

fines, when collected, shall be paid into the county treasury for the benefit of the school district in which the offense is committed.

Sec. 8. Minnesota Statutes 1986, section 127.20, is amended to read:

**127.20 VIOLATIONS; PENALTIES.**

Any person who ~~shall fail~~ fails or ~~refuse~~ refuses to ~~send to or keep in school~~ any provide for instruction of a child of whom the person has legal ~~charge or control~~ custody, and who is required by law to ~~attend school~~ section 1, subdivision 5, to receive instruction, when notified so to do by a truant officer or other official ~~as hereinbefore provided~~, or any person who induces or attempts to induce any such child unlawfully to be absent from school, or who knowingly harbors or employs, while school is in session, any child unlawfully absent from school, shall be guilty of a misdemeanor; and, upon conviction ~~thereof~~, shall be punished by a fine of not ~~to exceed~~ more than \$50, or by imprisonment ~~in the county jail~~ for not more than 30 days. All ~~such~~ fines, when collected, shall be paid into the county treasury for the benefit of the school district in which the offense is committed.

**Sec. 9. INSTRUCTION TO REVISOR.**

The revisor of statutes is requested to renumber Minnesota Statutes 1986, section 120.10, subdivisions 3 and 4, as subdivisions in section 1, and make any necessary cross-reference corrections before the next edition of Minnesota Statutes is published.

**Sec. 10. REPEALER.**

Minnesota Statutes 1986, sections 120.10, subdivisions 1, 2, 2a, and 2b; and 120.12 are repealed.

Approved May 20, 1987

---

**CHAPTER 179—H.F.No. 574**

*An act relating to manufactured homes; defining terms; clarifying the termination of a park lease for substantial annoyance to other residents; allowing certain new or amended rule violations to be cured; regulating park closings; requiring a closure statement; providing for a public hearing; clarifying remedies; requiring a feasibility study by the metropolitan council; amending Minnesota Statutes 1986, sections 327C.01, by adding subdivisions; 327C.02, subdivision 5, and by adding a subdivision; 327C.09, subdivisions 1, 4, and 5; and 327C.11, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 327C; repealing Minnesota Statutes 1986, section 327C.09, subdivision 9.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Section 1. Minnesota Statutes 1986, section 327C.01, is amended by adding a subdivision to read:

**Subd. 1a. CLOSURE STATEMENT.** “Closure statement” means a statement prepared by the park owner clearly stating that the park is closing, addressing the availability, location, and potential costs of adequate replacement housing within a 25 mile radius of the park that is closing and the probable relocation costs of the manufactured homes located in the park.

Sec. 2. Minnesota Statutes 1986, section 327C.01, is amended by adding a subdivision to read:

**Subd. 1b. DISPLACED RESIDENT.** “Displaced resident” means a resident of an owner-occupied manufactured home who rents a lot in a manufactured home park, including the members of the resident’s household, as of the date the park owner submits a closure statement to the local planning agency.

Sec. 3. Minnesota Statutes 1986, section 327C.01, is amended by adding a subdivision to read:

**Subd. 7a. PLANNING AGENCY.** “Planning agency” means the planning commission or the planning department of a municipality as defined in section 462.352, the planning and zoning commission of a town as defined in section 366.17, or the planning commission of a county, as defined in section 394.30, or if the municipality does not have a planning agency, the governing body of the municipality.

Sec. 4. Minnesota Statutes 1986, section 327C.02, is amended by adding a subdivision to read:

**Subd. 2a.** Notwithstanding section 566.09, in an action to recover possession of land for violation of a new or amended rule, if the court finds that the rule is reasonable or is not a substantial modification, the court shall issue an order in favor of the plaintiff for costs. The court shall order the defendant to comply with the rule within ten days. If the resident fails to comply with the rule at any time after the time period provided by the court, the park owner may, upon a showing to the court that three days’ written notice was given to the resident, move the court for writ of restitution to recover possession of the lot.

Sec. 5. Minnesota Statutes 1986, section 327C.02, subdivision 5, is amended to read:

**Subd. 5. WRITTEN NOTICE REQUIRED.** A prospective resident, before being asked to sign a rental agreement, must be given the following notice printed verbatim in boldface type of a minimum size of ten points. The notice and the safety feature disclosure form required under section 327C.07, subdivision 3a, must be posted in a conspicuous and public location in the park:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

## "IMPORTANT NOTICE

State law provides special rules for the owners and residents of manufactured home parks.

