

On-site Sales of Mobile Homes

Most mobile homeowners, when they decide to relocate, want to sell their home on-site. **Read the rental agreement** for the restrictions, criteria and procedures of your particular park. In order to avoid surprises, ask what criteria are currently in place in your park, if no policy is stated in the rental agreement. Common considerations for approving an on-site sale include:

- Compliance with current rules and regulations
- Compliance with safety codes (electrical, fire, etc.)
- Age, constructions and/or overall condition of the home

If the park does not approve a mobile home for on-site sale, the homeowner may still show the home for sale in the park, but the home must be **moved out of the park** when it is sold. Parks may not unreasonably restrict the resale of a home in the park. A park will typically have restrictions regarding placement of, size and character of "For Sale" signs, for example, but cannot absolutely prohibit such signs.

Park management cannot require a standard selling fee or transfer fee from a homeowner wishing to sell their mobile home or from a prospective buyer as a condition of continued tenancy in the park. However, reasonable selling or transfer fees for services **actually performed** by the management can be charged to the seller if agreed to in writing.

See C.R.S. §38-12-211.

Moving a home off-site: Homeowners should be aware of the range of costs that may be involved in selling a mobile home, whether the intention is to move it out of a park or the home is not in compliance with park regulations and has denied on-site sale. Some of those costs include: dismantling fixtures and utilities, transporting the home, and reconnecting the utilities at a new site.

Options: A homeowner may want to make a special arrangement with the park management, the buyer, or both. For example, the homeowner may agree that specific upgrades will be made with the proceeds of the sale. The buyer then gets a home acceptable under park rules and regulations and the seller can utilize the value of an on-site sale in setting the purchase price.

A. Other Laws Regarding Sales of Mobile Homes

A mobile home park cannot require a prospective buyer to purchase a mobile home from any particular seller and cannot give preference to a buyer who purchases from a particular seller. Likewise, a seller cannot require a buyer to locate in a particular mobile home park. C.R.S. §38-12-210.

Mobile home parks must treat all persons equally when leasing space in the park, with the exception that a park can be designated as a “senior-only” park. For the definition of a senior-only park, see C.R.S. §24-34-502(7)(b).

A mobile home seller cannot pay or otherwise compensate a park to reserve spaces or to induce the park to accept homes sold by that seller. C.R.S. §38-12-212. Likewise, a park cannot pay to or receive an entry free from a seller as a condition for tenancy in the park. “Entry fee” means a fee received from or paid to a mobile home park in addition to rent, security deposits, governmental fees, utilities, or charges for services actually performed by the park management and agreed to in writing by the homeowner. A civil lawsuit can be brought for violation of this statute; the court can award court costs and attorney fees to the prevailing party in such a suit. C.R.S. §38-12-209.