

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0771.01 Christopher McMichael x4775

HOUSE BILL 26-1224

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HOUSE SPONSORSHIP

Velasco and Boesenecker,

SENATE SPONSORSHIP

Cutter and Roberts,

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House Committees

Transportation, Housing & Local Government

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING FINANCIAL PROTECTIONS FOR MOBILE HOME PARK  
102 RESIDENTS.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill establishes and clarifies financial protections for mobile home park residents. A landlord of a mobile home park is required to notify residents that the landlord is temporarily prohibited from increasing rent. Under current law, a landlord is required to send notice to residents when the landlord intends to sell the mobile home park. The bill clarifies what information must be included in the notice that the landlord sends

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

to residents of the park. The notice must include financial and maintenance information related to the rental and operation of the mobile home park and information related to the buyer's offer to purchase the mobile home park. The bill requires the landlord and any potential buyer to conduct the sale of the mobile home park at arms-length and in good faith. The bill establishes certain parameters related to the registration fee that must be paid by a landlord of a mobile home park and limits the amount that the landlord may charge each resident to cover the registration fee at \$17.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 38-12-203, **amend**  
3 (1)(a) as follows:

4           **38-12-203. Reasons for termination.**

5           (1) The management of a mobile home park may terminate a  
6 tenancy only for one or more of the following reasons:

7           (a) Except in the case of a home owner who cures a  
8 noncompliance as described in section 38-12-202 (3), failure of the home  
9 owner to comply with local ordinances and state laws and rules relating  
10 to mobile homes and mobile home lots. A LANDLORD MAY PURSUE THE  
11 TERMINATION OF A TENANCY ON THESE GROUNDS ONLY IF A LOCAL  
12 GOVERNMENT, THE STATE, OR AN AGENCY OR DIVISION OF A LOCAL  
13 GOVERNMENT OR THE STATE HAS ISSUED A FINAL ORDER FINDING THAT A  
14 VIOLATION OF A LOCAL ORDINANCE OR A STATE LAW OR RULE RELATED TO  
15 MOBILE HOMES AND MOBILE HOME LOTS HAS OCCURRED.

16           **SECTION 2.** In Colorado Revised Statutes, 38-12-204, **add** (4.5)  
17 as follows:

18           **38-12-204. Nonpayment of rent - notice required for rent**  
19 **increase - limitation on rent increases - notice of rent increase**  
20 **prohibition - definition.**

1 (4.5) A LANDLORD THAT IS TEMPORARILY PROHIBITED FROM  
2 INCREASING RENT OR ISSUING A NOTICE OF RENT INCREASE PURSUANT TO  
3 SUBSECTION (4) OF THIS SECTION SHALL NOTIFY ALL RESIDENTS THAT  
4 THEIR RENT SHALL NOT BE INCREASED WHILE THE PROHIBITION IS  
5 EFFECTIVE AND THE REASON FOR THE TEMPORARY PROHIBITION. THE  
6 LANDLORD SHALL PROVIDE THE NOTICE IN WRITING, IN ACCORDANCE WITH  
7 SECTION 38-12-212.9, AND WITHIN FOURTEEN DAYS AFTER THE DATE THE  
8 LANDLORD IS NOTIFIED THAT THEY ARE TEMPORARILY PROHIBITED FROM  
9 RAISING RENT.

10 **SECTION 3.** In Colorado Revised Statutes, 38-12-217, **amend**  
11 (2)(a) introductory portion, (2)(a)(II), (3), (5)(a), (5)(b), (6)(b), and (13);  
12 and **add** (3.5) as follows:

13 **38-12-217. Notice of change of use - notice of sale or closure of**  
14 **park - opportunity for home owners to purchase - procedures -**  
15 **exemptions - enforcement - private right of action - definitions.**

16 (2) **Notice - requirements.**

17 (a) To provide notice as required by subsection (1)(a) or (1)(b) of  
18 this section, ~~the~~ A landlord shall mail the notice in both English and  
19 Spanish by certified mail to:

20 (II) The CLERK OF THE municipality or, if the park is in an  
21 unincorporated area, the COUNTY CLERK OF THE county within which the  
22 park is located;

23 (3) **Contents of notice.**

24 (a) EXCEPT AS PROVIDED IN SUBSECTION (3.5) OF THIS SECTION, the  
25 notice given pursuant to subsection (1)(a) of this section must include  
26 notice of home owners' rights and remedies under this section.

