

# HOUSING INSECURITY

IN THE

# UNITED STATES

AND THE

# ROLE OF LEGAL AID

ISSUE BRIEF

## Mobile and Manufactured Housing

### About the Legal Services Corporation (LSC)

Congress created the Legal Services Corporation (LSC) in 1974 to promote equal access to justice. Today, LSC operates as an independent 501(c)(3) non-profit corporation and serves as the nation's single largest funder of civil legal aid for low-income individuals. In 2021, more than 93% of LSC's total funding was distributed to 132 independent nonprofit legal aid organizations with more than 890 offices across the country. Attorneys with LSC grantees help low-income Americans access assistance to resolve civil legal matters involving safety, economic subsistence, housing and family stability. To learn more about LSC, please visit [www.lsc.gov](http://www.lsc.gov).

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**“Where’s the basement?”** That’s what Cesiah Guadarrama Trejo remembers her brother saying after their family moved into a one-story manufactured home in 2009. Cesiah was a teenager at the time. The family had lost their previous home in the midst of the U.S. foreclosure crisis that hit in 2007, and her mom was looking for an affordable place to live. She had coworkers who lived in a manufactured housing community about 10 miles northwest of Denver. Before long, Cesiah, her mother and two brothers were living there too.

“My mom thought this was the best way to own a home again, and so I remember moving to this community not ever knowing these types of homes or places even existed,” Guadarrama Trejo remembers.

Guadarrama Trejo’s one-time unfamiliarity with manufactured housing is not unique. Despite representing more than 6% of U.S. housing (and a substantially higher portion in many rural areas), manufactured housing is, willfully or not, often ignored and overlooked as an important pathway to affordable homeownership for millions of Americans. In Colorado alone, nearly 100,000 households live in these homes.<sup>2</sup>

And if the vital role of these homes in the U.S. housing mix is often ignored, so are the unique and considerable challenges facing manufactured homeowners across the country. These homes may be “affordable” in some ways (the average sales price for a new manufactured home is \$122,500,<sup>3</sup> but they are also a key

source of housing instability for low-income Americans and other underserved populations.

Among the major reasons: like Guadarrama Trejo’s family, millions of manufactured homeowners live in communities where they own the physical house structure and rent the land under their homes from private landlords. It’s a situation that exposes owners to an array of real and potential harms, including arbitrary increases in “lot rents” and fees, evictions and various forms of abuse.

This is why Esther Sullivan, an associate professor at University of Colorado Denver and author of *Manufactured Insecurity: Mobile Home Parks and Americans’ Tenuous Right to Place*, calls residents of these homes “halfway homeowners.”<sup>4</sup>

LSC seeks to raise awareness of how the challenges facing so many manufactured homeowners contribute to housing instability and insecurity across the country. This issue brief showcases how legal aid

**SPOTLIGHT****About this Housing Insecurity Series**

While the COVID-19 pandemic increased overall demand for civil legal assistance, the number of people seeking help with housing issues grew at a disproportionate rate. In 2021, legal aid organizations funded by the Legal Services Corporation (LSC) closed over 713,000 cases, including over 250,000 housing cases. It was the first time that LSC grantees handled more housing cases than any other legal problem area. During this period, LSC launched a [congressionally directed study](#) to investigate the unmet legal needs surrounding eviction in the United States, along with a [Housing Task Force](#) to document other challenges that low-income tenants and homeowners experience. The Housing Task Force is sharing what it learned about housing insecurity and the role of civil legal aid in helping low-income individuals and families achieve stability and security in a four-part series. Read and download the complete series, along with other LSC resources on unmet legal needs involving housing and eviction, by visiting [www.lsc.gov](http://www.lsc.gov).<sup>1</sup>

interventions, public policies and other protections can help these homeowners address the unique issues they face.

Today, Guadarrama Trejo is associate state director with 9to5 Colorado, a state-wide advocacy organization that works on manufactured housing issues and educates residents of these communities to know their rights and organize their neighbors. She still lives with her family in their manufactured home and has fond memories of growing up in their community of roughly 400 homes. “It’s a little village,” she calls it.

