

MEETING ITEM COMMENTARY

- AGENDA ITEM:** (First Reading) Mobile Home Park Lot Rent Stabilization Ordinance
(Proposed to be Chapter 145 in City Code)
- COUNCIL RESOURCE:** Councilor Joshua Parks, Ward 2
- STAFF RESOURCES:** Emily Cole-Prescott, Deputy City Administrator
Ryan Pelletier, City Administrator
- BACKGROUND:** In Fall 2025, the City Council enacted a temporary emergency moratorium on mobile home park lot rental increases. On March 9, 2026, the City Council repealed that moratorium. During that process, City Staff was instructed to draft a Mobile Home Park Lot Rent Stabilization Ordinance. Over these past several meetings, the City Council has provided high-level policy direction for such an ordinance. However, City Staff anticipates that there will be revisions to this draft ordinance as it moves through the review and adoption process outlined in City Charter Section 2.09 (Ordinances in General). After this First Reading, the process moving forward is as follows:
- Public Hearing
 - Second/Final Reading
- EXHIBITS:**
1. Proposed Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance
 2. Rent Stabilization Board Policy Options Memo dated July 29th
 3. Memo from Deputy City Administrator to City Council dated July 29th
 4. Memo regarding previous moratorium actions dated July 29th
 5. [July 6, 2026 City Council New Business Materials](#) (link)
 6. [June 1, 2026 City Council New Business Materials](#) (link)
- RECOMMENDATION:** Staff recommend the City Council review the first reading materials and schedule the public hearing.
- MOTION:** *“Be it Ordered that the Saco City Council approve the First Reading of the Mobile Home Park Lot Rent Stabilization Ordinance, proposed to be Chapter 145 in Saco City Code; and further move to schedule the Public Hearing on August 17, 2026.”*
- “I move to approve the Order.”*

Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance

Article I. Purpose. The purpose of this ordinance is to protect the health, safety, and welfare of residents living in Mobile Home Parks by preventing unreasonable lot rent and fee increases. Because residents in Mobile Home Parks typically own their homes but not the land underneath them, they face unique vulnerabilities to excessive rent and fee increases. While Mobile Home Park Owners should expect to receive a reasonable return on their investment, residents of those parks should expect to be protected from unnecessary, excessive cost increases because they may be put at risk of severe housing insecurity.

Article II. Applicability and Exemptions.

Section 2.01 Applicability: This ordinance applies to every Mobile Home Park within the City of Saco except those to which an exemption applies.

Section 2.02 Exemptions: This ordinance shall not apply to:

- (a) Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home Residents;
- (b) Mobile Home Lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this ordinance.

Article III. Definitions.

Section 3.01 Interpretation. In the interpretation and enforcement of this chapter, undefined terms are given their common and generally accepted meanings unless the context requires otherwise. In the case of any difference of meaning or implication between the text of this Chapter and any map, illustration, or table, the text shall control.

- (a) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual or any other legal entity.
- (b) The present tense includes the future tense; the singular number includes the plural, and the plural number includes the singular.
- (c) The words "shall" and "will" are mandatory; the word "may" is permissive.
- (d) The word "lot" includes the words "plot" and "parcel."

Section 3.02 Definitions. The following words shall have the following meaning:

- (a) Base Rent: "Base Rent" means the rent amount charged for any Mobile Home Park Lot which is in effect on any specific date.
- (b) Consumer Price Index (CPI): "Consumer Price Index" or "CPI" means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, as published by the U.S. Department of Labor, Bureau of Labor Statistics.
- (c) Mobile Home: "Mobile Home" means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

