



Navigation Guide

Landlord-Tenant Regulations in Chapter 10-12, “Mobile Homes”

Boulder Revised Code, 1981 | Updated November 3, 2021



Why a navigation guide?

This guide was written to help manufactured home owners, community managers and others understand:

1. Landlord-tenant regulation in Boulder
2. What to do if they believe city regulations have been violated
3. Who to contact



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

Key words

Before we begin, here are some words we use:

Word	What We Mean
Landlord	“Landlord” means the community owner and their staff (example: property manager.)
Manufactured home	“Manufactured home” means mobile or manufactured home.
Manufactured home community (MHC)	“Manufactured home community” means mobile home park.
Community Association	“Community association” means homeowners’ or residents’ association.
Tenant	Tenants can be homeowners or renters leasing in MHCs.

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A. Selling a home: Highlights

The community owner (landlords):

- Cannot prohibit the sale of mobile homes built before June 15, 1976.
- Cannot “interfere with, discourage or delay” the sale or purchase of a manufactured home.
- Cannot require inspections inside of homes.
- Cannot require upgrades prohibited by state or federal law.

Home sellers must provide the buyer with a safety inspection when selling homes built before June 15, 1976.

Buyers: Typically, the seller completes repairs required by landlord. If buyers and sellers agree, the buyer may complete those repairs.

For process and timing requirements, see ***A Guide to Selling and Buying a Manufactured Home in Boulder, CO***. Weblink on next page.

A. Selling a home: Resources

Safety Inspection for homes built before June 15, 1976

- To sell a home built before June 15, 1976, the seller must have a licensed inspector complete a Baseline Inspection Assessment.
- The seller must provide the safety inspection to the buyer.
- A list of companies that perform these inspections can be found here: <https://bouldercolorado.gov/services/manufactured-home-community-resources>

A Guide for Selling and Buying a Manufactured Home in Boulder, Colorado

This guide walks home sellers, homebuyers, community managers, Realtors, etc. through the necessary steps and timing of a home sale.

Related Code Sections

10-12-25. - Limitation on the Prohibition Sales of Mobile Homes.

10-12-26. - Limitation on Required Upgrades to Existing Mobile Homes.

B. Repairs and upgrades

A landlord can only require a repair or upgrade outside of the home (home exterior, yard, shed, carport, etc.) when these maintenance and repair requirements are included in the community's rules and regulations (provided they do not conflict with any other laws) and the homeowner agreed to comply with them.



Related code section: 10-12-26. - Limitation on Required Upgrades to Existing Mobile Homes.

B. Repairs and upgrades

Lease terms or rules and regulations related to repairs and upgrades must be:



- In writing,
- Easy to understand and specific,
- Properly shared and posted, and
- Equally and fairly enforced.

If a homeowner requests more information, the landlord has three business days to provide a clear and complete response to the homeowner so they can complete the repair.

Related code section: 10-12-26. - Limitation on Required Upgrades to Existing Mobile Homes.



C. Trees



- Trees are the responsibility of landlords.
- Landlords cannot require a tenant to pay for tree maintenance.

Related code section: 10-12-27. - Trees.

D. Right to privacy

Landlords must respect the privacy of tenants. A landlord may not enter a home unless...



- They have written permission from the tenant,
- There is an emergency that requires entry into the home or
- The home has been abandoned.

If a tenant gives permission to the landlord to enter the home, they can revoke it in writing.

Related code section: 10-12-28. - Right to Privacy.

D. Right to privacy

Landlords can enter the lot to...

- Maintain utilities,
- Ensure compliance with
 - a. local, state or federal laws
 - b. the lease or
 - c. rules and regulations.
- Respond to an emergency.



Landlords may not interfere with the tenant's peace and quiet.

Landlords must make a reasonable effort to notify the tenant at least 48 hours before entering the lot.

Related code section: 10-12-28. - Right to Privacy.

E. Retaliation: Tenant's rights

Tenants have the right to do the following without being retaliated against:



- Share concerns with a government agency about their community,
- Make a good-faith complaint to the landlord,
- File a lawsuit or administrative action against the landlord,
- Organize a community association,
- Not pay the amount of rent that is equal to a repair paid by the tenant, but believed to be landlord's responsibility or
- Any other act to assert one's rights under local, state or federal law.