But she is also clear-eyed about the risks of living there, especially with more and more out-of-state investors scooping up parks like hers. “All they have to do to upend people’s lives is jack up the rent or change the rules so it’s cost-prohibitive to stay here,” she said. “And then where do we have to go?”

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**AT ISSUE:  
MANUFACTURED HOUSING**

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They started out as travel trailers for tourists wanting to get out and see the country. Over time, the trailers were adapted to provide affordable housing for veterans returning from World War II. The U.S. government came to rely on manufactured housing for other uses, such as providing transitional homes for survivors of hurricanes, flooding, wildfires and other natural disasters.<sup>6</sup>

By the 1960s, companies were adding new features and more square footage to the units in an effort to open a new pathway to the American dream of homeownership for individuals and families who might not otherwise be able to afford a home of their own. New federal performance and safety standards in 1976 called them “manufactured homes” and signaled that they were becoming an important feature of the American housing landscape.<sup>7</sup>

Today, they are referred to interchangeably as “manufactured” or “mobile” homes; and mobile home communities are often tagged with the disparaging moniker “trailer parks.” *But in the overwhelming majority of cases, these homes are not truly mobile once they are delivered to a home site.* Indeed, more than 90% of today’s manufactured homes *never move* after their

first installation.<sup>8</sup> The main reason: moving a manufactured home typically costs from \$5,000 to \$10,000 and significantly more in many cases. This represents a large fraction of the value of the homes themselves.<sup>9</sup> Moreover, in many cases, moving the home would seriously degrade or completely destroy its structural integrity.

Despite this lack of mobility, as well as other challenges for owners explored below, the popularity of manufactured housing has surged in recent decades. Today, roughly 1 in 16 Americans (between 5.6% and 6.2% of the population) live in manufactured housing,<sup>10</sup> and the percentage is significantly higher in many states (e.g., 18.3% in South Carolina, 14.5% in North Carolina, and 14.2% in Alabama).<sup>11</sup>

The affordability of these homes makes them a preferred housing option for many already underserved populations, including elderly people on fixed incomes, as well as many immigrants (including undocumented residents), low-income families, people of color, and persons with disabilities.<sup>12</sup> The median income for manufactured homeowners is about \$38,000, compared to nearly \$80,000 for owner-occupants of other forms of single-family housing.<sup>13</sup>

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**CHANGES IN PARK OWNERSHIP  
POSE NEW CHALLENGES**

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Nick Smithberg, as Executive Director of Iowa Legal Aid, has a front-row view of the issues facing manufactured homeowners in his state, where these homes are approximately 4.3% of all single-family homes.<sup>18</sup> It is not as large a portion of the housing stock as in many states, but Smithberg said manufactured housing plays a key role in providing housing for vulnerable populations.

“It is a significant sector of the housing market and clearly a very important source of affordable housing for many communities,” he said.

Smithberg and his colleagues at Iowa Legal Aid keep tabs on manufactured housing issues in the state because they see how these homeowners often struggle and need legal help. Iowa is known, he said, for having “relatively weak legal

protections” for tenants in all forms of housing, and owners of manufactured homes are uniquely vulnerable.<sup>19</sup> “In many, if not most cases, tenants are on month-to-month leases and landlords in these parks can arbitrarily increase lot rents to levels that can force low-income homeowners out, without doing much more than giving 60 days’ notice.”

A recent focus for Iowa Legal Aid is supporting residents of manufactured housing communities in disputes with the growing number of out-of-state investors who are buying up and taking over management of these parks. According to a 2020 analysis by *The Gazette* in Cedar Rapids, 74 out-of-state individuals and entities owned 144 manufactured home parks, or more than 26% of all such parks in the state. Because these out-of-state investors tend to buy larger communities, their parks included 45.6% of all manufactured home lots in Iowa.<sup>20</sup>

An example of an out-of-state investor coming into Iowa is Utah-based investment firm Havenpark Capital Partners. The company purchased a park, Midwest County Estates (Midwest) in the town of Waukee just outside Des Moines in 2019. In a matter of weeks, residents found a notice taped to their doors stating that lot rents were going up by at least 69%, from approximately \$300 to \$500 or more.<sup>21</sup> Matt Chapman, who had lived in the Midwest community for more than a decade, said in an interview that the notice caused “a lot of fear and anger” among its approximately 300 homeowners. He noted that residents include many older people living on Social Security, as well as a smaller population of Latino families.