- (d) Mobile Home Park: "Mobile Home Park" means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes.
- (e) Mobile Home Park Lot: "Mobile Home Park Lot" means the area of land on which an individual mobile home is situated within a mobile home park and which is reserved for use by the occupants of that Mobile Home.
- (f) Mobile Home Resident: "Mobile Home Resident" means an occupant of a Mobile Home who rents a parcel of land in a Mobile Home Park.
- (g) Operating Expenses: "Operating Expenses" means annual expenses reasonably incurred by the Park Owners directly related to the operation of the Mobile Home Park, including but not limited to:
 - i. Real estate and personal property taxes
 - ii. Utilities
 - iii. Maintenance and repair
 - iv. Administrative and payroll costs
 - v. Insurance
 - vi. Capital Improvements (amortized)
 - vii. Reasonable reserve contributions
 - viii. Interest expenses related to acquisition or capital improvements
- (h) Park Owner: "Park Owner" means a person, corporation or other entity that owns a Mobile Home Park.
- (i) Reasonable Rate of Return: "Reasonable Rate of Return" means a rate of return on investment and operation that provides a Mobile Home Park Owner with a fair and reasonable opportunity to recover operating expenses, maintenance costs, capital improvements, debt service, taxes, insurance, utilities, and other legitimate costs of ownership and operation, together with a reasonable profit, while balancing the purpose of this Ordinance to protect residents from excessive, unreasonable, or destabilizing lot rent increases.
- (j) Rent: "Rent" means the total consideration, including any bonus, benefit, or gratuity, demanded, or received by a Mobile Home Park Owner for or in connection with the use or occupancy of a Mobile Home dwelling unit.
- (k) Rent Increase: "Rent Increase" means any additional lot rent or fees demanded of, or paid by, a mobile home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.
- (l) Rent Stabilization Board: "Rent Stabilization Board" means the municipal body appointed to hear and decide petitions for rent increase(s) that require a hearing.

Article IV. Rent Stabilization Board.

Section 4.01 The Rent Stabilization Board ("Board") is created to hear requests by Park Owners for lot rental and fee increases that require a hearing as enumerated in Article 5.

- (a) Membership and Terms. The Board shall be comprised of five members with initial terms of one year for one; two years for two; and three years for two. Thereafter, terms will be for three years.
- (b) Appointments and Residency Requirement. Members will be appointed by the Mayor and confirmed by the City Council. Board members shall be residents of Saco. At its organizational meeting, the Board shall elect a Chair and a Vice Chair.
- (c) Quorum. A Quorum is a minimum of three members, and decisions shall be made by a majority of Board members present and voting.
- (d) Annual Meetings. On an annual basis, the Board shall meet to complete Board training, and approve an informational fact sheet for mobile home park lot rent stabilization.

Section 4.02 Board Authority. The Board shall have the authority, in connection with any written petition for hearing under Section 5.05, to:

- (a) Review all non-lot rent fees;
- (b) Determine whether such fees comply with this Ordinance and state law; and
- (c) Disallow, reduce, or otherwise adjust any fee found to be excessive, non-compliant, or inconsistent with the purpose of this Ordinance.

Section 4.03 Processes and Decisions.

- (a) Decisions. The Rent Stabilization Board shall approve, deny, or modify the requested increase in a manner that ensures the Park Owner is able to obtain a Reasonable Rate of Return based on the evidence presented.
- (b) Hearings. The Board shall conduct a public hearing regarding a petition for a rent or fee increase within 30 days of receipt of such complete petition for a rent or fee increase unless an extension of time is agreed to by the petitioner. The Board shall issue a written decision that includes the Board's findings and conclusions within 30 days of the close of the public hearing, unless an extension of time is agreed to by the petitioner.
- (c) Notice to Mobile Home Residents. The Park Owner shall provide a written notice of the petition to the Mobile Home Residents at least 14 days prior to the public hearing on the petition that includes a copy of the filing of the signed written petition and supporting documents to the Mobile Home Residents, and shall also include the hearing date, time, and location. Proof of said notice shall be provided to the Board in advance of the public hearing, and shall be considered part of a complete request for review.
- (d) Evidence. The Board may receive any oral or documentary evidence but may exclude irrelevant, immaterial or unduly repetitive evidence. Any interested party to the proceeding, including the Park Owner, Mobile Home Residents, and/or any agent or representative association thereof has the right to present the party's case by oral or documentary evidence, to submit rebuttal evidence, and to conduct any cross-examination that is required for a full and true disclosure of the facts.
- (e) Burden of Proof. Decisions will be made by a preponderance of the evidence, and the Park Owners will have the Burden of Proof to establish the amount of a rent or fee increase that is a Reasonable Rate of Return.

- (f) Standard for Approval. The Board shall approve an increase that requires a hearing only upon a finding that the increase is necessary to provide a Reasonable Rate of Return and:
- 1) Address health and safety conditions;
 - 2) Fund capital improvements essential to the operation of the Mobile Home Park;
 - 3) Cover increased Operating Expenses; or
 - 4) Reflect enhanced services.
 - 5) Park Owners that fail to maintain a Mobile Home Park in decent, safe, sanitary condition, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park.

Article V. Lot Rent and Fee Increase Limitations.