Related code section: 10-12-29. - Retaliation Prohibited.

E. Retaliation

It is considered retaliation if landlords do any of the following in response to tenant's rights (see previous page):



- Increase rent or decrease services.
- Attempt to change the rental agreement (this is illegal), impose a fee, change or unevenly enforce community rules.
- Threaten eviction or any other legal action.

An attempt to evict a resident within six months of the tenant exercising their rights (see previous page) could be considered retaliation.

Related code section: 10-12-29. - Retaliation Prohibited.

F. Community associations

- Tenants have the right to
 - a. meet and
 - b. form a community association.
- Tenants or associations of tenants have a right to meet to
 1. Discuss topics related to living in their community,
 2. For social purposes, and
 3. For educational purposes, including hosting forums for public officials and candidates running for public office.



Tenants may use common areas to host events at reasonable hours.

Related code section: 10-12-29. - Retaliation Prohibited.

F. Community associations

Landlords cannot...

- Harass or threaten a community association.
- Be deceptive or unfair.
- Prohibit the publication or distribution of information about association meetings.
- Discourage tenants from participating in a community association.



Related code section: 10-12-29. - Retaliation Prohibited.

G. Mediation

1. City of Boulder staff can refer any landlord-tenant matter addressed by city code to mediation, except matters related to sale and purchase of a home and home repairs.
2. Requests to mediate are delivered to:
 - i. Homeowner: By first class mail.
 - ii. Community Owner:
 - a. Park staff and
 - b. By or on behalf of initiating party during regular office hours.
3. The request should be specific about:
 - i. Reason for mediation,
 - ii. City code section and topic of dispute and
 - iii. Name and address of mediation service.



Related code section: 10-12-30. - Mediation of Disputes.

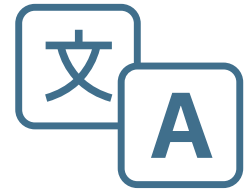
G. Mediation

- If both parties wish to mediate, enforcement staff can stop enforcement proceedings for up to 15 days or until the mediation date.
- Failure to participate in a mediation after a request has been served can be considered as a factor in municipal court when determining the penalty.



Related code section: 10-12-30. - Mediation of Disputes.

H. Language notice



When providing the lease, rules and regulations and any other notice required by the lease, landlords must include:

To: Manufactured Home Owner or Renter

From: Manuela Sifuentes, Language Access Program Manager
(303) 441-4035, sifuentesm@bouldercolorado.gov

Date: December 4, 2021

Topic: Language Supports Available

You have been served with an important legal notice by your Mobile Home Park landlord. If you need assistance reading and understanding the attached notice, the City of Boulder will provide you with assistance. Please contact the City of Boulder Language Access Program immediately for assistance.

Related code section: 10-12-31. - Services to Tenants with a First Language Other than English (Limited Proficiency in the English Language).

I. New tenant information

Landlords must provide new tenants with the following in writing:



- A list of all rent increases for the lot over the last five (5) years.
- Fee amounts for late payments and bounced checks.
- Pet restrictions.
- All amenities and any deposits or fees required to use them.

Related code section: 10-12-32. - Required Information to New Tenants: A Landlord shall Provide New Tenants with the Following Information in Writing.

J. Notice of changes to lot

A landlord must provide 60-days advanced notice, when possible, in writing, if they plan to make a significant change to the location or size of the lot.



Related code section: 10-12-32. - Required Information to New Tenants: A Landlord shall Provide New Tenants with the Following Information in Writing.

K. Receipt for payment

- Payments with cash or money order:
 1. In person: The landlord must provide a dated receipt at the time of payment.
 2. Not in person: If the tenant requests a receipt, landlord must provide it within seven days. The receipt must include: (a) date, (b) amount paid and (c) party paid.
- Requested Receipts: When a tenant requests a paper receipt, the landlord must provide it. Otherwise, an electronic receipt is acceptable. Receipts may be included as part of a billing statement.
- Notice of nonpayment of rent (paid in person): The landlord must provide a dated receipt at the time of payment.



