

**CITY OF MADISON
OFFICE OF THE CITY ATTORNEY
Room 401, CCB
266-4511**

Date: July 20, 2022

MEMORANDUM

TO: Landlord Tenant Issues Committee Members

FROM: Steven C. Brist
Assistant City Attorney

RE: City of Madison's Manufactured Home Community Laws under
Sec. 9.23 MGO

1. **Affirmative protection for fundamental freedoms.** The City of Madison Ordinances do not provide that owners of manufactured housing have the right to canvass their neighbors, hold meetings, distribute flyers and invite public officials and candidates to speak.
2. **Protection against retaliation.** Madison Ordinances do not protect against retaliation for canvassing, holding public meetings, inviting public officials to speak or leafleting. However, joining a Resident Association is protected: Sec. 9.23(13)(b)2 MGO.
3. **Notice before closure.** Madison Ordinances do not provide for a notice period before closure of a manufactured home community.
4. **Purchase opportunity.** Madison Ordinances do not provide for policies that require or encourage community owners to give residents the opportunity to purchase the land on which their homes sit.
5. **Protection against arbitrary eviction.** Breach of lease terms is ground for eviction in state landlord tenant law and in Madison Ordinance Sec. 9.23(13)(a) MGO.
6. **Right to sell home in place.** Madison provides this right to the homeowner in Sec. 9.23(6)(g), MGO.
7. **Relocation expenses.** Relocation expenses are not provided for in Madison's Ordinances or in State Law.
8. **Administrative complaint procedure.** An Administrative Complaint Procedure is not provided for in Madison Ordinances Sec. 9.23 MGO.

9. **Require lease of at least one year.** Madison Ordinances require a lease of at least one year, unless the resident requests a shorter term in writing, under Madison Ordinance Sec. 9.23(5)(b) MGO.

10. **Require community owner to maintain the community.** The Community owner must maintain the Park in clean, orderly and sanitary conditions as required by Sec. 9.23, MGO. A mobile home park license requires a Mobile Home Park Plan under Sec. 9.23(4)(b) MGO.

11. **Give residents right to enforce the laws.** Madison Ordinances provide residents the right to enforce Sec. 9.23 in a court of competent jurisdiction, under Sec. 9.23(16) MGO.

NOTE: The City licenses “Mobile Home Parks”, but the City does not license landlords.