

Introduced by

Senators Clemens, Myrdal, Vedaa

Representative Olson

1 A BILL for an Act to amend and reenact section 23-10-11 and subsection 4 of section 47-32-01
2 of the North Dakota Century Code, relating to ejection from a mobile home park and
3 maintainable evictions.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 23-10-11 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **23-10-11. Ejection from premises.**

- 8 1. The owner or manager of a mobile home park, trailer park, or campground may eject
9 any person an individual from the premises for nonpayment:
- 10 a. Fifteen days after receiving notice from the owner or manager of the nonpayment
11 of rent, charges, or fees for accommodations, for a violation of;
- 12 b. For violating a material term of a written lease agreement after the owner or
13 manager has notified the individual of the violation and given the individual three
14 days to correct the violation;
- 15 c. For violating a law, for disorderly related to a mobile home, mobile home park,
16 trailer park, or campground;
- 17 d. For disorderly conduct, for a violation of any or for unreasonably disturbing the
18 peaceful enjoyment of the mobile home park, trailer park, or campground after
19 the owner or manager has notified the individual of the conduct and given the
20 individual three days to correct the conduct;
- 21 e. For posing a threat, risk, or danger to other residents of the mobile home park,
22 trailer park, or campground;
- 23 f. For violating a regulation of the department; or for a violation of any

- 1 g. For violating a reasonable rule of the mobile home park, trailer park, or
2 campground which is publicly posted within the park or campground.
- 3 2. If all or part of a mobile home park, trailer park, or campground is closing, the owner or
4 manager of the mobile home park, trailer park, or campground shall provide notice of
5 the closure no later than nine months before the closure. In case of partial closure, an
6 individual residing on the premises must have the option to relocate to another
7 available lot within the mobile home park, trailer park, or campground.
- 8 3. If all or part of a mobile home park, trailer park, or campground is being improved for
9 the benefit of the health or safety of the residents, the owner or manager of the mobile
10 home park, trailer park, or campground shall provide notice of the improvement no
11 later than three months before the improvement commences. An individual residing on
12 the premises must have the option to relocate to another available lot within the mobile
13 home park, trailer park, or campground, if feasible.
- 14 4. The owner or manager of a mobile home park, trailer park, or campground shall
15 include an agreement to arbitrate any reason for an ejection not listed under
16 subsection 1.
- 17 5. The owner or manager of the mobile home park, trailer park, or campground shall
18 provide notice to an individual residing in a mobile home park, trailer park, or
19 campground no less than six months after given notice of being ejected under
20 subsection 1 to remove all personal property from the premises.
- 21 a. As used in this subsection, personal property includes storage sheds, fencing,
22 decks, and garage.
- 23 b. Rent must be paid in accordance with the lease agreement by the individual
24 being ejected until all property has been removed from the premises.

25 **SECTION 2. AMENDMENT.** Subsection 4 of section 47-32-01 of the North Dakota Century
26 Code is amended and reenacted as follows:

- 27 4. A lessee, in person or by subtenant, holds over after the termination of the lease or
28 expiration of the lessee's term, or fails to pay rent for three days after the rent is due.
29 An owner or a manager of a mobile home park, trailer park, or campground shall
30 provide written notice before a notice for eviction in accordance with subsection 1 of
31 section 23-10-11 and list the specific reason for the eviction in the notice. If the

- 1 individual receiving the notice fails to pay rent after receiving the written notice, the
- 2 owner or manager may bring an action to evict the lessee.