Section 5.01 Limitation on number of rent increases: A park owner may not increase the lot rents or fees more than one (1) time in any twelve (12)-month period.

Section 5.02 Base Rent Calculation: Except as provided herein, a Park Owner shall not demand, accept or retain rent for a Mobile Home Park Lot that exceeds the rent in effect for that lot on *date to be indicated*. In the event the lot was not occupied on *date to be indicated*, the Base Rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Section 5.04.

Section 5.03 Notification Requirements: The Park Owner shall provide notice of any planned increase in lot rent or fees to the affected Mobile Home Residents, no less than 90 days before the effective date of the increase. The 90-day notice must include:

- (a) The name, address, telephone number and e-mail address of the Park Owner; and
- (b) The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.

Section 5.04 Presumption of Reasonableness: A proposed Rent Increase shall be presumed to provide a Reasonable Rate of Return and shall not require a hearing by the Board if the proposed increase is less than:

- (a) The most recently posted annual percentage change in the Consumer Price Index (CPI) plus 1% or
- (b) Five percent of the current Base Rent.

Section 5.05 Written Petition for Hearing. A Park Owner seeking a Rent Increase which is not presumed to provide a Reasonable Rate of Return pursuant to Section 5.04 above must submit a signed, written petition to the City Clerk's Office. The City Clerk's Office shall forward the petition to the City Administrator's Office, which will then schedule it with the Rent Stabilization Board for a hearing. The petition must be filed in advance of the rent or fee increase notice described in Section 5.03 above and contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements, or unforeseeable expenses incurred at the Mobile Home Park.

Section 5.06 Vacancy Base Rent: A Park Owner shall be permitted to increase the lot rent by up to 15% whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot.

Article VI. Violations and Enforcement.

Section 6.01 Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code. Each lot where a violation occurs shall be considered a separate violation.

Article VII. Appeals.

Section 7.01 An appeal of the Board's decision must be made to Superior Court within 30 days of the vote on the original decision.

DRAFT

City Administration

Saco City Hall
300 Main Street
Saco, Maine 04072-1538
Phone: (207) 282-4191



ACTION ITEM #
Ryan Pelletier
Exhibit 2
City Administrator
RPelletier@sacomaine.org

Emily Cole-Prescott
Deputy City Administrator
Eprescott@sacomaine.org

TO: Mayor MacPhail & Saco City Council
FROM: Emily Cole-Prescott, Deputy City Administrator
Ryan Pelletier, City Administrator
DATE: July 29, 2026 (August 3, 2026 City Council Meeting)
RE: Rent Stabilization Board Policy Options Memo

At the July 6th City Council meeting, there was discussion about the makeup of the future Rent Stabilization Board. Based on this feedback, City Staff has compiled several options for the Council's consideration:

Options are provided in no specific order:

- Option A: Citizen Board with Two Councilors as Non-Voting Members:
 - Five residents (excluding councilors):
 - Must reside in Saco
 - No more than 2 from the same ward
 - No more than 2 from the same profession
 - No more than 1 from a Mobile Home Park
 - Need 3 to make quorum
 - Two Council Liaisons to the Board with no vote
- Option B: Citizen Board with Two Councilors as Voting Members:
 - Seven residents (including councilors)
 - Must reside in Saco
 - No more than 2 from the same ward
 - No more than 2 from the same profession
 - No more than 1 from a Mobile Home Park
 - Need 4 to make quorum
 - Two Council Liaisons to the Board, each with voting authority
- Option C: Citizen Board with Three Councilors as Voting Members:
 - Seven residents (including councilors)
 - Must reside in Saco
 - No more than 2 from the same ward
 - No more than 2 from the same profession
 - No more than 1 from a Mobile Home Park
 - Need 4 to make quorum
 - Three Council Liaisons to the Board, each with voting authority
- Option D:
 - City Council acts as Rent Stabilization Board:
 - City Council has authority to review & stabilize rents in mobile home parks

City Administration

Saco City Hall
300 Main Street
Saco, Maine 04072-1538
Phone: (207) 282-4191



ACTION ITEM #
Ryan Pelletier
Exhibit 3
City Administrator
RPelletier@sacomaine.org

Emily Cole-Prescott
Deputy City Administrator
Eprescott@sacomaine.org

TO: Mayor MacPhail & Saco City Council

FROM: Emily Cole-Prescott, Deputy City Administrator

DATE: July 29, 2026 (August 3, 2026 City Council Meeting)

City Administrator Pelletier and I met with Blue Haven Committee representatives Kathy Dobbins (President) and Brian LaRoche (Vice President) to hear more details about the emailed recommendations received to date (appended to this memo as attachments).

