

Improvements and Upgrades

Park rules and regulations may change, requiring additional improvements and upgrades to mobile homes already within the park. Non-compliance with the new rules and regulations may be “grandfathered” in so that existing mobile home owners in the park are not evicted if they cannot make the required upgrades. Grandfathering¹ is meant to save homeowners the expense and hardship of complying with rules that were not part of the rental agreement when they first signed. Any rule or regulation put into place without the consent of a home owner after a mobile home owner signs an initial agreement are considered unreasonable and unenforceable against that mobile home owner. However, if a mobile home owner signs any document stating consent to the new rules, the owner must comply with those rules. C.R.S. §38-12-203(1)(c).

Even if mobile home owners are grandfathered in regarding new park rules and regulations, and have not had to comply by upgrading their mobile home during their tenancy, they may be required to upgrade as a condition of allowing their mobile home to remain in the park after sold to a new owner. Through sales and move-outs, parks can eventually bring all homes into compliance with new rules and regulations. When homeowners seek approval to sell their mobile home for retention on site, either the homeowner or the new purchaser will be responsible for upgrading the home to meet the current standards spelled out in the rules and regulations.

NOTE: Some parks will **refuse to approve** the on-site sale of homes that do not comply with the current rules and regulations. See below in this *Handbook*, “On-site Sales of Mobile Homes.”

¹ Any legal exemption for a business or persons from compliance with a new regulation that changes rights or privileges previously agreed to.