



Manufactured Housing Strategy Action Plan: Final Report

Q3 2019 – Q4 2021

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Manufactured Housing Strategy Action Plan: Final Report

Introduction

The Manufactured Housing Strategy Action Plan is a city-focused work plan in effect from Strategy adoption (September 1, 2019) through the end of 2021. Completion of each action item depended on funding, staffing and annual council prioritization. In 2020, the Action Plan was revised due to COVID-19 impacts, particularly reduced staffing. Despite these impacts, nearly all action items were completed, continued or set in motion. This final report summarizes outcomes of the Strategy categorized by the Manufactured Housing Strategy's Guiding Principles for Decision Making: Accountability, Affordability, Community and Viability.

Guiding Principles for Decision Making:

- Accountability
- Affordability
- Community
- Viability



Completed/Ongoing Action Items by Guiding Principle

Guiding Principle: Accountability

Agreements, ordinances and requirements will have clearly defined and practical enforcement mechanisms accessible to the affected parties, especially to residents of manufactured home communities.

- ☑ [Mobile Home Park Oversight Program. House Bill 19-1309](#), “Mobile Home Park Act Oversight”, enacted in 2019 and supported by the city, established a Mobile Home Park Oversight Program. Prior to this law, courts provided the primary means to settle landlord-tenant disputes. Overall, park owners have greater access to attorneys and can better bear such a cost compared to homeowners. The new program began operating in May 2020. It supports the resolution of disputes between homeowners and park owners through investigations, determinations and, when violations continue, enforcement. Operating costs are supported by a low annual licensing fee; in 2021, the cost was less than \$30 per leased space, up to half of which could be passed along to homeowners. Concerns have arisen related to the pace of case resolution, but staffing increases are planned to address these concerns.

- ☑ [Guide to Navigating Landlord-tenant Regulations in Manufactured Home Communities in Boulder](#). This guide was prepared to help landlords (park owners and staff) and tenants (homeowners and home renters) in manufactured home communities understand and comply with city regulations. This easy-to-read document is available in [English](#) and [Spanish](#) and provides contact information for registering a complaint. A second navigation guide walks home sellers, homebuyers, park staff, realtors, etc., through the city’s requirements when manufactured homes are bought and sold. This guide is also available in [English](#) and [Spanish](#).

- ☑ [City staff workload assessment](#). Manufactured home owners expressed challenges navigating city resources, especially related to landlord-tenant disputes regulated by the city. Workloads were assessed while preparing city code updates and developing the

navigation guide (see above), which is expected to reduce demands on staff. The Human Rights Program Manager role was identified to investigate landlord-tenant complaints that fall under the “Mobile Homes” code chapter. Other key city resources available to homeowners in these communities include:

- General questions: [Inquire Boulder](#)
- Zoning and permitting questions: plandevelop@bouldercolorado.gov or (303) 441-1880
- Emergency Response Connectors: Leaders from manufactured home communities who work in collaboration with city staff to share information and resources as well as surface emerging issues related to the COVID-19 pandemic response and recovery.

- ☑ City code updates. In addition to establishing new requirements, [Ordinance No. 8383](#) adjusted enforcement of landlord-tenant regulations in the “Mobile Homes” chapter of the city code based on staff and homeowner experience with enforcement under the previous code. [Ordinance No. 8432](#) updated code protections specific to buying and selling manufactured homes.

Guiding Principle: Affordability

Manufactured housing will continue to serve as an affordable market-rate homeownership opportunity. Programs and policies will be pursued to stabilize rent increases, reduce costs for home repairs, reduce home replacement costs, and reduce energy and water costs of and consumption by households in manufactured housing.

- ☑ Support state legislation that would enable lot/pad rent stabilization. The city is supporting [House Bill 22-1287. Protections For Mobile Home Park Residents](#), which, among other resident protections, would stabilize lot rents.