27 (b) If the triggering event involves a potential sale, the notice must

1 also include:

2 (I) A description of the property to be purchased;

3 (II) The price, terms, and conditions of an acceptable offer the  
4 landlord has received to sell the mobile home park or the price or terms  
5 and conditions for which the landlord intends to sell the park; ~~and~~

6 (III) AN EXPLANATION OF THE BASIS FOR THE PURCHASE PRICE AND  
7 ANY DOCUMENTATION SUPPORTING THE PURCHASE PRICE, INCLUDING:

8 (A) AGGREGATE RENTAL DATA;

9 (B) RENT PROJECTIONS;

10 (C) RECENT APPRAISALS OF THE PROPERTY;

11 (D) FORMULAS THAT USE NONPUBLIC MARKET DATA;

12 (E) DISCLOSURE OF THE AGE OF MAJOR INFRASTRUCTURE IN THE  
13 MOBILE HOME PARK, INCLUDING THE PARK'S WATER LINES, SEWER LINES,  
14 WASTEWATER TREATMENT EQUIPMENT, DRINKING WATER TREATMENT  
15 EQUIPMENT, PLUMBING, AND ANY ELECTRICAL EQUIPMENT AND  
16 ELECTRICAL INFRASTRUCTURE; AND

17 (F) DOCUMENTATION OF INFRASTRUCTURE INSPECTIONS,  
18 MAINTENANCE, AND REPAIR SERVICES THAT HAVE OCCURRED IN THE  
19 MOBILE HOME PARK IN THE PREVIOUS THREE YEARS; AND

20 (IV) Any other terms or conditions which, if not met, would be  
21 sufficient grounds, in the landlord's discretion, to reject an offer from a  
22 group of home owners or their assignees.

23 (c) The price, terms, and conditions stated in the notice must be  
24 universal and applicable to all potential buyers and must not be specific  
25 to and prohibitive of a group or association of home owners or their  
26 assignees making a successful offer to purchase the park.

27 (d) (I) IF THE POTENTIAL SALE IS A PORTFOLIO SALE THAT

1 INCLUDES REAL OR PERSONAL PROPERTY IN ADDITION TO THE MOBILE  
2 HOME PARK, THE NOTICE MUST INCLUDE ANY CHANGE OR DISCOUNT IN THE  
3 PRICE, TERMS, OR CONDITIONS OF A PROPOSED SALE THAT INCLUDES MORE  
4 THAN ONE PIECE OF REAL OR PERSONAL PROPERTY.

5 (II) ANY CHANGE OR DISCOUNT DISCLOSED PURSUANT TO  
6 SUBSECTION (3)(d)(I) OF THIS SECTION MUST ALSO BE MADE AVAILABLE  
7 TO HOME OWNERS OF THE MOBILE HOME PARK ON THE SAME TERMS AND  
8 WITH THE SAME PROPORTIONATE DISCOUNT, EVEN IF THE HOME OWNERS  
9 SUBMIT AN OFFER TO PURCHASE ONLY THE MOBILE HOME PARK.

10 (III) FOR THE PURPOSE OF DETERMINING THE PROPORTIONATE  
11 DISCOUNT REQUIRED BY SUBSECTION (3)(d)(II) OF THIS SECTION, THE  
12 TOTAL DISCOUNT THAT APPLIES TO THE PORTFOLIO SALE REPRESENTED AS  
13 A PERCENTAGE MUST BE APPLIED TO THE PRICE OF ANY INDIVIDUAL  
14 MOBILE HOME PARK INVOLVED IN THE PORTFOLIO SALE.

15 (e) The information regarding the proposed sale and the price,  
16 terms, and conditions of an acceptable offer may be shared for the  
17 purposes of evaluating or obtaining financing for the prospective  
18 transaction, but all persons ~~who~~ THAT receive the information shall  
19 otherwise keep it confidential if the landlord or the landlord's agent so  
20 requests.