General topics of discussion included the ordinance revision process, staff's role in that process, and Charter Chapter 2.09 provisions. We recommended that the Blue Haven Committee compile their talking points into a succinct document for City Council review, and that the Blue Haven Committee participate in the upcoming public hearing, which is tentatively scheduled for the August 17th City Council meeting.

More detailed topics of the discussion included specific sections of the draft ordinance as follows:

- Exemptions language of Section 2.02
- Mobile Home Park versus Manufactured Housing terminology and definitions
- Consideration of anti-retaliation provisions within the ordinance, similar to those in the City of Sanford's ordinance
- Addition of the phrase "whichever is lower" in Section 5.04 of the current draft
- Addition of a capital improvements definition and some mechanism to have a timeline for when capital improvements are required to be completed
- There was discussion about noticing requirements for the Rent Stabilization Board's public hearing. At the end of that discussion, it seemed as though there was some interest in having the City of Saco send standardized public hearing notices rather than having the Park Owners send the public hearing notices.
- There was a question about whether certain state statutes should be incorporated by reference.
- There was discussion of membership of the Rent Stabilization Board. Committee members plan to speak more about this during the upcoming public hearing.
- There was discussion about the definition of Base Rent and Vacancy Base Rent and concern about whether 15% increase in Vacancy Base Rent would cause other considerations for residents within the Mobile Home Park.
- The appeals process was also discussed. It should be noted here that although the Rent Stabilization Board would be set up to hear potential increases that require a hearing, there is also a provision for appeals to Superior Court of the Rent Stabilization Board's decision within a specified timeline.
- Discussion about the definition of Reasonable Rate of Return and how the ordinance currently drafted contemplates Reasonable Rate of Return

Enclosed is the following list of correspondence for this item:

- July 29th Email from Blue Haven Committee Re: Some meeting points for City of Saco Administrator
- July 28th Email from Blue Haven Committee Re: Sarah concerns
- July 28th Email from Blue Haven Committee Re: additional feedback – Brunswick, with enclosed documents
- Rent Stabilization Ordinance Notes and Concerns

Emily C. Prescott

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Wednesday, July 29, 2026 7:39 AM
To: Ryan Pelletier; Emily C. Prescott
Subject: Fwd: Some meeting points for City of Saco Administrator

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

This is also from Sarah on our committee

----- Forwarded message -----

From: Sara Giles <wishy_82@yahoo.com>
Date: Wed, Jul 29, 2026, 3:31 AM
Subject: Some meeting points for City of Saco Administrator
To: Blue Haven Committee <bluehavencommittee@gmail.com>, Sarah Giles <wishy_82@yahoo.com>, Brian LaRoche <brianlaroche@gmail.com>, Barb Thomas <barbthomas67@gmail.com>, Gayle Janes <gaylekjanes@gmail.com>, treasurerbhrc@gmail.com <treasurerbhrc@gmail.com>

Five Critical Fixes Needed in the Current Draft

1. Close the Exemption Loophole (Section 2.02(a))

- Current wording allows corporate owners to create sham “resident membership entities.”
- Other cities exempt **only resident-owned cooperatives**.
- We request tightening the language to match Waterville §187-4(B) and Sanford §2(B).

• Section 2.02 — Exemptions

Original text: “(a) Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home Residents;”

revision: (a) Mobile Home Parks owned and controlled by a resident-owned cooperative. ~~or other entity in which membership is limited to Mobile Home Residents~~

2. Replace CPI+1% / 5% Presumption with a CPI-Only Cap (Section 5.04)

- Saco’s formula is significantly more permissive than any other Maine ordinance.
- Waterville, Sanford, and OOB all use CPI-U only.
- CPI-only is the statewide standard.
- Remove the Plus 1% and add “WHICHEVER IS LOWER.”

3. Define Capital Improvements and Exclude Repairs (Sections 3.02 & 5.05)

- Current draft allows rent increases for routine repairs and maintenance.
- Other cities explicitly prohibit this.
- We request adding a definition and exclusions consistent with Sanford §4(C).
- Section 3.02 — Add Definition of Capital Improvements

Insert after §3.02(g)

Improvements: “Capital Improvements” means permanent structural improvements that materially add value or extend the useful life of the Mobile Home Park. Routine maintenance, repairs, or code-required work shall not qualify as capital improvements.”