- ☑ [Local pad rent stabilization analysis](#). In the Strategy engagement process, rising pad rent was the most common concern of homeowners. City staff concluded that due to vague language in the State Statute on Rent Control, it is unclear whether regulating rents on mobile home pads by a municipality is permissible. Local pad rent stabilization could be struck down in the courts. Voluntary stabilization of pad rents was explored with individual communities. The action plan included a proposal to support state legislation to enable local stabilization of pad rents.

- ☑ [Ponderosa solar garden pilot](#). Nationally, manufactured home owners spend twice as much per square foot on energy costs compared to owners of traditional single-family detached homes. Energy costs will only become more burdensome with increased weather extremes. In 2021, the city completed construction of a community solar garden dedicated to income-qualified residents of the Ponderosa Mobile Home Park. Subscribed households receive discounts on their electric bills. The city's Energy Impact Offset Fund was used for this project. The city is investing in other local solar gardens to expand the benefit of solar energy to more low-income households in Boulder.

- ☑ [Opportunity to purchase](#). [Boulder Valley Comprehensive Plan](#) Policy 7.08 commits the city to "encourage the preservation of existing mobile home parks...including increasing opportunities for resident-owned parks". In 2020, the city supported [House Bill 20-1201, Mobile Home Park Residents Opportunity to Purchase](#), which was enacted. This bill provides homeowners in a manufactured home community that is for sale or pending a change of use with the opportunity to make an offer to buy the property.

- ☑ [Zero Energy Modular \(ZEM\) factory](#). The city is partnering with Habitat for Humanity and the Boulder Valley School District to pursue the development of a zero energy modular factory at the school district's central campus. Initially, homes built in this factory will provide a replacement for interested households in Ponderosa. Fewer on-site construction impacts and greater energy efficiency are two significant benefits for an

existing lower-income community like Ponderosa. Eventually, the factory can help address significant regional demand for affordable housing.

- ☑ Home repair education and services. A broad array of programs and resources exist to help low-income owners of manufactured housing maintain their homes. The city funds a [Mobile Home Repair Program](#) that provides grants for up to \$10,000 for emergency and weatherization repairs. In 2020 and 2021, the city-sponsored EcoArts Connections to train manufactured home owners on Do-It-Yourself home repairs as well as overview programs to complete safety and energy efficiency improvements, address accessibility needs, pay energy bills, provide efficient lighting kits, and support emergency repairs.

- ☑ Solar and efficiency programs. The city has partnered with Boulder County and Energy Outreach Colorado to support weatherization and electrification of homes through the [Colorado Affordable Residential Energy \(CARE\) Program](#). Funding is provided from the city's Climate Action Plan (CAP) tax. Where the home is being converted to all electric, the city is providing a no-cost solar garden subscription to offset increase electricity costs. While only a limited number of manufactured homes have underground so far, expanding the impact of this program is a priority for both the city and Boulder County.

- ☑ Explore state funding for home repair, replacement and disposal. Homeowners who wish to replace an existing home often cannot afford the cost to dispose of the home, temporarily live elsewhere until the home is properly installed and connected to utilities and finance a new home. State funds had been made available for this potential use, however, due to acute need, they were primarily directed to emergency rental assistance.

- ☑ Chattel loan products. According to a 2014 report by the Consumer Finance Protection Bureau, more than two thirds of loans – both real property and chattel – used to finance the purchase of manufactured homes could be considered subprime. In Colorado, the

Impact Development Fund provides an improved chattel loan product as compared to what is available on the market. In 2021 Fannie Mae published its [Duty to Serve Plan](#) and Freddie Mac, also subject to a Duty to Serve, has published its [2022-2024 Underserve Markets Plan](#). These federal solutions are expected to expand lending options for homes in manufactured home communities without further city efforts.

Guiding Principle: Community

Manufactured housing will continue to meet the needs of diverse populations, especially vulnerable community members. Programs and resources will be employed to support the needs of MHC residents.