Chapman took it upon himself to organize his neighbors against the rent increase, launching an email campaign and Facebook page and reaching out to Iowa Legal Aid for advice and assistance. Immediately after Chapman’s outreach, attorneys from Iowa Legal Aid visited the community to provide “know your rights” training and offer legal assistance to homeowners, while working with Chapman to alert the news media to what was happening in the community. After fairly extensive media coverage and

conversations between Iowa Legal Aid and Havenpark executives, the company scaled back the rent increase to \$100. However, rents have gone up again to the level Havenpark originally announced.<sup>22</sup>

Chapman, who now serves on the board of directors of Iowa Legal Aid, said his community’s experience demonstrates the power imbalance between manufactured homeowners and the investors who increasingly are buying up the communities where they live. “Sometimes folks get exhausted, but we just have to keep trying and keep fighting so we can stay in our homes,” he said. Chapman added that Iowa Legal Aid’s ongoing involvement has provided his community with “a crucial partner and advocate” in its dealings with Havenpark Capital Partners.

The purchase of parks by out-of-state investors is an issue in other states as well.<sup>23</sup> A recent report by commercial real estate firm Jones Lang LaSalle found that institutional investment in the manufactured housing sector has surged in recent years, with total transactions valued at as much as \$4.5 billion per quarter.<sup>24</sup>

Colorado is among a number of states that have passed laws aimed at providing manufactured homeowners with the opportunity to purchase their parks in the face of interest from outside investors; these laws require park owners to notify residents up front of their intent to sell a park, while providing a set amount of time for residents to make an offer.<sup>25</sup> However, park owners are under no obligation to sell the park to residents, even if they make a higher offer than others. Some other states have enacted right-of-first-refusal provisions that guarantee residents the right to purchase a park if they make a fair-market-value offer.<sup>26</sup>

Cesiah Guadarrama Trejo, the mobile home community resident who serves as advocacy director for organizing group 9to5 Colorado, highlighted the limited effect of Colorado’s “opportunity to purchase” law. She said that of 48 parks that sold in the 15 months after the law passed, only two were bought by the homeowners.<sup>27</sup>

“The truth is, it’s difficult to compete with the money that a lot of these corporate entities are bringing to the table,” she said.

**SPOTLIGHT**

## What is a Manufactured Home?

A manufactured home is a home built in one place and then transported to a home site. Although often referred to as “mobile homes,” most of these homes are hard (and expensive) to relocate once they are installed, if they can be moved at all.

Between 1995 and 2017, 31% of new manufactured homes were sited in “land-lease” manufactured home communities where residents rent the land under the home; this percentage has been rising in recent years and reached 37% in 2018.<sup>5</sup>

**SPOTLIGHT**

**By the Numbers:  
Manufactured  
Housing in the U.S.**

- Nationwide, 22 million people live in manufactured housing, including owners and renters.<sup>14</sup>
- Manufactured housing is 6.3% of the U.S. housing stock and a higher share in many rural areas.<sup>15</sup>
- Thirty-seven percent of new manufactured homes are placed in manufactured home communities, while the rest are put on private land.<sup>16</sup>
- As of 2019, about 10% of new single-family homes were categorized as manufactured housing.<sup>17</sup>

She added that the timeline for residents to make an offer to purchase a park under the law is 90 days, which “goes by very quickly” when residents are working to organize themselves for collective action and find financing. 9to5 Colorado is currently advocating to extend the deadline for resident offers to 180 days.

