Notice of Mobile Home Park Lot Rent Increase

Dear Leaseholder(s): Today's Date _____

This form tells you about an increase in your mobile home park lot rent and your right to dispute certain increases and consists of two pages: "Notice of Mobile Home Park Lot Rent Increase" and "Lot Rent Increase Worksheet". Please read the entire form. If you have questions about the increase, please contact the park owner or park manager.

1. Name of Mobile Home Park _____ Town _____

2. Name of Park Owner _____ Telephone _____

Address of Owner _____

Town _____ State ____ Zip Code _____

3. Effective _____, 2027 your Lot Rent will increase by $_____, (worksheet line 6) **and your New Payment will be $_____** (worksheet line 9)**. This is an increase of _____ percent.**

INCREASES MORE THAN 4.10 PERCENT IN 2027 ARE ELIGIBLE FOR MEDIATION

LEGAL REQUIREMENTS FOR LOT RENT INCREASES

The Commissioner of the Department of Housing and Community Development and all affected leaseholders must be notified of any lot rent increase at least 60 days before the effective date.

The notice of proposed lot rent increase MUST BE ON THIS FORM, and include:

- The amount of the proposed lot rent increase, and the percent of increase from the current base lot rent
- The effective date of the increase, and
- A copy of your legal rights (your rights are included on this form)
- If the increase includes a new capital improvement surcharge the Worksheet must include:
  1. The monthly amount of the surcharge.
  2. The estimated cost of the capital improvements, and
  3. The proposed duration of the surcharge prorated in 12-month increments

LOT RENT INCREASE DISPUTES (MEDIATION RIGHTS)

- If the Percent of Increase on this form is more than 4.10%, the increase is eligible for mediation. To dispute the increase, you must file a petition with the Commissioner and the mobile home park owner within 15 business-days. If you need help, call the CVOEO Mobile Home Program at (802) 660-3455 ext. 204.
- Your petition must be signed by a majority of the leaseholders affected by the increase, include a statement that you dispute the increase, and indicate who will act as your representative. The Department recommends that you select more than one representative in case you need an alternate.
- Your representative and the park owner will contact mediators on a roster provided by the Department. If they can't agree on a mediator within 5 business-days, then the Commissioner will appoint a mediator for you. The Department pays the mediator from the Mobile Home Park Fund.
- Once a mediator is selected, he or she will schedule a mediation session with your representative(s) and the park owner. The park owner must provide the documents or information that he or she feel support the requested lot rent increase at least five days before the mediation session. You and the park owner, or your representative(s), must participate in the mediation and attempt to resolve the dispute.
- The mediation must be completed no later than 10 days before the effective date of the proposed lot rent increase. The mediator will write a report of the outcome signed by him/herself and the parties to the mediation, and submit the report to the park owner, your representative, and the Commissioner.

LOT RENT INCREASE WORKSHEET

(See Instructions)

EFFECTIVE DATE OF INCREASE: _____

Name of Mobile Home Park: _____

Number of Lots Affected: _____ Rent Tier (if applicable) _____

1. Current Base Lot Rent:	$_____._____	Do Not Include Lot Fee
2. BASE LOT RENT INCREASE:	**$_____._____**	
3. New Base Lot Rent:	**$_____._____**	LINE 1 + LINE 2
CAPITAL IMPROVEMENT SURCHARGES		
4. Previous surcharge, if any:	$_____._____	Expires (month/year): _____
4a. Previous surcharge, if any:	$_____._____	Expires (month/year): _____
5. NEW SURCHARGE:	**$_____._____**	Expires (month/year): _____
Description of work: _____		Duration in 12-month increments: ____
_____		Total estimated cost: $_____
Expired surcharge (informational only)		*Original effective date:* _____
Description: _____		*$_____.___ per month*
6. AMOUNT OF INCREASE:	**$_____._____**	LINE 2 + LINE 5
7. New Lot Rent:	$_____._____	LINE 3 + LINES 4, 4A, AND 5
8. *State of Vermont lot fee:*	$_____._____	*ENTER $1.00 IF FEE IS ADDED TO RENT*
9. NEW PAYMENT:	**$_____._____**	LINE 7 + LINE 8
10. PERCENT OF INCREASE: (see instructions)	**_____.___%**	LINE 6 ÷ LINE 1 X 100 (CARRY OUT 2 DECIMALS)

If No Surcharge Go To #6

INCREASES MORE THAN 4.10 PERCENT IN 2027 ARE ELIGIBLE FOR MEDIATION. MEDIATION IS EXPLAINED IN DETAIL ON THE FIRST PAGE OF THIS FORM.