- ☑ Web resources. The [Manufactured Home Community Resources](#) webpage provides a single point for manufactured home owners, park owners and other parties to access city information and resources specific to these communities.

- ☑ Lodging costs during prolonged service disruption. To reduce the financial burden of infrastructure failure on manufactured home owners and likelihood that households stay in unsanitary conditions, [House Bill 20-1196](#), “Mobile Home Park Act Updates”, which was supported by the city and has been enacted, includes a provision that park owners must pay lodging costs during a prolonged service disruption.

- ☑ Utility bill transparency. To improve water bill transparency for owners of mobile homes, House Bill 20-1196 (see “Lodging costs” above), requires managers in communities where water is charged separately from rent to provide a monthly water bill showing the amount owed by the homeowner, the total amount owed by all homeowners in the park, the methodologies used to determine the amount billed to each homeowner, and, if management purchases the water from a provider, the total amount paid by management to the provider.

- ☑ Landlord-tenant communication. To facilitate effective communication between landlords and tenants, House Bill 20-1196 (see “Lodging costs” above) requires that an emergency contact number is posted in common areas of the park and communicated in rental agreements and in each version of the rules and regulations. [Ordinance No. 8383](#), which updated the city’s regulation of landlord-tenant matters in manufactured home communities, requires the following information be provided:
 - *Language access notice.* A notice that the city has language access supports available must be included with the lease, the rules and regulations and any other notices required by the lease.
 - *New tenant information.* New tenants must be given information on the previous five years of rent increases, the amount for late payments or dishonored checks, restrictions on pet occupancy and fees required for recreational facilities or other amenities.
 - *Change of lot dimensions.* Tenants should be notified of changes to their lot dimensions 60 days in advance, when possible.

- ☑ Rent receipt requirements. New local regulations require rent receipts are issued, especially when a tenant pays with cash or money order or when a tenant has received a notice of nonpayment of rent. These new rules are meant to reduce the risk of payment theft and eviction.

- ☑ Eviction Prevention and Rental Assistance Services Program (EPRAS). Tenants of manufactured home communities can use this city program, implemented in 2021, which provides assistance paying rent and legal services.

- ☑ Human services in manufactured home communities. In January 2020, a human services fair was held for Ponderosa, bringing together a variety of community resources under one roof. This event was well attended and could serve as a model for other

communities, particularly if adapted for COVID-19 safety. Since the pandemic began, the Emergency Response Connectors (ERC) program has included at least one bilingual and bicultural individual from each manufactured home community who meet with city staff weekly. ERCs provide information on COVID-19 and other community resources to their community and problem solves emerging issues for their neighbors. All three market-rate manufactured home communities (Boulder Meadows, Orchard Grove and Vista Village) collaborated with the city to provide on-site COVID-19 testing and vaccine clinics.

- ☑ Monthly connection meetings. Throughout the COVID-19 pandemic, Housing and Human Services staff have met monthly with market rate and affordable rental housing providers, including park owners and managers, rental assistance providers and the courts through to coordinate rental assistance resource access, reduce eviction risk and share information.
- ☑ Mobile home park resident capacity building consultant. The city has worked with a mobile home park resident capacity building consultant since 2015. This consultant has focused on building individual and collective self-advocacy for those living in manufactured home communities, through leadership trainings, Know Your Rights trainings, training leaders to help neighbors to meet their daily needs. This consultant has also focused on supporting improved relationships between park managers and residents.
- ☑ Health Equity Services. The city's Health Equity Fund provides funding for community-based programs aimed at removing barriers to health and wellness and increasing health equity for Boulder community members including those who live in manufactured housing communities. Programs include the Rec on Wheelz program which brings physical activities to youth in Boulder Meadows, Orchard Grove, Ponderosa and Vista Village; and a wide range of food access, nutrition, physical fitness

and health service access for mobile home park residents. This fund also supported replacement of water infrastructure in Ponderosa and the north side of Mapleton.