Even in a state like Delaware with relatively strong protections for owners of manufactured housing, the buying of parks by out-of-state investors is causing problems.<sup>28</sup> John Whitelaw, advocacy director at Community Legal Aid Society, Inc. in Wilmington, noted a generational shift among park owners as individuals and families who may have owned a park for decades sell to investors because they want to retire and other family members are not willing to manage the property. “We’re seeing a lot of large rent increases once these larger companies come in and want to extract more profit from these communities,” Whitelaw said.

**CHALLENGES FOR  
HOMEOWNERS**

No matter who owns their community, owners of manufactured housing face a range of unique challenges that can threaten their ability to stay in their homes. These include:

**Few Consumer Protections.**

Manufactured homeowners who rent the land where their home sits are ineligible for mortgages. Instead, the homes are titled as personal property, like a car or a truck, and can be financed only with a “chattel” mortgage or a personal loan.

These loans typically carry substantially higher interest rates and come with shorter, more restrictive terms than mortgages for real property.<sup>29</sup> Homeowners relying on these loans also have no protections when it comes to foreclosure. If they default on the loan, the lender can take possession of the home without having to abide by laws designed to protect holders of federally backed mortgages, including the possibility of forbearance or lower monthly payments

for struggling borrowers.<sup>30</sup> During the COVID-19 crisis, these homeowners also lacked the special foreclosure protections included in federal stimulus measures.<sup>31</sup>

**“Consumer protections just aren’t there for these homeowners. In Minnesota, which is considered relatively progressive on these issues, your entire home can be repossessed if you are just 60 days behind on your loan payments.”**

**Dave Anderson**

Executive Director, National Manufactured Home Owners Association

**Rent and Fee Increases.**

In many states, owners of manufactured home communities can increase rents with minimal or no justification and on relatively short notice.<sup>32</sup> In addition, author Esther Sullivan said manufactured homeowners often are subject to “capricious park management” as park owners randomly impose new fees on homeowners for everything from owning a pet to having an extra car.

Dave Anderson, executive director of the National Manufactured Home Owners Association (NMHOA), said park owners increasingly are seeking to charge homeowners separately for utilities (including water, sewer, electricity and trash pickup), even though those services were previously included in their lot rents.

**Heightened Risk of Eviction.**

Unpaid rents and fees, unresolved disputes with park owners over park rules and other issues, and transfers of park ownership to private investors are three issues that contribute to a heightened risk of eviction for manufactured homeowners. Another oft-cited factor is redevelopment of parks for alternative uses, such as the development of retail or more profitable housing. In the event of an eviction, manufactured homeowners often are forced to give up their homes (and forfeit their equity in those



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homes) because the cost of moving them to another location is prohibitive.<sup>33</sup>

States offer varying levels of protection for these homeowners when it comes to eviction—mostly, through “good cause” provisions and by requiring a fixed notice period for evictions in certain cases.<sup>34</sup> Delaware (see sidebar) maintains a Manufactured Home Owner Attorney Fund, which supports the provision of legal representation and advocacy for owners of manufactured homes in disputes with community owners.<sup>35</sup> Still, in Delaware as in other states, the possibility of eviction is a constant threat due to the fact that park owners have more power over manufactured homeowners than landlords in more traditional landlord-tenant relationships.

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**“When something goes wrong for a family like an illness or a lost job and they get behind on the lot rent, they’ll get evicted and they often can’t do anything about it.”**

**Meredith Bruch**

Managing Attorney, Foreclosure Protection Unit, Northwest Justice Project

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**Habitability Issues and Natural Disasters.**

Manufactured housing is an affordable and desirable housing option for millions of Americans. However, owners of these homes often confront habitability issues including availability of reliable power, water, heat, and air conditioning, as well as health and safety risks such as improperly maintained roads and sewage issues.

Another habitability challenge is exclusionary zoning policies that can result in undesirable locations for manufactured housing communities.<sup>36</sup> “Often these communities are zoned out of residential space into commercial and industrial zones,” said Sullivan. They are “walled-in and fenced-off and can be isolated from the communities around them,” she said.