21 (3.5) **Contents of notice when landlord accepts offer for sale**  
22 **or transfer of mobile home park.**

23 (a) IF A TRIGGERING EVENT DESCRIBED IN SUBSECTION  
24 (1)(a)(II)(H) OF THIS SECTION OCCURS, THE NOTICE PROVIDED BY THE  
25 LANDLORD PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION MUST  
26 INCLUDE THE FOLLOWING INFORMATION:

27 (I) THE INFORMATION REQUIRED PURSUANT TO SUBSECTIONS (3)(a)

1 AND (3)(b) OF THIS SECTION;

2 (II) THE DISCLOSURE OF ANY SHARED DIRECTORS, MEMBERS, OR  
3 MANAGERS BETWEEN THE LANDLORD AND THE POTENTIAL BUYER OR ANY  
4 OF THE BUYER'S INVESTORS OR AFFILIATES;

5 (III) THE DISCLOSURE OF ANY LEGAL ENTITIES FORMED OR  
6 AMENDED FOR THE PURPOSE OF THE TRANSACTION AND THE OPERATING  
7 AGREEMENT, ARTICLES OF INCORPORATION, OR BYLAWS OF ANY SUCH  
8 LEGAL ENTITY;

9 (IV) THE DISCLOSURE OF ANY AGREEMENT OTHER THAN THE  
10 CONDITIONAL PURCHASE AND SALE AGREEMENT BETWEEN THE LANDLORD  
11 AND THE POTENTIAL BUYER OR THE BUYER'S INVESTORS OR AFFILIATES,  
12 INCLUDING ANY AGREEMENT THAT RELATES TO THE DISTRIBUTION OF  
13 PROCEEDS FROM THE SALE OF THE MOBILE HOME PARK OR OTHER ASSETS  
14 OR EQUITY INTERESTS;

15 (V) INFORMATION REGARDING THE BUYER'S SOURCE OF  
16 FINANCING, INCLUDING SPECIFIC LENDERS, IF APPLICABLE, AND WHETHER  
17 THE LANDLORD IS PROVIDING ANY FINANCING DIRECTLY OR THROUGH A  
18 PARTNERSHIP AGREEMENT WITH THE BUYER; AND

19 (VI) WHETHER THE SALE IS PART OF AN ASSET, STOCK, OR OTHER  
20 EQUITY PURCHASE AND, IF SO, AN EXPLANATION OF HOW THE PURCHASE  
21 PRICE OF THE MOBILE HOME PARK WAS CALCULATED BASED ON THE PRICE  
22 OF THE EQUITIES INVOLVED AND ANY DOCUMENTATION TO SUPPORT THE  
23 CALCULATION OF THE PURCHASE PRICE.

24 (b) THE PRICE, TERMS, AND CONDITIONS STATED IN THE NOTICE  
25 REQUIRED PURSUANT TO SUBSECTION (3.5)(a) OF THIS SECTION MUST BE  
26 UNIVERSAL AND APPLICABLE TO ALL POTENTIAL BUYERS AND MUST NOT  
27 BE SPECIFIC TO AND PROHIBITIVE OF A GROUP OR ASSOCIATION OF HOME

1 OWNERS OR THEIR ASSIGNEES MAKING A SUCCESSFUL OFFER TO PURCHASE  
2 THE PARK.

3 (c) THE INFORMATION AND DOCUMENTS PROVIDED PURSUANT TO  
4 SUBSECTION (3.5)(a) OF THIS SECTION THAT ARE RELATED TO THE PRICE,  
5 TERMS, AND CONDITIONS OF AN ACCEPTABLE OFFER MAY BE SHARED FOR  
6 THE PURPOSE OF EVALUATING OR OBTAINING FINANCING FOR THE  
7 PROSPECTIVE PURCHASE, BUT A PERSON THAT RECEIVES THE INFORMATION  
8 AND DOCUMENTS SHALL KEEP THE INFORMATION AND DOCUMENTS  
9 CONFIDENTIAL AS REQUESTED BY THE LANDLORD OR LANDLORD'S AGENT.

