

Navigation Guide
Resident Protections
in
Chapter 10-12. Mobile Homes
Boulder Revised Code, 1981

Draft: May 5, 2020

Code changes are scheduled for July 2020. Check online for the latest version of this guide.



Overview

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in the Boulder Revised Code**

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Why a **Navigation Guide**?

This guide was created in response to a request by residents in manufactured home communities in Boulder for guidance on who to contact and how to seek action when they believe their rights have been violated.

What Are Boulder's Protections for Residents?

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- [10-12-25. - Limitation on the Prohibition Sales of Mobile Homes.](#)

Limits landlords' ability to prevent the sale of homes in the community 12

- (a) Nobody can stop the sale of a home in a community or require it to be moved out of the community after it is sold, but the purchaser must sign and be bound by the rental agreement with the park owner.
- (b) If the home being sold was built before June 15, 1976, then it will need to be inspected by a licensed inspector, 6 months or less prior to the sale. The seller must provide the buyer with a copy of the [inspection report](#) before the sale is completed.
- (c) The buyer of the home may become a resident in the mobile home park provided the buyer meets the entry requirements of the park and that these requirements apply to all purchasers fairly and equally. If the park owner denies approval it needs to be in writing with the reason for the denial provided. If this notice is not delivered within 10 days then approval is assumed.

Click [BLUE links](#) to access published code language.

What Are Boulder's Protections for Residents?

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- [10-12-26. - Limitation on Required Upgrades to Existing Mobile Homes.](#)

Limits landlords' ability to require upgrades to existing homes. Nobody can require you to make improvements to your home provided you maintain it properly and that the exterior condition complies with the park's rules and regulations and these rules and regulations are consistent with State and/or Federal law.

- [10-12-27. - Trees.](#)

Trees in a mobile home park are the responsibility of the park owners. Park owners cannot require home owners to pay for the cost of maintenance of trees in a mobile home park.

- [10-12-28. - Right to Privacy.](#)

This ordinance prohibits park owners from entering a home without the homeowner's prior written consent. There are exceptions for emergencies or abandonment. The ordinance also limits park owners' ability to enter onto land leased to homeowners.

Click [BLUE links](#) to access published code language.

What Are Boulder's Protections for Residents?

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- [10-12-29. - Retaliation Prohibited.](#)

This ordinance prohibits park owners from retaliating against homeowners or residents who are considering or have complained about the community or the park owner, who attempt to organize an HOA, or who have asserted any of the homeowners' or residents' rights.

Click [BLUE links](#) to access published code language.

Do These Protections Apply in **My Community**?

The city only regulates within Boulder city limits. Manufactured home communities within the city, are subject to these protections. These communities include:

- **Boulder Meadows**
- **Mapleton**
- **Orchard Grove**
- **Ponderosa**
- **Vista Village**

I Believe My Rights Have Been Violated.

What Do I Do?

Step. 1 Talk to the Other Party.

Emergency?
Health or safety threat?
Call 911

Tips

Keep an open mind. Could the behavior be lack of awareness? A bad day? Something else?

Talk to the other party. Communication is critical to prevent a dispute from escalating, to maintain positive relations and to keep your community feeling like a place you want to live.

Refer to your Lease and the Rules and Regulations for your community. These documents may have guidance on the process for sharing concerns.

Put it in writing. If a conversation doesn't solve the problem, it is good practice to put your request or any verbal agreements in writing to document the communication, so everyone is clear about expectations, requests and next steps.

Give the other party a reasonable time to respond before taking any other action unless there is a serious safety concern requiring immediate attention.

I Believe My Rights Have Been Violated.

What Do I Do?

Step 2. Contact the city.

If...

- You are disallowed from selling your pre-1976 home or
- You are required to upgrade your home to a degree you believe is unreasonable

Contact: [German Velasco](#)
(pronounced hair-MAHN)
Human Rights Program Manager
VelascoG@bouldercolorado.gov
(303) 441-4197
Speaks Spanish and English.

German will:

1. Receive your complaint.
2. Determine if the issue is addressed in local code.
3. See next page (p. 10) for next steps.

