

L.001: An amendment containing DOLA's suggestions; Great effort has gone into working with the Department to ensure they had the statutory guidelines necessary to establish and implement this program. Mo from DOLA is the expert on this amendment and is the best person for questions regarding this topic.

L.002: An amendment containing language suggested by housing advocates. This is to ensure tenants are not presumed guilty of a violation before proving innocence and having the park owners act as interpreters of the law and the culpability of a tenant with regard to a specific act. This is, in essence to prevent arbitrary evictions.

L.003: An amendment containing a change to the initial registration fee; This is a result from negotiations with representatives of the Rocky Mountain Home Association who worried that the lack of specificity in statute regarding the fee would be an onerous burden on owners and tenants alike. Proponents agreed and worked with the Department to identify the proper fee to get the program up and running – \$24

L.004 An amendment updating the amount of time that home owners have to vacate the premises after a judgment of eviction is entered; This is also in response to negotiations with the Rocky Mountain Home Association. Proponents agreed with them that 60 days to either move or sell a home post eviction without a requirement that they pay rent was too much time. This attempts to strike a balance between these competing interests. 30 days to move the home or sell it in place, but a tenant may alternatively pay 60 days in lot rent or place a lien on the home to buy more time to move or sell the home post eviction.

L.005 An amendment that removes the immunity language at the end of the bill. We were made aware that this language is duplicative of current statute and agreed it was unnecessary in this bill.

HB1309_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB19-1309 be amended as follows:

- 1 Amend printed bill, page 4, line 17, after "PROVISIONS OF" insert "THE
- 2 "MOBILE HOME PARK ACT" CREATED IN PART 2 OF ARTICLE 12 OF TITLE
- 3 38 AND".

- 4 Page 4, lines 20 and 21, strike "THE "MOBILE HOME PARK ACT DISPUTE
- 5 RESOLUTION AND ENFORCEMENT PROGRAM", IN ACCORDANCE WITH".

- 6 Page 4, line 22, strike "38-12-904" and substitute "38-12-904 (2)(j)".

- 7 Page 6, line 27, strike "a right to" and substitute "~~a right to~~ THE OPTION
- 8 OF".

- 9 Page 7, strike lines 1 through 4 and substitute "section 38-12-216,
- 10 Colorado Revised Statutes, of the "Mobile Home Park Act."

- 11 Page 14, line 11, after "SPECIFY" insert "THE BASIS FOR THE DIVISION'S
- 12 DETERMINATION,".

- 13 Page 14, line 15, strike "PENALTIES." and substitute "PENALTIES BY MEANS
- 14 OF AN ADMINISTRATIVE HEARING."

- 15 Page 14, line 20, after "INCLUDE" insert "THE BASIS FOR THE DIVISION'S
- 16 DETERMINATION AND".

- 17 Page 14, line 25, after "FINAL" insert "AGENCY".

- 18 Page 16, line 19, after "FINAL" insert "AGENCY".

- 19 Page 17, line 2, strike "MAIL" and substitute "SEND".

- 20 Page 18, line 8, strike "ANNUALLY".

- 21 Page 20, line 14, after "FEE OF" insert "UP TO".

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REDRAFT
4.10.19
Double underlining
denotes changes
from prior draft

HB1309_L.002
HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Transportation & Local Government.
HB19-1309 be amended as follows:

- 1 Amend printed bill, page 8, line 21, after "REMOVAL" insert "BY LAW
- 2 ENFORCEMENT OFFICERS".
- 3 Page 8, line 23, strike "VIOLATES" and substitute "OR OCCUPANT IS
- 4 CONVICTED OF VIOLATING".
- 5 Page 8, line 24, after "16-13-303." add "FOR THE PURPOSES OF THIS
- 6 SUBSECTION (2), "CONVICTED" MEANS THE ENTRY OF A PLEA OF GUILTY,
- 7 INCLUDING A PLEA OF GUILTY ENTERED PURSUANT TO A DEFERRED
- 8 SENTENCE UNDER SECTION 18-1.3-102, THE ENTRY OF A PLEA OF NO
- 9 CONTEST ACCEPTED BY THE COURT, OR THE ENTRY OF A VERDICT OF
- 10 GUILTY BY A JUDGE OR JURY.".
- 11 Page 12, line 13, strike "HALL OR RECREATIONAL HALL;" and substitute
- 12 "HALL, RECREATIONAL HALL, OR CLUBHOUSE;".
- 13 Page 21, line 3, strike "ALSO".