10 (5) **Landlord's duty to consider offer.** A landlord that has given  
11 notice as required by subsection (1)(a) of this section shall:

12 (a) (I) Provide documents, data, and other information in response  
13 to reasonable requests for information from a group or association of  
14 home owners or their assignees participating in the opportunity to  
15 purchase that would enable them to prepare an offer, WHICH DOCUMENTS,  
16 DATA, OR INFORMATION MUST INCLUDE:

17 (A) DUE DILIGENCE INFORMATION;

18 (B) ANY RECENT APPRAISALS OF THE PROPERTY;

19 (C) ANY AGGREGATE RENTAL DATA AND RENTAL PROJECTIONS;

20 (D) THE MOST UP-TO-DATE RENT ROLL AND ANY DOCUMENTATION,  
21 WITH PERSONAL IDENTIFYING INFORMATION REDACTED, THAT SHOWS  
22 CURRENT RENTS, CHARGES, OUTSTANDING BALANCES, HOME OWNERSHIP  
23 INFORMATION, AND THE CURRENT VACANCY RATE OF THE MOBILE HOME  
24 PARK; AND

25 (E) OPERATING EXPENSES AND INCOME FOR THE MOBILE HOME  
26 PARK FOR THE PREVIOUS THREE YEARS, INCLUDING COPIES OF ANY  
27 ELECTRIC, GAS, WATER, SEWER, AND SOLID WASTE DISPOSAL UTILITY

1     BILLS.

2           (II) The documents, data, and other information provided  
3     PURSUANT TO SUBSECTION (5)(a)(I) OF THIS SECTION may be shared for  
4     the purposes of evaluating or obtaining financing for the prospective  
5     transaction, but ~~all persons who receive~~ A PERSON THAT RECEIVES the  
6     information shall otherwise keep it confidential if the landlord or the  
7     landlord's agent so requests.

8           (III) A LANDLORD SHALL PROVIDE THE DOCUMENTS, DATA, AND  
9     OTHER INFORMATION DESCRIBED IN SUBSECTION (5)(a)(I) OF THIS SECTION  
10    WITHIN SEVEN CALENDAR DAYS AFTER THE LANDLORD RECEIVES THE  
11    REQUEST FOR INFORMATION.

12          (b) (I) Negotiate in good faith with a group or association of home  
13    owners or their assignees.

14          (II) For purposes of this subsection (5)(b), negotiating in good  
15    faith includes, but is not limited to:

16          (A) Evaluating an offer to purchase from a group of home owners  
17    or their assignees without consideration of the time period for closing; the  
18    type of financing or payment method; whether ~~or not~~ the offer is  
19    contingent on financing or payment method; ~~or whether or not~~ the offer  
20    is contingent on INSPECTIONS, financing, an appraisal, ~~or~~ title work, OR  
21    THE DUE DILIGENCE PERIOD REQUIRED BY THE HOME OWNERS OR THEIR  
22    LENDERS OR DONORS; and

23          (B) Providing a written response within seven calendar days ~~of~~  
24    AFTER receiving an offer from a group of home owners or their assignees.

25          (II.5) The written response DESCRIBED IN SUBSECTION (5)(b)(II)  
26    OF THIS SECTION must accept or reject the offer and, if the offer is  
27    rejected, must state:

1 (A) The current price, terms, or conditions of an acceptable offer  
2 that the landlord has received to sell the mobile home park if the price,  
3 terms, or conditions have changed since the landlord gave notice to the  
4 home owners pursuant to subsection (3) of this section; and

5 (B) Why the landlord is rejecting the offer from a group of home  
6 owners and what terms and conditions must be included in a subsequent  
7 offer for the landlord to potentially accept it.

8 (III) The price, terms, and conditions of an acceptable offer stated  
9 in the response must be universal and applicable to all potential buyers  
10 and must not be specific to and prohibitive of a group or association of  
11 home owners or their assignees making a successful offer to purchase the  
12 park.