Manufactured homeowners are also vulnerable to natural disasters including extreme heat, hurricanes, tornadoes,

wildfires, and flooding.<sup>37</sup> Applying for federal aid to fix or replace homes after a natural disaster is often an arduous and lengthy process for all homeowners but eligibility for aid can be a serious problem for residents of manufactured home communities. Federal Emergency Management Agency (FEMA) relief is often tied to property values, and when property values are very low, as they are in many of these communities, residents can end up receiving little or no relief.<sup>38</sup>

**Pandemic-Related Challenges.**

The COVID-19 pandemic exacerbated many of the challenges for manufactured homeowners. For example, while the federal moratorium on evictions applied to lot rentals for manufactured homeowners, many other pandemic-related protections did not, including required loan forbearance.<sup>39</sup>

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**“These manufactured housing communities have been hit hard by the job losses due to the pandemic, and that creates a lot of instability and a higher risk of eviction. And that has put many tenants at higher risk of COVID because they have to move into shelters or live with family and friends in cramped conditions that are vectors for infection.”**

**Nick Smithberg**

Executive Director, Iowa Legal Aid

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**STATE PROTECTIONS**

In Washington, DC, and across the country, policymakers have had varying degrees of success advancing laws that protect manufactured homeowners from the challenges identified above. In 2021, Representatives Ro Khanna (CA-17) and Cindy Axne (IA-03) introduced legislation designed to protect manufactured homeowners from sudden, “predatory” rent hikes and to provide federal assistance to homeowners and nonprofit entities seeking to purchase manufactured home parks, among other goals.<sup>40</sup>

SPOTLIGHT

## State Profile: Delaware

Delaware has enacted numerous protections for manufactured homeowners, including automatic renewals for lot rentals<sup>43</sup> and a one-year minimum notice of lease termination in the event of a change in land use.<sup>44</sup> Delaware residents in manufactured home communities also benefit from laws that limit lot rent increases to no more than one increase every 12 months. The rent increases are also generally limited to the rate of inflation.

Delaware also created a trust fund supported by landlord and homeowner fees to help homeowners facing a possible park closure so they can move their home to a new community or receive funds toward the purchase of another home.<sup>45</sup> The legal defense fund can also help residents facing other challenges, such as excessive lot rent increases. And, state law provides homeowner associations with a right of first refusal to purchase a community that the park owner intends to sell.

John Whitelaw, advocacy director at Community Legal Aid Society, Inc., in Wilmington, said his organization keeps “plenty busy” on manufactured housing issues despite, and sometimes because of, these protections. For example, with the rise in ownership of parks in Delaware by out-of-state investors, Whitelaw and his colleagues have been involved in a significant number of “rent justification” cases where landlords raise rents on the land under people’s homes.

While Delaware law limits rent increases to a measure of inflation, park owners often justify higher increases by citing necessary capital improvements to a park. Capital improvements (and the resulting rent increases) are therefore becoming a key “profit source” for community owners, Whitelaw explained. In other cases, landlords argue that the rent hikes are meant to match the going market rate for other types of residential rental properties.

“For a low-income resident who has lived in that park for a long time, those increases can make the difference in whether they can stay in their homes,” Whitelaw said. In one case, Community Legal Aid Society, Inc., supported homeowners to bring a landmark case to the state Supreme Court limiting the ability of park owners to hike lot rents based on market rents. Citing the state’s 2013 rent justification law, the justices ruled that park owners need to justify rent increases that exceed the rate of inflation by citing direct costs of “operating, maintaining or improving the manufactured home community.”<sup>46</sup>

Meanwhile, many states have laws on the books that provide some protections. While some states have relatively strong protections (see sidebars), protections are lacking in others. State-level protections can be grouped into two categories: fundamental legal protections; and protections in the event of eviction or park closure.