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DRAFT
4.9.19

HB1309_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB19-1309 be amended as follows:

- 1 Amend printed bill, page 19, line 24, strike "THE" and substitute "FOR
- 2 THE 2020 CALENDAR YEAR, THE DIVISION SHALL CHARGE EACH LANDLORD
- 3 A TWENTY-FOUR DOLLAR REGISTRATION FEE FOR EACH MOBILE HOME
- 4 INDEPENDENTLY OWNED ON RENTED LAND WITHIN THE LANDLORD'S
- 5 MOBILE HOME PARK. EACH YEAR THEREAFTER, THE".

- 6 Page 19, line 26, strike "WITHIN A" and substitute "INDEPENDENTLY
- 7 OWNED ON RENTED LAND WITHIN THE LANDLORD'S".

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HB1309_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Transportation & Local Government.

HB19-1309 be amended as follows:

- 1 Amend printed bill, page 8, line 8, strike "SIXTY" and substitute "THIRTY".
- 2 Page 8, strike lines 12 through 20 and substitute "~~remove the home and~~
3 ~~vacate the premises. In all other circumstances,~~ If the home owner wishes
4 to extend such period beyond ~~48 hours~~ THIRTY DAYS but not more than
5 ~~thirty~~ SIXTY days from the date of the ruling, the home owner shall prepay
6 to the landlord an amount equal to any total amount declared by the court
7 to be due to the landlord, as well as a pro rata share of rent for each day
8 following the court's ruling that the mobile home owner will remain on
9 the premises. All prepayments ~~shall be paid by certified check, by~~
10 ~~cashier's check, or by wire transfer~~ and shall be paid no later than ~~48~~
11 ~~hours~~ THIRTY DAYS after the court ruling. ALTERNATIVELY, IF A HOME
12 OWNER CHOOSES TO REMAIN ON THE PREMISES FOR MORE THAN THIRTY
13 DAYS, A HOME OWNER MAY ALLOW THE LANDLORD TO PLACE A LIEN ON
14 THE HOME OWNER'S MOBILE HOME THAT IS EQUAL IN VALUE TO THE PRO
15 RATA SHARE OF RENT FOR EACH DAY FOLLOWING THE COURT'S RULING
16 THAT THE HOME OWNER REMAINS ON THE PREMISES."
- 17 Page 9, line 1, strike "SIXTY" and substitute "THIRTY".
- 18 Page 9, strike lines 4 through 10 and substitute "~~forty-eight hours from the~~
19 ~~entry of judgment,~~ which may be extended to not more than ~~thirty~~ SIXTY
20 days after the entry of judgment if the home owner has prepaid by
21 ~~certified check, by cashier's check, or by wire transfer~~ no later than
22 ~~forty-eight hours~~ THIRTY DAYS after the court ruling to the landlord an
23 amount equal to any total amount declared by the court to be due to the
24 landlord, as well as a pro rata share of rent for each day following the
25 court's ruling that the mobile home owner will remain on the premises,
26 OR, IF A HOME OWNER CHOOSES TO REMAIN ON THE PREMISES FOR MORE
27 THAN THIRTY DAYS, A HOME OWNER MAY ALLOW THE LANDLORD TO
28 PLACE A LIEN ON THE HOME OWNER'S MOBILE HOME THAT IS EQUAL IN
29 VALUE TO THE PRO RATA SHARE OF RENT FOR EACH DAY FOLLOWING THE
30 COURT'S RULING THAT THE HOME OWNER REMAINS ON THE PREMISES, IN"

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HB1309_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB19-1309 be amended as follows:

- 1 Amend printed bill, page 22, strike lines 18 through 22.

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