(g-1) Capital

4. Strengthen Enforcement and Refund Requirements (Section 6.01)

- Current enforcement references general City Code only.
- Other cities include:
 - Refunds of unlawful increases
 - Daily penalties
 - Automatic rollback
- We request adding explicit enforcement language. **Section 6.01 — Enforcement**
- **Original text:** “Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code.”

revision: “Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code. **Any unlawful rent increase shall be void. Park Owners shall refund overcharges within 30 days. Violations shall incur civil penalties of \$___ per day per lot.**”

5. Strengthen Resident Notice Requirements (Section 4.03(c))

- Current draft requires only 14 days’ notice.
- Other cities require full petition documentation and 30+ days’ notice.
- We request aligning with Waterville §187-6(B).

Five Additions Saco Should Include

1. Anti-Retaliation Protections

- Missing entirely.
- Required under Title 10 §9097-A and included in Waterville §187-7(B).

2. Fee Regulation and Prohibition on New Fees

- No definition of fees or limits on new fees.
- Sanford §3(A) prohibits new fees without Board approval.

3. Required Documentation for Increases Above CPI

- No requirement for invoices, amortization schedules, or proof.
- OOB §4(C) and Waterville §187-3(D) require full documentation.

4. Annual Reporting Requirement

- Missing entirely.
- Sanford §6(B) and Waterville §187-5(C) require annual financial disclosure.

5. ADA Accessibility Requirements

- Missing entirely.

- Brunswick §7(A) requires ADA-compliant access to common areas.

We respectfully ask the Council to consider SIX important improvements:

- 1. Clarify and reduce the 15% vacancy increase in Section 5.06, and define what constitutes a *lawful vacancy*. The current draft allows a park owner to raise rent by up to 15% whenever a lawful vacancy occurs — that rate is still too high. The ordinance should clearly define what “lawful vacancy” means and set a lower, reasonable cap. The higher the vacancy rate, the lower the equity and resale value for residents, which erases affordable housing and destabilizes families.**
- 2. Strike “debt service” and “acquisition interest” so residents are never forced to pay a park owner’s mortgage.**
- 3. Extend rent-increase hearing notices from 14 days to 45 days, with certified mail, so families have a fair chance to prepare.**
- 4. Ensure the Rent Stabilization Board includes at least two mobile-home-park residents, so lived experience has a seat at the table.**
- 5. Revise Section 5.04 (Presumption of Reasonableness) to cap rent increases at no higher than the Consumer Price Index (CPI) or 5%, whichever is lower, removing the “plus 1%” language entirely. This ensures fairness and prevents excessive rent hikes that undermine stability.**

6. Section 5.05 — Petition Requirements

Original text excerpt: “contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements...”

revision: “contain documentation that the increase is necessary to cover increases in operating expenses or the cost of eligible capital improvements...” ~~maintenance~~ **Add:** “Petitions may not include costs for routine maintenance, repairs, or code-required work.”

I hope your meeting goes well and I hope that I covered some of the key issues and concerns that still need to be addressed and revisited. We look forward to collaborating with you as this process moves forward.

Sarah Giles-Gardner
BHRC
Secretary

Emily C. Prescott

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Tuesday, July 28, 2026 2:03 PM
To: Ryan Pelletier; Emily C. Prescott
Subject: Sarah concerns

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

**Sarah is away and can't make tomorrow's meeting but she wanted me to share this.
Other additions worth considering putting into this rent stabilization ordinance:**

1. No Requirement for rent history or utility history disclosure, which allows the Park Owners to hide:
 - Past increases
 - Past fees
 - Past service reductions
 - Past capital improvement surcharges

This makes it impossible for residents to challenge improper increases.

2. There is currently no requirement for plain-language notices. Notices can be written in legalese.

Residents may not understand:

- Their rights
- The reason for increases
- How to challenge increases
- How to participate in hearings

This is a barrier to enforcement. Even this ordinance is written in attorney jargon, which has been extremely complex and difficult to comprehend. Are you going to make a plain-language ordinance as well?

3. If the park is sold:
 - The new owner can claim increased operating expenses
 - The new owner can claim increased debt service
 - The new owner can claim capital improvements
 - The new owner can claim a need for "reasonable profit"

This is a structural vulnerability. There is no rule for preventing owners with multiple entities from raising the rent after selling the park.

