



Manufactured Home Communities

Many people have found that living in a manufactured home community suits their way of life. To ensure the wellbeing of these communities in Wisconsin, residents have rights and responsibilities.

Wisconsin Laws

Landlord-tenant relations in Wisconsin are regulated by Wis. Stat. ch. 704 and Wis. Admin. Code ch. ATPC 134, Residential Rental Practices.

Manufactured home community operator-tenant relations are further regulated by Wis. Admin. Code ch. ATPC 125, Manufactured Home Communities and Wis. Stat. § 710.15.

Wis. Admin. Code ch. ATPC 125 prohibits unfair business practices by manufactured home community operators such as charging entrance fees or requiring the purchase of a manufactured home or accessories from the operator as a condition of tenancy. This rule also prohibits specific unfair lease provisions and requires disclosure of rent and all other charges payable by the tenant under the rental agreement. Community operators are prohibited from requiring tenants to make permanent improvements to the community or any of its facilities or assessing any separate charge for permanent improvements.

Buying

Without a convenient site, the value of a manufactured home can be drastically diminished. The closing on a manufactured home should not occur until after the buyer's application for tenancy has been approved by the community operator.

Although a community operator may also sell new and used homes, the prospective tenant is free to shop around. A community operator may neither require a prospective tenant to purchase a home from the operator nor represent that the purchaser of a home from the operator will gain an advantage over others in obtaining a rental site in the park. Entrance and exit fees are prohibited.



Photo: Wikimedia Commons

Leases

Community operators must offer tenants a lease for no less than one year and should provide a written copy of their lease. A community operator may offer a longer lease term, but must offer a minimum of one year. If the community operator offers, and the tenant chooses a lease greater than three years, the lease can outline rent as a formula of the base amount of rent due each month and a future adjustment factor tied to the annual average consumer price index (or CPI).

The lease must also outline the specific amount of rent due each month and inform the tenant that the operator must give the tenant at least 60 days' written notice of the new rent amount if the amount due changes based on the formula in the lease.

A tenant may also make a written request to have a shorter term if they would like. If a tenant chooses a month-to-month tenancy, it can be terminated with greater speed by either the community operator or the tenant.

Protection

Tenants generally have more protection from termination by the community operator if they have a yearly lease. They are also protected against rent increases and other changes during the entire term of that lease. Some tenants seek additional protection by requesting leases for a term of more than one year.

When issuing a notice of lease termination or non-renewal, community operators must provide the tenant with a written notice explaining the reason for the termination or refusal.

Retaliatory rent increases and evictions because a tenant complains about a violation or forms a tenant's union are prohibited.

When facing non-renewal or notice of termination, some tenants act promptly by writing to the operator stating their desire to sell the home and leave it on site in the community. Tenants have a legal right to sell their homes and leave them in place in the community as long as the home's condition meets the community's reasonable standards and the buyer's credit application is approved.

Selling

Tenants wishing to sell their homes on site in a community should carefully review their lease for provisions outlining the community operator's specific procedures. Many leases require the tenant to inform the community operator in writing 45 days prior to the intended closing date. Some operators require that homes pass an inspection prior to considering a prospective buyer's application for tenancy.

Once a home has passed reasonable inspection by the community operator, it is important that the seller accompany the buyer to the operator's office to request an application for tenancy.

No operator may require a tenant to designate him or anyone else as a sales agent. The operator may not solicit or receive payment or anything of value to transfer tenancy to a buyer. Also, the operator may not unreasonably restrict the sale of a tenant's manufactured home.

The age of the home cannot be a consideration for allowing a manufactured home to remain in a park whether or not ownership is changing.

A community operator may screen prospective tenants using lawful standards.

For more help

For possible assistance in locating a manufactured home community site or information about putting a manufactured home on your own lot contact:

Wisconsin Housing Alliance

258 Corporate Drive
Suite 200C
Madison WI 53714
(608) 255-3131
housingalliance.us

They have directories by geographic area listing the names, addresses, and phone numbers of manufactured home communities.

For more information or to file a complaint about manufactured home ownership regulations, the required physical layout for manufactured home community, community maintenance, dealer complaints, or titling, contact:

Department of Safety and Professional Services

Manufactured Home Unit
1400 E Washington Avenue
PO Box 8935
Madison WI 53708-8935
(608) 266-2112 – option 3

For more information or to file a complaint, visit our website or contact:

Wisconsin Department of Agriculture,
Trade and Consumer Protection
Bureau of Consumer Protection
2811 Agriculture Drive, PO Box 8911
Madison, WI 53718-8911

Email: DATCPHotline@wi.gov

Website: datcp.wi.gov

PHONE: (800) 422-7128 TTY: (608) 224-5058

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