

Manufactured Home Park Tenants and Owners Information



New York State Division of Housing and Community Renewal
Andrew M. Cuomo, Governor / Darryl C. Towns, Commissioner

What is the Manufactured Homes Complaint Program?

The Manufactured Homes Complaint Program is administered by DHCR. In an effort to broaden its reach and bring tenants and park operators together at no cost to them and to settle issues as quickly as possible, DHCR utilizes the services of mediation centers statewide. Complaints may be resolved by local mediation centers or by DHCR.

Filing a Complaint

Manufactured Home Tenants may initiate a complaint by contacting DHCR. Call the toll free [hotline](#) or, contact the DHCR Hampton Plaza office in Albany:

Albany

38-40 State Street / Hampton Plaza / Albany, NY 12207

Toll Free Hotline 1 (800) 432-4210

Fax (518) 486-3366

Complaint Processing

All complaints are evaluated by DHCR to determine the appropriate course of action. Complaints may be acted upon directly or referred to mediation.

Mediation Offers:

- A neutral setting in which to resolve disputes
- Prompt service
- No cost for services to tenant or park operator
- Convenient locations throughout New York State

DHCR Actions:

- Any complaint not resolved through mediation is directly handled by DHCR.
- If settlement cannot be reached, DHCR may apply to court for appropriate relief.
- The court may impose penalties and/or order direct restitution.

Manufactured Home Park Registration

Owners of manufactured home parks containing three or more manufactured homes must register with DHCR by January 1 of each year the names of all persons owning an interest in the park, the names of all tenants, all services provided by the park owner to the tenants, and a copy of all current park rules and regulations.

What is a Manufactured Home Park?

A manufactured home park is land which is used to accommodate three or more manufactured homes occupied for year-round living.

Who is a Manufactured Home Tenant?

A manufactured home tenant is a person who rents space in a home park from a manufactured home park owner or operator for the purpose of parking his or her manufactured home, or a person who rents a manufactured home in a park from a manufactured home park owner or operator.

DHCR's Website: www.nysdhcr.gov

Who is a Manufactured Home Park Owner?

A manufactured home park owner is a person who holds title to a manufactured home park or title to the land on which a manufactured home is to be sited. The term manufactured home park owner also includes those who operate a manufactured home park for an owner.

What is the Warranty of Habitability?

Tenants are entitled to a livable, sanitary and safe park, including all common areas, roads and lot. Lease provisions inconsistent with this right are illegal and unenforceable. Failure to provide water or other essential utility services, or to repair sewer problems are examples of a violation of this warranty. Park owners may not willfully or intentionally fail to provide any service or facility once they have agreed to do so.

Summary of Manufactured Home Park Tenants' Rights Under Section 233 of the Real Property Law

- The right** to be free from retaliation if you make a complaint or join a tenant association;
- The right** to a rent discount if you participate in the STAR (or any other) real property tax exemption program;
- The right** not to be evicted except upon court proceedings;
- The right** to a copy of park rules and regulations and a written statement of all fees at the commencement of occupancy;
- The right** to have rules and regulations applied uniformly to all tenants;
- The right** to be free from unreasonable arbitrary or capricious rules and regulations;
- The right** to a thirty-day written notice prior to any change of rules or regulations;
- The right** to a ten-day period in order to correct a violation of park rules or regulations;
- The right** to a ninety-day written notice prior to increases of fees, charges or assessments; not to have rent increased more than once in any year *effective January 2, 2009;
- The right** to have your security deposit held in trust in an interest-bearing account and to know the name and address of the bank;
- The right** prior to occupancy to sign a lease for at least a one year term;
- The right** to annual lease renewal(s) to all tenants in good standing;
- The right** to post a For Sale sign on any manufactured home;
- The right** to reasonable notice of any planned disruption of services;
- The right** to purchase a manufactured home from whomever you wish, as either a current or prospective tenant;
- The right** to have essential services (water, electricity, heat) furnished at all times;
- The right** to choose whomever you want as a service-person;
- The right** to refuse to purchase equipment from the park owner;
- The right** to be free from occupancy restrictions in park rules or leases;
- The right** to sell your manufactured home without the requirement that it be removed from the park;
- The right** not to pay a sales commission or fee to the park owner unless the park owner acted pursuant to a written agreement; and
- The right** to a livable, sanitary and safe park under Warranty of Habitability.

If you feel your rights have been violated call the
Manufactured Home Hotline today! Toll
Free Hotline 1(800)432-4210 (rev. 01/10)