If ...

- You are required to pay for tree maintenance,
- Someone enters your lot without providing 48-hours notice *and* there is no emergency or
- You believe you are experiencing retaliation

Contact: [Carin Armstrong](#)
Mediation Services Program Manager
mediation@bouldercolorado.gov
(303) 441-4197
Speaks Spanish and English.

Carin will:

1. Receive your complaint.
2. Contact the other party and request that they mediate with you.
3. See page 11 for next steps.

What Happens After I Register a Compliant?

Violation of...

[10-12-25. - Limitation on the Prohibition Sales of Mobile Homes](#)

[10-12-26. - Limitation on Required Upgrades to Existing Mobile Homes](#)

1. Investigation to determine if a violation has occurred.
2. Issue notice of violation.
3. Provide an opportunity for a hearing.

If the city finds a violation...

- (A) A penalty of up to \$2,000 may be imposed OR
(B) An order may be issued to ensure compliance with these code sections.

What if the violation continues?

The city can bring a civil action against the violating party.

What Happens After I Register a Compliant?

Violation of... [10-12-27. – Trees](#) [10-12-28. - Right to Privacy](#) [10-12-29. - Retaliation Prohibited](#)

1. Mediation Notice Served

To Resident: By first class mail.

To Park Owner: To any employee of the park owner by first class mail.

Required Information:

Name and contact information of city staff issuing the notice

Reason, including provision in question

Name and address where mediation will occur

2. **Timing.** Mediation must occur within ten (10) days of notice, unless parties agree to an alternative date.

3. **Cost.** If mediated through city Mediation Services, the cost is \$30 for each party or “side” of the dispute. The fee may be waived for hardship.

What if one side/party refuses to mediate?

It will be assumed that the side/party that offered to mediation prevails (“is correct”) and the complaint can be directed to a hearing.

Frequently Asked Questions

Question: Can I file a complaint on behalf of my neighbor?

Answer: Your neighbor must file the complaint. One way you can help is to provide them with this guide, so they understand their rights and how to pursue them.

Question: I'm selling my home, which was built before 1976. What do I need to do?

Answer: If your home was built prior to 1976, you are required by the city to have your home inspected. The city's Baseline Inspection serves to provide notice to the homebuyer of the condition of the home. It is not a "pass/fail" requirement, just a notice requirement. The form is available on the [Mobile Home Parks: Resources](#) web page.

Question: When will the Manufactured Housing Communities Handbook for Boulder Homeowners be updated?

Answer: Since the Handbook was updated in 2018 the State Dispute Resolution and Enforcement Program was established. Additional state legislation is also under consideration at the time of this writing. Proposed revisions and new local provisions are expected to be before City Council in June 2020. Work on the Handbook would begin no soon than consideration of those provisions.

What if I Have a **Different Issue** with the Park Owner or Park Staff?

- The [Colorado Mobile Home Park Landlord-Tenant Act](#) (“Act”), Colorado Revised Statutes (C.R.S.), starting at Section 38-12-201, establishes the park-owner – mobile-home-owner relationship. It addresses a variety of topics (leases, rules and regulations, eviction, utility service, etc.) Beginning May 1, 2020, a [Mobile Home Park Oversight Program](#) (MHPOP) will offer a more equitable, less costly and more efficient option to resolve disputes between park owners and mobile home owners.
- The city’s [Community Mediation Service Program](#) can help resolve disputes and help provide neutral information related to landlord-tenant matters.

2160 Spruce St., Boulder

(303) 441-4364

mediation@bouldercolorado.gov

Other City Resources

- [Landlord, Tenant and Roommate Resources](#)
 - [Manufactured Housing Communities Handbook](#) (English)
 - [Manual de Comunidades de Casas Manufacturadas](#) (español)
- [Disputes: Mediation Services](#) (landlord-tenant, neighbor-to-neighbor, etc.)
- [Questions: Inquire Boulder](#)
- Police: 9-1-1 for emergencies and 303-441-3333 for non-emergencies