RIGHT TO CIVIL ACTION

- If the disputed increase is not resolved through mediation, a majority of the affected leaseholders may file a lawsuit in Superior Court for abatement of some or all of the increase based on a claim that the increase is clearly excessive. Any lawsuit must be filed no more than 30 days after the effective date of the increase. While the case is in court you will pay the rent including the increase to the park owner who will put the increase in a court escrow fund until the court rules on the increase.[1]

1 Except: "No abatement action may be filed if the rent increase is effective following a completed sale of the mobile home park which was contingent upon the increase, provided at least 6 months' notice has been given." (Housing Division Rules, Part I, 6.4)

LOT RENT INCREASE WORKSHEET INSTRUCTIONS

Number of Lots Affected – Write the number of lots being increased on this notice.

Rent Tier – Describe the type of lot paying the rent amount on this form. For example; double wide, lots with cement pads, new lots, etc. If all lots are the same, leave BLANK or write "Standard Lot Rent".

1. Current base lot rent – Enter the current base lot rent. The base lot rent is the amount due if rent is paid on the due date (typically the 1st day of the month). The base lot rent does not include any amount of the rent attributable to a surcharge for capital improvements, late fees or "discounts", or the State lot fee. *Example $350.00.*

2. Base lot rent increase – Enter the amount of the base lot rent increase, not including any new surcharge for capital improvements. *Example $15.00.*

3. New base lot rent – Add the base lot rent increase to the base lot rent and enter the total here (line 1 + line 2). *Example $350 + $15 = $365*.

4. Previous surcharge(s) – When applicable, enter the monthly amount, per lot, of any surcharge(s) for capital improvements that have not expired. Also enter the expiration date (last month the surcharge is included in the lot rent). *For example: $10 surcharge for water system improvement, effective June 2022 duration 60 months, expires May 2027.*

5. NEW CAPITAL IMPROVEMENT SURCHARGE – Any portion of a lot rent increase due to recovery of the estimated Cost of Capital Improvements must be separated out as a surcharge. A capital improvement includes replacement or repair of any major infrastructure system that costs more than $2,500 This notice must include the total estimated cost of the capital improvements, the duration of the surcharge in 12-month increments (12,24,36...), and the amount of the lot rent increase that is attributable to the surcharge. *For example: $15,000 to upgrade water supply, spread over a five-year period at a twenty-five-lot park = $10/month: ($15,000 ÷ 60 months = $250 ÷ 25 lots = $10).* Enter the expiration date which is the last month that the surcharge is included in the lot rent.

NOTE: For any capital improvements surcharge the owner must file an affidavit with the Commissioner of DHCD. A form affidavit is available for use to comply with this requirement. Please see our website or call.

6. Amount of increase – Add the base lot rent increase plus any new surcharge for capital improvements and enter the total here (line 2 + line 5). *Example $15 + $10 = $25.*

7. New lot rent – Add the new base lot rent, unexpired surcharges, and new surcharge and enter the amount here (line 3 + line 4 + line 5). *Example: $365 + $20 = $385.*
Or add previous surcharges and amount of increase to base lot rent (line 1 + line 4, 4a + line 6).

8. State of Vermont lot fee – If the State lot fee ($12.00 per occupied leased lot annually) is recouped on a monthly basis in addition to the rent, enter $1.00, otherwise leave blank or write N/A. Do not include in amount on Line 1.

9. New payment – If applicable, add the State of Vermont lot fee to the new rent plus surcharges and enter the total (line 7 + line 8). Otherwise, simply enter the amount from line 7. Example: $385.

10. Percent of increase – Divide the amount of increase by the current base rent (line 6 ÷ line 1), and then multiply by 100. Carry out two decimal places (round up if necessary). *Example: $25 ÷ $350 x 100 = 7.14%*.

Expired surcharge(s) – Any surcharge for capital improvements must end once the park owner has recovered the actual cost of the improvements. For example; a $10 surcharge (see #4 above) for water system improvements that expires May 2027, must be removed from the rent in June 2027. This line is informational only to inform the leaseholders that a surcharge has expired and is no longer being collected with the rent.

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