

1 HOUSE JOINT RESOLUTION

2 WHEREAS, Manufactured homes, frequently known as mobile  
3 homes, are a major source of housing for older Americans; in  
4 2001, it was estimated that there were 7.2 million housing  
5 units occupied year round as a primary residence; this  
6 represents 7% of the nation's occupied housing; and

7 WHEREAS, Illinois has approximately 2,000 manufactured  
8 home communities that house over 300,000 residents; of the  
9 300,000 residents in Illinois approximately 50% are in the  
10 age group of 55 and older; and

11 WHEREAS, Unlike conventional standard housing, which is  
12 permanently affixed to the land on which it is built,  
13 manufactured housing does not require a permanent foundation;  
14 manufactured housing ownership does not necessarily imply  
15 ownership on the land; and

16 WHEREAS, Most homes are in land-leased communities, and  
17 there are advantages and disadvantages that come with owning  
18 a home but not the land on which it is located; one advantage  
19 is that low and moderate income households who cannot afford  
20 to acquire land, especially in high cost markets, can still  
21 buy and build equity in a home; disadvantages include the  
22 cost and risk of moving a manufactured home from one rental  
23 community to another, making moving difficult; such a  
24 situation allows for community operators to adopt exploitive  
25 rules and practices that are largely unfamiliar to residents  
26 of conventional rental housing; and

27 WHEREAS, Because of the dual ownership between the  
28 homeowner and the landowner, traditional laws relating to  
29 home ownership or apartment rental are inadequate to meet the  
30 unique needs of manufactured home rental; homeownership  
31 implies a number of legal rights relating to home equity and  
32 full use and enjoyment of the home; and because the land is

1 owned by another entity, the community landlord can make full  
2 use of the unit extremely difficult; and

3 WHEREAS, In Illinois, there is not a law requiring a  
4 written lease for property; the landlord is only required to  
5 make the offer of a written lease; many communities in  
6 Illinois are on verbal leases, while other communities have  
7 more than one lease in effect; the majority of leases that  
8 are written consist only of the rental cost to live in the  
9 community for the first year and the requirements of the  
10 homeowner in the form of rules and regulations, many of which  
11 are unreasonable; the landlord may make any change to the  
12 lease provided he or she gives the tenant a 30 day written  
13 notice; and

14 WHEREAS, Under current law, a landlord may sell or change  
15 the land to another usage with only a 12 month notice to the  
16 homeowner; when this happens a community is destroyed,  
17 homeowners are evicted en masse, and neighbors are dispersed;  
18 with the high cost of moving the manufactured homes, many  
19 owners are forced to abandon their homes and lose their  
20 carefully accrued equity; and many residents are elderly and  
21 not prepared or able to find other housing options;  
22 therefore, be it

23 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
24 NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
25 SENATE CONCURRING HEREIN, that there is created a Joint Task  
26 Force on Illinois Mobile Home Owners for the purpose of  
27 examining their special needs and making recommendations to  
28 the General Assembly concerning those needs as they relate to  
29 manufactured home communities and the rights of manufactured  
30 home owners; and be it further

31 RESOLVED, That the Joint Task Force on Illinois Mobile  
32 Home Owners shall consist of the following members: (i) 2

1 co-chairpersons who are members of the General Assembly, one  
2 of whom is appointed by the Speaker of the House and one of  
3 whom is appointed by the President of the Senate; and (ii) 2  
4 spokespersons who are members of the General Assembly, one of  
5 whom is appointed by the Minority Leader of the House and one  
6 of whom is appointed by the Minority Leader of the Senate;  
7 and (iii) one member from the Mobile Homeowners Association  
8 of Illinois; and (iv) one member from the Illinois  
9 Manufactured Housing Association; and (v) one member from the  
10 Illinois Housing Institute; and (vi) the Speaker of the  
11 House, the President of the Senate, the Minority Leader of  
12 the House, and the Minority Leader of the Senate may each  
13 appoint one additional member; and be it further

14 RESOLVED, That the members shall serve on a voluntary  
15 basis and shall be responsible for any costs associated with  
16 their participation in the Joint Task Force; and be it  
17 further

18 RESOLVED, That all members of the Joint Task Force shall  
19 be considered to be members with voting rights, that a quorum  
20 of the Joint Task Force shall consist of a simple majority of  
21 the members of the Joint Task Force, and that all actions and  
22 recommendations of the Joint Task Force be approved by a  
23 simple majority of the members of the Joint Task Force; and  
24 be it further

25 RESOLVED, That the Joint Task Force on Illinois Mobile  
26 Home Owners shall meet at the call of the chairpersons and  
27 shall summarize its findings and recommendations in a report  
28 to the General Assembly no later than February 28, 2004.