### Fundamental Legal Protections.

Most states have laws providing a minimal level of protection for manufactured homeowners who lease the land under their homes, but those protections vary significantly. These laws govern a wide range of issues such as:

- Initial **lease duration** (6 months or 1 year, generally) and **automatic renewal of leases** in selected states.
- **Requiring justification for termination of lot rental agreements**—e.g., for nonpayment of rent or substantial and repeated violation of rental agreement, community rules by the owner.
- **Park maintenance and upkeep requirements** to protect the health and safety of residents, including roads, lighting, water, and electrical.
- **Advance written notice** for rent increases (30-90 days generally) and any changes in zoning or land use that will lead to eviction of owners (time periods vary).
- **Justification of rent increases**, along with provisions for owners to petition the state in the event of unreasonable rent increases.
- Access to **alternative dispute resolution** to resolve disagreements between homeowners and landlords over rent increases, and other issues (e.g., in Florida).<sup>41</sup>
- Access to **state funds for legal representation and advocacy** in disputes with landlords over rent increases, eviction and other issues (e.g., in Delaware).<sup>42</sup>
- The ability of residents to form **community resident associations** to represent them in dealings with landlords.

**SPOTLIGHT**

## State Profile: Washington

Washington is another state with a relatively significant level of protections for manufactured homeowners. Under the state's Manufactured/Mobile Home Landlord-Tenant Act, landlords must offer homeowners a written lot rental lease for a term of one year or more, and landlords are prohibited from raising lot rents during the agreement.<sup>48</sup> Moreover, leases renew automatically for the same term as before, and landlords must provide three months' notice before raising rent.

In the event of eviction, landlords in Washington must provide advance notice and can only evict residents for specific reasons such as nonpayment of rent (three or more times in any 12-month period) or violation of park rules. The state also has a dispute resolution program, and a landlord who plans to close a park permanently must provide 12 months' written notice. The state offers relocation assistance for residents of parks that are closing.<sup>49</sup>

Meredith Bruch, Managing Attorney for the Foreclosure Prevention Unit with LSC grantee the Northwest Justice Project in Washington, said she still sees plenty of loopholes in state law that advantage park owners over tenants. For example, given high demand for affordable housing in Washington, Bruch said park owners often use minimum-income requirements to discriminate against certain populations and prevent them from even moving into their parks. This is a particular problem in Bruch's service region of central Washington with a large population of low-income, primarily Latino agricultural workers.

In one case, Bruch said a client would have lost her opportunity to buy a home in a mobile home park without legal aid intervention, because the park manager refused to count food stamps toward her income. "They are purposefully pricing low-income folks out of these communities," Bruch said.

Another problem for many families in central Washington is that owners will evict residents based on unsubstantiated claims of criminal activity—such as claiming that a resident's child or children are members of a gang. "We saw a lot of that during the eviction moratorium with COVID-19, where residents weren't paying rent so the landlord accused them of criminal activity and gave notice of eviction," Bruch said.

Bruch and her colleagues have been involved in several high-profile park closures. In one case, the Northwest Justice Project sued a county government that announced plans to purchase and close a mobile home park next door to the county fairgrounds. The lawsuit alleged that the county was violating both the federal Fair Housing Act and the Washington Law Against Discrimination by proposing the closure of a 50-year-old community where most of the residents were Latino. In the end, the lawsuit was unsuccessful. While the county is offering families compensation for the assessed value of their homes, the closure has forced residents to find other housing at a time when home prices have surged throughout the region.<sup>50</sup>

### Protections in the Event of Eviction or Park Closure.

In the event of eviction or park closure, states offer widely varying protections for manufactured home homeowners.

These can include:

- **Required compensation to residents** from the community owner in the event of park closure so they can move or purchase a new home.
- **Advance written notice** of any changes in land use or zoning that will lead to eviction of owners.
- **Advance notice of a landlord's intent to sell a park**, along with waiting periods allowing residents to put together an offer.
- **A right of first refusal** for homeowners to purchase a manufactured home community that the owner intends to sell.
- **Access to state funds to move or purchase a new home** in the event of a change in land use.<sup>47</sup>

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## SOLUTIONS

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Across the country, legal aid providers and private attorneys are joining with manufactured homeowners, organizers, policymakers and others to protect owners from eviction and other threats. Below are some of the solutions available to provide protection to manufactured homeowners that surfaced in LSC's interviews and research on this topic.