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Resident Cooperative interim Board of Directors
Kathy Dobbins, President

Sarah Giles-Gardiner, Secretary
Emily Landry, Treasurer
Gayle Janes, Community Outreach
Brian LaRoche, Vice President
Barb Thomas, Operation Director

Emily C. Prescott

From: Emily C. Prescott
Sent: Tuesday, July 28, 2026 4:18 PM
To: 'Blue Haven Committee'; Ryan Pelletier
Subject: RE: additional feedback-Brunswick

Received and thank you.

Kind regards,
Emily



Emily Cole-Prescott
Deputy City Administrator
300 Main Street | Saco, ME 04072
t 207-710-2666
eprescott@sacomaine.org

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Tuesday, July 28, 2026 2:58 PM
To: Ryan Pelletier <rpelletier@sacomaine.org>; Emily C. Prescott <EPrescott@sacomaine.org>
Subject: additional feedback-Brunswick

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

This is from a resident on the Mobile Home Association board and helped Brunswick residents write their ordinance she looked over what we have and here are her thoughts.

Kathy

--

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Barb Thomas, Operation Director

Emily C. Prescott

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Tuesday, July 28, 2026 2:58 PM
To: Ryan Pelletier; Emily C. Prescott
Subject: additional feedback-Brunswick
Attachments: Saco Ordinance with Notes from Brunswick.docx; Maine mobile home laws (info for Saco).docx

Follow Up Flag: Follow up
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NEW BUSINESS ITEM A

MEETING ITEM COMMENTARY

- AGENDA ITEM:** (New Business) Mobile Home Park Lot Rent Stabilization Ordinance
(Proposed to be Chapter 145 in City Code)
- COUNCIL RESOURCE:** Councilor Bill Doyle, Ward 3
- STAFF RESOURCES:** Emily Cole-Prescott, Deputy City Administrator
Ryan Pelletier, City Administrator
- BACKGROUND:** In Fall 2025, the City Council enacted a temporary emergency moratorium on mobile home park lot rental increases. On March 9, 2026, the City Council repealed that moratorium. During that process, City Staff was instructed to draft a Mobile Home Park Lot Rent Stabilization Ordinance. Over these past several meetings, the City Council has provided high-level policy direction for such an ordinance. However, City Staff anticipates that there will be revisions to this draft ordinance as it moves through the review and adoption process outlined in City Charter Section 2.09 (Ordinances in General). After this New Business review, the process is as follows:
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1. Proposed Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance
 2. [June 1, 2026 City Council New Business Materials](#)
- RECOMMENDATION:** Staff recommend the City Council review the New Business materials.
- MOTION:** As this is a New Business item, no motion is necessary this evening.

Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance

Article I. Purpose. The purpose of this ordinance is to protect the health, safety, and welfare of residents living in Mobile Home Parks by preventing unreasonable lot rent and fee increases. Because residents in Mobile Home Parks typically own their homes but not the land

NEW BUSINESS ITEM A
Exhibit 1

underneath them, they face unique vulnerabilities to excessive rent and fee increases. While Mobile Home Park Owners should expect to receive a reasonable return on their investment, residents of those parks should expect to be protected from unnecessary, excessive cost increases because they may be put at risk of severe housing insecurity.

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Section 2.02 Exemptions: This ordinance shall not apply to:

- (a) Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home Residents;
- (b) Mobile Home Lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this ordinance.
- (c) **Mobile home lots where the park owns both the lot and the home, (aka regular rentals. Those are governed by the same landlord-tenant laws as apartment rentals, not mobile home park landlord-tenant laws. It appears that the other Saco park is primarily, if not fully, homes being rented out, not owned by the occupants.)**
- (d)

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- (b) The present tense includes the future tense; the singular number includes the plural, and the plural number includes the singular.
- (c) The words "shall" and "will" are mandatory; the word "may" is permissive.
- (d) The word "lot" includes the words "plot" and "parcel."