You may keep your home in the park as long as the park is in operation and you meet your financial obligations, obey state and local laws which apply to the park, obey reasonable park rules, do not substantially annoy or endanger the other residents or substantially endanger park personnel and do not substantially damage the park premises. You may not be evicted or have your rent increased or your services cut for complaining to the park owner or to a governmental official.

If you receive an eviction notice and do not leave the park, the park owner may take you to court. If you lose in court a sheriff may remove you and your home from the park within seven days. Or, the court may require you to leave the park within seven days but give you 60 days to sell the home within the park.

If you receive an eviction notice for a new or amended rule and the court finds the rule to be reasonable and not a substantial modification of your original agreement, the court will not order you to leave but will order you to comply with the rule within ten days. If you do not comply within the time given or if you violate the rule at a later time, you will be subject to eviction.

All park rules and policies must be reasonable. Your rent may not be increased more than twice a year. Changes made in park rules after you become a park resident will not apply to you if they substantially change your original agreement.

The park may not charge you an entrance fee.

The park may require a security deposit, but the deposit must not amount to more than two months rent.

You have a right to sell the home in the park. But the sale is not final until the park owner approves the buyer as a new resident, and you must advise in writing anyone who wants to buy your home that the sale is subject to final approval by the park owner. You must also disclose in writing certain safety information about your home to anyone who wants to buy it in the park. You must give this information to the buyer before the sale, in writing, on the form that is attached to this notice. You must completely and accurately fill out the form and you and the buyer should each keep a copy.

Your rental agreement and the park rules contain important information about your rights and duties. Read them carefully and keep a copy.

For further information concerning your rights, consult a private attorney. The state law governing the rental of lots in manufactured home parks may also be enforced by the Minnesota Attorney General."

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

In addition, the safety feature disclosure form required under section 327C.07, subdivision 3a, must be attached to the notice.

Sec. 6. Minnesota Statutes 1986, section 327C.09, subdivision 1, is amended to read:

Subdivision 1. **CAUSE REQUIRED.** A park owner may recover possession of land upon which a manufactured home is situated only for a reason specified in this section or section 10.

Sec. 7. Minnesota Statutes 1986, section 327C.09, subdivision 4, is amended to read:

Subd. 4. **RULE VIOLATIONS.** The resident fails to comply with a rule within 30 days after receiving written notice of the alleged noncompliance, except the 30 day notice requirement does not apply to nonpayment of rent. Loud noise created by residents, guests, or their equipment is a rule violation. After written notice has been provided for two prior incidents, loud noise is a violation of subdivision 5.

Sec. 8. Minnesota Statutes 1986, section 327C.09, subdivision 5, is amended to read:

Subd. 5. **ENDANGERMENT; SUBSTANTIAL ANNOYANCE.** The resident acts in the park in a manner which endangers other residents or park personnel, causes substantial damage to the park premises or substantially annoys other residents, and has received 30 days written notice to vacate, except the park owner may require the resident to vacate immediately if the resident violates this subdivision a second or subsequent time after receipt of the notice. To be effective the notice must specify the time, date, and nature of the alleged annoyance, damage, or endangerment. A park owner seeking to evict pursuant to this subdivision need not produce evidence of a criminal conviction, even if the alleged misconduct constitutes a criminal offense.

Sec. 9. Minnesota Statutes 1986, section 327C.11, subdivision 2, is amended to read:

Subd. 2. **WAIVER BY ACCEPTING RENT.** A park owner who gives a resident a notice as provided in section 327C.09, subdivisions 3, 4, 6, or 8 or 9, or section 10, does not waive the notice by afterwards accepting rent. Acceptance of rent for a period after the expiration of a final notice to quit waives that notice unless the parties agree in writing after service of the notice that the notice continues in effect.