**Legal Aid.** Esther Sullivan, author of *Manufactured Insecurity: Mobile Home Parks and Americans' Tenuous Right to Place*, said legal aid is the "last line of defense" for owners of manufactured housing in the United States. LSC's interviewees discussed how legal aid providers are helping these homeowners, including:

- Offering "know your rights" training and resources to owners of manufactured housing.
- Advocating for proper enforcement of state and local policies intended to protect low-income residents of manufactured housing.

- Providing eviction defense services and support, as well as post-eviction representation to pursue damages and recover property.
- Offering representation in cases involving rent justification, insufficient notice of rent increases, and eviction and park habitability issues.
- Working with homeowners' associations and community organizers to oppose park closures and other actions that put low-income residents at risk of losing their homes.
- Working with and supporting homeowners' associations and groups of residents seeking to buy their manufactured housing community in the event of a sale that could increase housing insecurity and instability for low-income residents.

"The chances of staying in your home for these homeowners are much higher if they have representation," noted Joseph Chilton, supervising attorney in the Smoky Mountain offices of Legal Aid of North Carolina, Inc.

**State and federal advocacy.** Protections for owners of manufactured homes vary widely from state to state. Even in states with relatively strong protections, homeowners can still face considerable challenges when it comes to being able to stay in their homes, and they need legal assistance to enjoy the protections the laws provide. Among the keys to better, stronger protections are:

- **Longer notice** for land (lot) rent increases, evictions, and park closures.
- **Caps on annual rent increases.**
- **Stronger "good cause" justification** for rent and fee increases.
- **Stronger lease protections**, including one-year minimum leases and automatic renewals subject to the caps on annual rent increases referred to above.
- **"Opportunity to purchase" and right-of-first-refusal provisions** that can support homeowners to buy their communities, along with provisions allowing homeowners sufficient time to obtain the necessary financing.<sup>51</sup>

- **State or federal financial support for homeowners to move or purchase new homes** in the event of park closures, as well as **state funding for legal representation** for homeowners.

- **Banking law changes** to allow people to obtain federally backed mortgages for manufactured housing with protections similar to those available for owners of more traditional homes and to allow communities to come together more readily and borrow the funds to purchase a park, while limiting subsidies for non-residents to purchase these parks.

Some of these provisions are at the core of proposed federal legislation, noted above, that is designed to protect manufactured homeowners.<sup>52</sup>

**Organizing.** LSC's interviews for this issue brief indicate that when homeowners are organized and able to educate their communities and others about the issues, they are more successful in seeking and gaining critical protections.<sup>53</sup> Homeowners' associations in mobile home parks have become an important force in building the power and voice of homeowners in disputes with landlords, to the extent that state policies support their right to organize and speak out. In addition, many statewide associations of manufactured homeowners have worked for decades to advance homeowners' interests and secure added protections in state law.<sup>54</sup>

Recognizing a need for more organizing in these communities, 9to5 Colorado created the Mobile Home Institute to train homeowners to empower them to take action against evictions, rent increases, and other challenges.<sup>55</sup> As part of the training, participants learn how to form a homeowner's group. "We want people to understand their rights and how to organize so if something happens, the community is ready to act," said Cesiah Guadarrama Trejo, associate state director of 9to5 Colorado.

**Public education and media coverage.**

There are many instances when media coverage of the challenges facing manufactured homeowners has resulted in landlords scaling back plans for large rent



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**"There can be fees tacked on top of fees, and for people whose housing costs are already 50% of their income, those added costs can really cause problems."**

**Esther Sullivan**

Associate Professor of Sociology,  
University of Colorado at Denver





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**“One issue we’re seeing is when a mobile home is damaged by flooding or a hurricane, the park owner says the structure needs to be fixed or else you have to move it out. And either it’s too damaged to move, too expensive to repair or, it costs too much to move, so the homeowner is at risk of losing the home.”**

**Ashley Skaff**

Senior Staff Attorney,  
Legal Aid of North Carolina

increases, park closures, and evictions. Media attention and public education also can pave the way for expanded protections for homeowners when policymakers hear from constituents about the problems facing homeowners.<sup>56</sup>

Legal aid providers, organizers, homeowners, and advocates can coordinate outreach to the media around specific cases where homeowners are facing notable challenges, from habitability issues to the threat of eviction. Building public awareness of these issues and creating empathy for homeowners can help sow the seeds for needed protections.