Related code section: 10-12-34. - Landlord to Issue Receipt of Payment of Rent to Tenant when Requested.

I believe my rights have been violated. What do I do?

Some 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. 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.



**Emergency?
Health or safety?
Call 911**

I believe my rights have been violated. What do I do?

Contact the city.



Ingrid Castro-Campos

Human Rights Program Manager

castro-camposi@bouldercolorado.gov

(303) 441-4197

Speaks Spanish and English

The Human Rights Program Manager will:

- Receive your complaint
- Determine if the issue is addressed in local code
- See next page for what happens after a complaint is registered

The Colorado Department of Local Affairs has a list of resources, including legal advice.

What happens after I register a complaint?

Option A. City staff may refer a matter to mediation. For more information on mediation, see pages 17-18.

Note: By city code, some matters cannot be mediated.

Mediation = Yes ✓	Mediation = No ⊘
Trees (§10-12-27)	Selling a Home (§10-12-25)
Right to Privacy (§10-12-28)	Repairs and Upgrades (§10-12-26)
Retaliation (§10-12-29)	
Community Associations (§10-12-29)	
Language Notice (§10-12-31)	
New Tenant Information (§10-12-32)	
Notice of Changes to Lot (§10-12-33)	
Receipt for Payment (§10-12-34)	

What happens after I register a complaint?

Option B. City staff may investigate the matter.

1. If through an investigation, city staff believe a violation of city code may have occurred, a notice of violation will be issued. This notice will include:

- The provision of the chapter alleged to be violated;
- A reasonable time period to correct the violation; and
- The right to appeal the violation notice within 30 days of the date the notice was issued.

2. City staff will reinspect after the correction period has expired.

What are the penalties for violations of “Selling a Home” (§10-12-25) or “Repairs and Upgrades” (§10-12-26)?

- If, after hearing all evidence, the city manager finds a violation, a civil penalty up to \$2,000 may be charged per violation and/or an order may be issued to ensure compliance.
- The city can bring a civil action to enforce these provisions.
- Criminal penalties, including jail time.

Note:

Any person injured by a violation of these two provisions can pursue damages or other relief in District Court.

Can I file a complaint on behalf of my neighbor?

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



Do you have questions about your lease, the park rules, or other things about your community?

Talk to your park manager.

Community	Phone Number
Boulder Meadows	(303) 442-6337
Ponderosa	(303) 443-6259
Orchard Grove	(303) 442-2648
Vista Village	(303) 443-3002



What if my conflict is not covered by city code?

You can use the following resources:

- The **Colorado Mobile Home Park Landlord-Tenant Act** (“Act”), Colorado Revised Statutes (C.R.S.), starting at Section 38-12-201, establishes the relationship between community owners and homeowners. It addresses leases, rules and regulations, eviction, utility service, infrastructure and more.
- The **Mobile Home Park Oversight Program** (MHPOP) resolves disputes between community owners and homeowners.
(833) 924-1147 (toll free) **MHPOP@state.co.us** (preferred)*
- **9to5 Colorado** can connect tenants with additional resources and answer questions related to the Mobile Home Park Oversight Program (303) 628-0925
9to5Colorado@9to5.org*
- The city’s **Community Mediation and Resolution Center** can help resolve disputes and help provide neutral information related to landlord-tenant matters.*
(303) 441-4364 **mediation@bouldercolorado.gov**

**These resources are available for Spanish speakers.*

Other city resources

- Landlord, Tenant and Roommate Resources: (303) 441-4364 or **mediation@bouldercolorado.gov**
- Eviction Prevention and Rental Assistance Services Program: (303) 441-3414 or **evictionprevention@bouldercolorado.gov**
- Manufactured Home Community Resources: (303) 441-1895 or **ritenourb@bouldercolorado.gov**
- Police: 9-1-1 for emergencies and 303-441-3333 for non-emergencies
- Language Access Program: (303) 441-4035 or **sifuentesm@bouldercolorado.gov**
- Questions/Inquire Boulder: **<https://user.govoutreach.com/boulder/faq.php>**
- Human Rights and Discrimination Claims: (303) 441-4197 or **humanrights@bouldercolorado.gov**
- Older Adult Services: (303) 441-3148