Sec. 10. **[327C.095] PARK CLOSINGS.**

Subdivision 1. CONVERSION OF USE; MINIMUM NOTICE. At least nine months before the conversion of all or a portion of a manufactured home park to another use, or before closure of a manufactured home park or cessation of use of the land as a manufactured home park, the park owner must prepare a

Changes or additions are indicated by underline; deletions by ~~strikeout~~.

closure statement and provide a copy to the local planning agency and a copy to a resident of each manufactured home. A resident may not be required to vacate until 60 days after the conclusion of the public hearing required under subdivision 4. If a lot is available in another section of the park that will continue to be operated as a park, the park owner must allow the resident to relocate the home to that lot unless the home, because of its size or local ordinance, is not compatible with that lot.

**Subd. 2. NOTICE OF HEARING; PROPOSED CHANGE IN LAND USE.** If the planned conversion or cessation of operation requires a variance or zoning change, the municipality must mail a notice at least ten days before the hearing to a resident of each manufactured home in the park stating the time, place, and purpose of the public hearing. The park owner shall provide the municipality with a list of the names and addresses of at least one resident of each manufactured home in the park at the time application is made for a variance or zoning change.

**Subd. 3. CLOSURE STATEMENT.** Upon receipt of the closure statement from the park owner, the local planning agency shall submit the closure statement to the governing body of the municipality and request the governing body to schedule a public hearing. The municipality must mail a notice at least ten days before the hearing to a resident of each manufactured home in the park stating the time, place, and purpose of the public hearing. The park owner shall provide the municipality with a list of the names and addresses of at least one resident of each manufactured home in the park at the time the closure statement is submitted to the local planning agency.

**Subd. 4. PUBLIC HEARING; RELOCATION COSTS.** The governing body of the municipality shall hold a public hearing to review the closure statement and any impact that the park closing may have on the displaced residents and the park owner. Before any change in use or cessation of operation and as a condition of the change, the governing body may require a payment by the park owner to be made to the displaced resident for the reasonable relocation costs. If a resident cannot relocate the home to another manufactured home park within a 25 mile radius of the park that is being closed, the resident is entitled to relocation costs based upon an average of relocation costs awarded to other residents.

The governing body of the municipality may also require that other parties, including the municipality, involved in the park closing provide additional compensation to residents to mitigate the adverse financial impact of the park closing upon the residents.

**Subd. 5. PARK CONVERSIONS.** If the planned cessation of operation is for the purpose of converting the part of the park occupied by the resident to a condominium pursuant to chapter 515A, the provisions of section 515A.4-110, except paragraph (a), shall apply. The nine-month notice required by this section shall state that the cessation is for the purpose of conversion and shall

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

set forth the rights conferred by this subdivision and section 515A.4-110, paragraph (b). Not less than 120 days before the end of the nine months, the park owner shall serve upon the resident a form of purchase agreement setting forth the terms of sale contemplated by section 515A.4-110, paragraph (b). Service of that form shall operate as the notice described by section 515A.4-110, paragraph (a).

**Sec. 11. STUDY REQUIRED.**

The metropolitan council shall conduct a study to determine the feasibility of establishing a metropolitan manufactured home park development fund. The purpose of this fund would be to provide low interest development loans to persons interested in constructing manufactured home parks within the seven county metropolitan area. The results of this study shall be forwarded to the legislature by January 1, 1988.

**Sec. 12. REPEALER.**

Minnesota Statutes 1986, section 327C.09, subdivision 9, is repealed.

Approved May 20, 1987

**CHAPTER 180—H.F.No. 687**

*An act relating to collection and dissemination of data; allowing law enforcement agencies to release the date of birth of persons involved in traffic accidents; amending Minnesota Statutes 1986, section 169.09, subdivision 13.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 169.09, subdivision 13, is amended to read:

Subd. 13. **ACCIDENT REPORTS CONFIDENTIAL.** All written reports and supplemental reports required under this section to be provided to the department of public safety shall be without prejudice to the individual so reporting and shall be for the confidential use of the department of public safety and other appropriate state, federal, county and municipal governmental agencies for accident analysis purposes, except that the department of public safety or any law enforcement department of any municipality or county in this state shall, upon written request of any person involved in an accident or upon written request of the representative of the person's estate, surviving spouse, or one or more surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to the requester, the requester's legal counsel or a representative of the requester's insurer any information contained therein except the parties' version of the accident as set out in the written report filed by the parties or may

Changes or additions are indicated by underline, deletions by ~~strikeout~~.