDED BY THE SENATE

03/17/2022 1016s

2022 SESSION

22-2949

11/04

SENATE BILL **210**

AN ACT relative to the sale of manufactured housing parks.

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Birdsell, Dist 19; Sen. Gray, Dist 6; Sen. Gannon, Dist 23; Sen. Avard, Dist 12; Sen. Giuda, Dist 2; Sen. Carson, Dist 14; Sen. Daniels, Dist 11; Sen. Soucy, Dist 18; Rep. Osborne, Rock. 4; Rep. Doucette, Rock. 8; Rep. L. Sanborn, Hills. 41; Rep. Potucek, Rock. 6

COMMITTEE: Commerce

---

ANALYSIS

This bill clarifies the notification requirements imposed upon manufactured housing park owners prior to selling manufactured housing parks.

---

Explanation: Matter added to current law appears in *bold italics*.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT relative to the sale of manufactured housing parks.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Manufactured Housing Parks; Tenants' Right to Notification Prior to Sale. Amend RSA 205-  
2 A:21 to read as follows:

3 205-A:21 Notice Required Before Sale.

4 I. No manufactured housing park owner shall make a final unconditional acceptance of any  
5 offer for the sale or transfer of a manufactured housing park without first giving 60 days' notice:

6 (a) To each tenant:

7 (1) That the owner intends to sell the manufactured housing park; and

8 (2) Of the price, terms and conditions of an acceptable offer the park owner has  
9 received to sell the park or the price, terms and conditions for which the park owner intends to sell  
10 the park. This notice shall include a copy of the signed written offer which sets forth a description of  
11 the property to be purchased and the price, terms and conditions of the acceptable offer.

12 (b) To the New Hampshire housing finance authority *and the New Hampshire*  
13 *Manufactured Housing Association, excluding price terms and conditions of the offer*, that  
14 the owner intends to sell the manufactured housing park.

15 II. During the notice period required under paragraph I, the manufactured housing park  
16 owner shall consider any offer received from the tenants or a tenants' association, if any, and the  
17 owner shall negotiate in good faith with the tenants concerning a potential purchase. If during the  
18 notice period, the tenants decide to make an offer to purchase the manufactured housing park, such  
19 offer shall be evidenced by a purchase and sale agreement; however, the tenants shall have a  
20 reasonable time beyond the 60-day period, if necessary, to obtain financing for the purchase.

21 III. The notice required by paragraph I shall be served by certified mail, return receipt  
22 requested, to each tenant at such tenant's abode and to the New Hampshire housing finance  
23 authority at its main office *and the New Hampshire Manufactured Housing Association at its*  
24 *main office, excluding price terms and conditions of the offer*. A receipt from the United  
25 States Postal Service that is signed by any adult member of the household to which it was mailed, or  
26 a notation on the letter that the letter was refused by any adult member of the tenant household, or  
27 that the addressee no longer resides there, or that the letter was returned to the post office  
28 unclaimed, shall constitute a conclusive presumption that service was made in any court action in  
29 this state. A receipt from the United States Postal Service that is signed by an employee of the New  
30 Hampshire housing finance authority *or an employee of the New Hampshire Manufactured*

1 *Housing Association* shall constitute a conclusive presumption that service was made on the  
2 authority in any court action in this state.

3 *IV. Any organization that assists a tenants' association shall send each tenant or*  
4 *home a certified letter or a verified hand-delivered letter detailing the agreed upon terms*  
5 *of any final proposal to purchase a manufactured housing park. Terms shall include*  
6 *mortgage terms, land rent per homeowner, and other costs or fees. Such letter shall*  
7 *include a form to request an absentee vote for or against the purchase of the park. No*  
8 *household shall be charged a tenants' association joining fee of more than \$5 to vote either*  
9 *by absentee or in person. The absentee form shall be verifiable and secure. Any*  
10 *organization assisting a tenants' organization in a purchase shall provide a secure and*  
11 *verifiable mechanism to count the vote. A simple majority of members of the association or*  
12 *cooperative voting either absentee or in person shall constitute qualification to move*  
13 *forward with purchase of the manufactured housing park.*

14 *V. No resident owned manufactured housing park shall charge a non-member more*  
15 *than \$25 additional rent over the member lot rent.*

16 2 New Paragraph; Consumers' Cooperative Associations; Incorporation Under General Law.  
17 Amend RSA 301-A:2 by inserting after paragraph II the following new paragraph:

18 *III. For purposes of a tenants' association voting to purchase a manufactured housing park,*  
19 *no household shall be charged a tenants' association joining fee of more than \$5 to vote either by*  
20 *absentee or in person on the proposed purchase.*

21 3 Effective Date. This act shall take effect 60 days after its passage.