- ☑ Racial equity planning. In 2021, the city adopted a Racial Equity Plan focused on eliminating systemic and institutional racism in its policies and practices using a racial equity instrument. Because of the diverse nature of households in Boulder’s manufactured home communities, this tool is important to the Strategy. The Manufactured Housing Strategy was one of the first projects to use an inclusive engagement approach to maximize participation by diverse community members. During the COVID-19 pandemic, a rapid response racial equity tool helped reduce unintended impacts on racial equity in Boulder resulting from cuts to activities, changing policies and budget reductions. A 2020 complaint of noncompliance with outdoor lighting standards in Boulder Meadows required city enforcement of lighting standards. Recognizing the disproportionate impacts of enforcement in Boulder Meadows, additional education and an extended compliance period were provided, and a program was developed to assist low-income homeowners in Boulder Meadows with the cost of compliance and technical assistance with lighting upgrades. The Racial Equity Instrument will continue to be applied through 2030.

Guiding Principle: Viability

Existing and new manufactured homes and the communities in which they are located will be safe, well-maintained and modernized, especially to become more energy efficient. Both for-profit and nonprofit communities must be able to perform well enough financially to cover current and capital expenses and provide a reasonable return on investment.

- ☑ Opportunity to purchase. In Resident Owned Communities (ROCs), tenants and the landlord are one in the same and interests are more aligned. Alignment of interests is considered one of the most effective ways to promote long-term viability of both

manufactured homes and communities. See Opportunity to Purchase discussed above under *Affordability*.

- ☑ Regulation of infrastructure maintenance. City-supported House Bill 20-1196, which was enacted, clarified landlords' responsibility to maintain and repair water, sewer and other utility service lines or related connections and established new related duties.
- ☑ Regulation of general community maintenance. City-supported House Bill 20-1196, which was enacted, requires management maintain and repair park common areas, ensuring accessibility by individuals with impaired mobility; maintain roads and sidewalks, including snow removal; and maintain lot grades and pads to avoid damage to homes and water accumulation.
- ☑ Review of code constraints to infrastructure upgrades. All of Boulder's manufactured home communities are legally nonconforming. Because these communities were built prior to the 1985 adoption of the Mobile Home (MH) zone, in some ways they all deviate from zoning and building standards. City staff prepared a memo reviewing how development review staff and applicants navigated code requirements and non-displacement objectives when infrastructure was replaced in Mapleton Mobile Home Park and in Ponderosa.
- ☑ Zero Energy Modular (ZEM) factory. This housing option is expected to advance housing viability in Ponderosa with a modernized, energy-efficient option that enables housing replacement without the loss of units to separation requirements. See discussion above under *Affordability*.
- ☑ Solar and efficiency programs. See discussion above under *Affordability*.

- ☑ Home repair education and services. Home repair education and resources can extend the life of manufactured homes, especially for lower-income households with limited financial resources. See discussion above in *Affordability*.

Potential Future Actions

The following action items either (a) are in process, (b) were in the adopted Action Plan but did not advance due to COVID-19 impacts on staffing, or (c) were identified as potential future actions on the Action Plan.

Develop infrastructure services disruption resource. Create a reference plan for all manufactured housing communities to use during a water or sanitary sewer service interruption.

Principle(s): Viability *How to Advance:* Seeking to incorporate into 2022 work plan.

Partner with park owners on utility system replacements.

- Explore funding for utility system replacement in exchange for pad rent stabilization.
- Consider publicly maintained utilities in future Resident Owned Communities.

Principle(s): Viability *How to Advance:* Prioritize in a future work plan.

Parcel analysis to assess feasibility of new manufactured home communities.

Principle(s): Affordability, Viability *How to Advance:* Prioritize in a future work plan.

Explore updates to the city's Mobile Home zone. Potential changes could enable new communities in additional zones, advance city values (i.e., permeability), facilitate homeowner-driven home replacement, enable new housing options while avoiding gentrification.

Principle(s): Affordability, Viability *How to Advance:* Prioritize in a future work plan.