



Oregon Housing and Community Services Department

Manufactured Communities Resource Center (MCRC)

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MANUFACTURED DWELLING PARK CLOSURE RULES

1) The landlord of a park may terminate a month to month or fixed term rental agreement for a manufactured dwelling park space by:

- A) Providing the tenants with a 365 day notice which shall state; at a minimum:
 - a) That the landlord is closing the park, or a portion of the park, and converting the land to a different use;
 - b) Designate the date of closure; and
 - c) Include the tax credit notice:
 - (1) Stating the eligibility requirements for the credit;
 - (2) Information on how to apply for the credit;
 - (3) Any other information required by the Office of Manufactured Dwelling Park Community Relations; and
 - (4) State that the closure may allow the taxpayer to appeal the property tax assessment on the manufactured dwelling.

2) Paying the tenant for each space one of the following amounts

- A) \$5,000 if the manufactured dwelling is a single wide;
- B) \$7,000 if the manufactured dwelling is a double wide; or
- C) \$9,000 if the manufactured dwelling is a triple wide.

The landlord shall pay at least one-half of the payment amount to the tenant within seven days after receiving from the tenant the following notice:

- (1) The tenant gives the landlord not less than 30 days' and not more than 60 days' written notice of the date within the 365-day period on which the tenant will cease tenancy, whether by relocation or abandonment of the manufactured dwelling.
- (2) The landlord is not required to pay the tenants the amounts under A, B, and C unless the tenant gives the landlord the notice as described under (1).
- (3) The landlord must pay the tenant the full amount regardless of whether the tenant relocates or abandons the manufactured dwelling.

3) If the manufactured dwelling is abandoned;

- A) The landlord may condition the payment required under 2 upon the tenant waiving any right to receive payment under ORS 90.425 (abandonment) or ORS 90.675 (ownership change).

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- 4) **The landlord may not charge the tenant to store, sell or dispose** of the abandoned manufactured dwelling.
- 5) **The landlord may not charge a tenant any penalty, fee or unaccrued rent** for moving out of the manufactured dwelling park prior to the end of the 365 day notice period.
- 6) **A landlord may charge a tenant for rent** for any period during which the tenant occupies the space and may deduct from the payment amount required under 2 any unpaid moneys owed by the tenant to the landlord.
- 7) **The landlord may not increase the rent** for a manufactured dwelling park space after giving a notice of termination to the tenant of the space.
- 8) **The landlord is not limited by the closure notice to his right to terminate a tenancy for non payment of rent** or for other causes provided by statute.
- 9) **Closure of the park may allow the tenant to appeal the property tax assessment** on the manufactured home.
- 10) **The tenant may be eligible for a tax credit of up to \$5,000** if the tenancy in a manufactured dwelling park ended in a tax year that begins on or after January 1, 2007, and before January, 2013 To be eligible the tenant must meet all of the following requirements:
 - A) Own the manufactured home;
 - B) Rent space in a manufactured dwelling park that is closing;
 - C) Occupy the manufactured dwelling home as the principal residence;
 - D) Receive notice that the park is closing; and
 - E) Move out (and all members of the household) of the mobile home park on or after January 1, 2007 because of the park closure notice.