13 **(6) Expiration of opportunity to purchase.**

14 (b) A landlord shall give a group or association of home owners  
15 or their assignees an additional one hundred twenty days after the  
16 one-hundred-twenty-day period provided by subsection (4)(a) of this  
17 section to close on the purchase of the mobile home park. THE  
18 ONE-HUNDRED-TWENTY-DAY PERIOD TO CLOSE MUST INCLUDE AT LEAST  
19 A NINETY-DAY DUE DILIGENCE PERIOD.

20 (13) (a) To qualify for an exemption under subsection (12) of this  
21 section, a transaction must not be made in bad faith, must be made for a  
22 legitimate business purpose or a legitimate familial purpose consistent  
23 with the exemptions listed in subsection (12) of this section, and must not  
24 be made for the primary purpose of avoiding the opportunity-to-purchase  
25 provisions set forth in this section.

26 (b) (I) EXCEPT FOR A SALE OR TRANSFER DESCRIBED IN  
27 SUBSECTION (12) OF THIS SECTION AND A SALE CONDUCTED AS A FEDERAL

1 INTERNAL REVENUE SERVICE SECTION 1031 EXCHANGE, A PROPOSED SALE  
2 OF A MOBILE HOME PARK MUST BE CONDUCTED AS AN ARMS-LENGTH  
3 TRANSACTION WITH THE LANDLORD AND BUYER ACTING INDEPENDENTLY  
4 AND IN GOOD FAITH.

5 (II) THE LANDLORD OF A MOBILE HOME PARK SHALL NOT COLLUDE  
6 WITH A POTENTIAL BUYER, OR ENGAGE IN OTHER ANTICOMPETITIVE  
7 PRACTICES, FOR THE PRIMARY PURPOSE OF INFLATING THE LISTING OR  
8 PURCHASE PRICE OF THE MOBILE HOME PARK ABOVE THE PARK'S FAIR  
9 MARKET VALUE OR OTHERWISE ENGAGING IN PRACTICES TO PROHIBIT THE  
10 PURCHASE OF THE MOBILE HOME PARK BY A GROUP OR ASSOCIATION OF  
11 HOME OWNERS.

12 **SECTION 4.** In Colorado Revised Statutes, 38-12-1106, **amend**  
13 (8) as follows:

14 **38-12-1106. Registration of mobile home parks - process - fees.**

15 (8) (a) The division shall establish by rule a fee that each landlord  
16 shall pay to the division as an annual registration fee for each mobile  
17 home independently owned on rented land within the landlord's mobile  
18 home park.

19 (b) ~~On and after July 1, 2024,~~ The division may adjust the  
20 REGISTRATION fee ESTABLISHED PURSUANT TO THIS SUBSECTION (8) to  
21 cover the costs associated with complaints filed pursuant to section  
22 38-12-1103 (2)(b), and may by rule authorize landlords to charge a  
23 resident, as defined in section 38-12-201.5 (11), a portion of the fee, SO  
24 LONG AS THE FEE ADJUSTMENT COMPLIES WITH SUBSECTION (8)(c) OF THIS  
25 SECTION.

26 (c) A landlord must not charge a home owner or resident more  
27 than SEVENTEEN DOLLARS OR half of the fee, WHICHEVER AMOUNT IS

1 LESS.

2 (d) The registration fee for each mobile home must be deposited  
3 into the fund.

4 (e) The division shall review the annual registration fee and, if  
5 necessary, adjust the annual registration fee through rule-making to  
6 ensure it continues to reasonably relate to the cost of administering the  
7 program, SO LONG AS THE FEE ADJUSTMENT COMPLIES WITH SUBSECTION  
8 (8)(c) OF THIS SECTION.

9 **SECTION 5. Act subject to petition - effective date -**  
10 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
11 the expiration of the ninety-day period after final adjournment of the  
12 general assembly (August 12, 2026, if adjournment sine die is on May 13,  
13 2026); except that, if a referendum petition is filed pursuant to section 1  
14 (3) of article V of the state constitution against this act or an item, section,  
15 or part of this act within such period, then the act, item, section, or part  
16 will not take effect unless approved by the people at the general election  
17 to be held in November 2026 and, in such case, will take effect on the  
18 date of the official declaration of the vote thereon by the governor.

19 (2) This act applies to conduct occurring on or after the applicable  
20 effective date of this act.