Section 3.02 Definitions. The following words shall have the following meaning:

- (a) Base Rent: "Base Rent" means the rent amount charged for any Mobile Home Park Lot which is in effect on any specific date.
- (b) Consumer Price Index (CPI): "Consumer Price Index" or "CPI" means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, as published by the U.S. Department of Labor, Bureau of Labor Statistics.
- (c) Mobile Home: "Mobile Home" means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

NEW BUSINESS ITEM A
Exhibit 1

- (d) Mobile Home Park: "Mobile Home Park" means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes. or as defined in Maine law. (this would allow the definition to change without amending the ordinance. The state definition should be changed to at least 4 or more because of the ADU laws (LD 2003 passed in 2022 and amended in 2025 as LD 1829). "2 or more" would classify a lot with a couple mobile homes owned by family members as a mobile home park. That's one of the issues on my list of things to bring up as I participate in MOCA's effort to recodify mobile home laws)
- (e) Mobile Home Park Lot: "Mobile Home Park Lot" means the area of land on which an individual mobile home is situated within a mobile home park, and which is reserved for use by the occupants of that Mobile Home.
- (f) Mobile Home Resident: "Mobile Home Resident" means an occupant of a Mobile Home who rents a parcel of land in a Mobile Home Park. . *might need some language adjustment to make it clear that it does not apply to homes that are owned by the park and simply rented out in addition to the piece of land it's on.
- (g) Operating Expenses: "Operating Expenses" means annual expenses reasonably incurred by the Park Owners directly related to the operation of the Mobile Home Park, including but not limited to:
- i. Real estate and personal property taxes
 - ii. Utilities (*include a statement like "utility payments not reimbursed" so they don't get to count the full cost of the water bill when the tenants actually pay for it)
 - iii. Maintenance and repair (under IRS rules, "repair" has a specific definition that is distinct from "capital improvement")
 - iv. Administrative and payroll costs
 - v. Insurance
 - vi. Capital Improvements (amortized) amortized" means spread out over the useful life of the improvement, typically 25-30 years or more depending on what the improvement is. If they spend \$100k on something, they don't get to count the whole \$100k in their annual expenses, just a tiny fraction of it).
 - vii. Reasonable reserve contributions (
 - i. Interest expenses related to acquisition or capital improvements Google: under general accounting principles, interest is NOT typically included in operating expenses).
 - viii. (An additional section listing things that are NOT to be considered as an operating expense would be good, since we know darn well that the company will try to get away with

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whatever they can. Examples: “expenses that have been reimbursed” and “any costs arising from over-leveraged or imprudent financing”.

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~~ix.viii.~~

- (h) Park Owner: “Park Owner” means a person, corporation or other entity that owns a Mobile Home Park.
- (i) Reasonable Rate of Return: “Reasonable Rate of Return” means a rate of return on investment and operation that provides a Mobile Home Park Owner with a fair and reasonable opportunity to recover operating expenses, maintenance costs, capital improvements, debt service, taxes, insurance, utilities, and other legitimate costs of ownership and operation, together with a reasonable profit, while balancing the purpose of this Ordinance to protect residents from excessive, unreasonable, or destabilizing lot rent increases. once again, it should exclude loans they took out for anything more than what they needed to purchase and maintain THAT park. They should not be allowed to claim debt service on enormous loans taken out to pay off investors or buy other properties like the giant shell game the industry has become. If a property is worth \$1 million and they somehow talk a bank into lending \$10 million for it, they shouldn’t be allowed to rake in enough to cover the loan payments on the entire \$10 million loan. real estate investments typically target a ROI of 8-12%.
- (j) Rent: “Rent” means the total consideration, including any bonus, benefit, or gratuity, demanded, or received by a Mobile Home Park Owner for or in connection with the use or occupancy of a Mobile Home dwelling unit.
- (k) Rent Increase: “Rent Increase” means any additional lot rent or fees demanded of, or paid by, a mobile home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.
- (l) Rent Stabilization Board: “Rent Stabilization Board” means the municipal body appointed to hear and decide petitions for rent increase(s) that require a hearing.

Article IV. Rent Stabilization Board.

Section 4.01 The Rent Stabilization Board (“Board”) is created to hear requests by Park Owners for lot rental and fee increases that require a hearing as enumerated in Article 5. (a) Membership and Terms. The Board shall be comprised of five members with initial terms of one year for one; two years for two; and three years for two. Thereafter, terms will be for three years.

grammar nerd alert it should either be “shall comprise” or “shall consist of/be composed of”.