“We want good and responsible owners to be able to hold onto these parks,” said John Whitelaw, advocacy director at Community Legal Aid Society, Inc., in Wilmington, Delaware. “It’s when landlords aren’t following the law or when they’re engaged in egregious behavior that we need to shine a light on what they’re doing and work to protect these homeowners.”

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## CONCLUSION

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In the midst of a nationwide affordable housing crisis, manufactured housing can be a lifeline for millions of individuals and families.<sup>57</sup> It is also an important stepping-stone to affordable home ownership. But owning and living in a mobile home is not an automatic ticket to stability and a better life. Far from it. In communities across the country, many manufactured homeowners are living on the edge, often just one rent increase or eviction notice away from losing their homes and living on the street.

Protecting these homeowners and supporting them to stay in their homes is critical to the broader effort to increase housing stability in the United States, especially as the country emerges from the COVID-19 pandemic.

Legal Service Corporation’s research on this topic, combined with its interviews with on-the-ground civil legal aid providers and other experts, highlighted a number of strategies that are working to keep people in their homes. These strategies include:

- **The provision of a broad range of legal aid services**, from “know your rights” training and education for residents to eviction defense and other forms of legal representation and advocacy.
- **Assisting manufactured home residents with organizing** so they can speak with a unified voice, build their power in negotiations with landlords, and (if possible) pool resources for the purchase of manufactured home communities.
- **Coordinated advocacy for better policy protections** for manufactured home owners against rent and fee increases, advance notice of park closure and evictions, opportunities (and financial support) to purchase parks, and legal assistance to enforce these protections.
- **Media outreach and public education** on the unique issues and challenges facing manufactured home owners and why they merit added protections.
- **Stronger and expanded partnerships** between civil legal aid providers, organizers, residents, and other stakeholders who can make a coordinated case for protections.

LSC supports legal aid providers across the country in their important work on housing insecurity issues and through this issue brief, seeks to bring increased awareness and added protections to manufactured homeowners across the nation.

## Acknowledgments

This issue brief and the others in the series was made possible because of the work of the members of the Housing Task Force. A list of Task Force members appears at [www.lsc.gov](http://www.lsc.gov). LSC is grateful for the group’s energy, knowledge and commitment to understanding and addressing the needs of low-income people. LSC also would like to thank the legal aid providers and other advocates interviewed for and quoted in this issue brief, along with New York attorneys Michael Byowitz, Rabbi David A. Schwartz, and Joseph S. Tobin for their research and other contributions.

## LSC Housing Task Force Co-Chairs

Michael H. Byowitz, Esq., New York, NY

Frank X. Neuner, Jr., Founder and Managing Partner, NeunerPate; LSC Board of Directors

Julie A. Reiskin, Executive Director, Colorado Cross-Disability Coalition; LSC Board of Directors

**Writer**

William H. Woodwell, Jr.

**LSC Project Team**

Ciara Beaulieu  
 Kaitlin Brown  
 Fatoumata Diabate  
 Helen Gerostathos Guyton  
 Marissa Jeffery  
 Lynn Jennings  
 Elijah Johnson, Jr.  
 Jessica Wechter

**Suggested Citation**

Legal Services Corporation. 2023. *Housing Insecurity in the United States and the Role of Legal Aid: A series from the Legal Services Corporation Housing Task Force—Issue Brief: Mobile and Manufactured Housing*. Prepared by William H. Woodwell, Jr. Unless specifically noted, all information contained herein is in the public domain and may be used and reprinted without special permission. Citation of this source is required.

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