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~~(b)~~ Appointments and Residency Requirement. Members will be appointed by the Mayor and confirmed by the City Council. Board members shall be residents of Saco. At its organizational meeting, the Board shall elect a Chair and a Vice Chair. Experience or background of the members? I’d suggest either “shall be” or “preference will be given to” people with relevant experience. Brunswick’s ordinance gave a few examples, but I’ll add

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'business accounting' to the mix. And do they need to be Saco residents? Or a certain % of the board be residents? Also needs to have language about who may NOT serve on the board, which should include ANY person directly affected or affiliated with an entity affected by the ordinance. Meaning, no park residents and no one who works for the company who owns the park (or a subsidiary). Since a board member who stands to benefit from a board decision would have to recuse themselves and Blue Haven seems like it might be the only park the ordinance applies to, that would effectively negate having residents/owner serve on the board at all.

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~~(e)~~(b) _____

~~(e)~~(c) _____ Quorum. A Quorum is a minimum of three members, and decisions shall be made by a majority of Board members present and voting.

~~(e)~~(d) _____ Annual Meetings. On an annual basis, the Board shall meet to complete Board training, and approve an informational fact sheet for mobile home park lot rent stabilization. Section 4.02 Board Authority. The Board shall have the authority, in connection with any written petition for hearing under Section 5.05, to:

- (a) Review all non-lot rent fees;
- (b) Determine whether such fees comply with this Ordinance and state law; and
- (c) Disallow, reduce, or otherwise adjust any fee found to be excessive, non-compliant, or inconsistent with the purpose of this Ordinance.

Section 4.03 Processes and Decisions.

- (a) Decisions. The Rent Stabilization Board shall approve, deny, or modify the requested increase in a manner that ensures the Park Owner is able to obtain a Reasonable Rate of Return based on the evidence presented.
- (b) Hearings. The Board shall conduct a public hearing regarding a petition for a rent or fee increase within 30 days of receipt of such complete petition for a rent or fee increase unless an extension of time is agreed to by the petitioner. The Board shall issue a written decision that includes the Board's findings and conclusions within 30 days of the close of the public hearing, unless an extension of time is agreed to by the petitioner.
- (c) Notice to Mobile Home Residents. The Park Owner shall provide a written notice of the petition to the Mobile Home Residents at least 14 days prior to the public hearing on the petition that includes a copy of the filing of the signed written petition and supporting documents to the Mobile Home Residents, and shall also include the hearing date, time, and location. Proof of said notice should be provided to the Board in advance of the public hearing and shall be considered part of a complete request for review. MAILED 14 days prior or RECEIVED 14 days prior. This is an important distinction when the owner

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is an out-of-state company with a vested interest in preventing tenants from effectively advocating for themselves.

- (d) Evidence. The Board may receive any oral or documentary evidence but may exclude irrelevant, immaterial or unduly repetitive evidence. Any interested party to the proceeding, including the Park Owner, Mobile Home Residents, and/or any agent or representative association thereof has the right to present the party's case by oral or documentary evidence, to submit rebuttal evidence, and to conduct any cross-examination that is required for a full and true disclosure of the facts.
 - (e) Burden of Proof. Decisions will be made by a preponderance of the evidence, and the Park Owners will have the Burden of Proof to establish the amount of a rent or fee increase, that is a Reasonable Rate of Return.
 - (f) Standard for Approval. The Board shall approve an increase that requires a hearing only upon a finding that the increase is necessary to provide a Reasonable Rate of Return and:
 - 1) Address health and safety conditions;
 - 2) Fund capital improvements essential to the operation of the Mobile Home Park;
 - 3) Cover increased Operating Expenses; or
 - 4) Reflect enhanced services.
 - 5) Park Owners that fail to maintain a Mobile Home Park in decent, safe, sanitary condition, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park.
- **Missing: documentation requirements, statement allowing the Board to require additional documents if needed to make their decision, and a bunch more. If Council intends for the ordinance to have all those details, it needs *more details*. Example- Sanford's "Exhibit A: Rent Stabilization Board Evaluation Standards". If they plan to leave it up to the rent board to write those rules/standards, that should be clearly stated in this ordinance

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Article V. Lot Rent and Fee Increase Limitations.

Section 5.01 Limitation on number of rent increases: A park owner may not increase the lot rents or fees more than one (1) time in any twelve (12)-month period.

Section 5.02 Base Rent Calculation: Except as provided herein, a Park Owner shall not demand, accept or retain rent for a Mobile Home Park Lot that exceeds the rent in effect for that lot on *date to be indicated*. In the event the lot was not occupied on *date to be indicated*, the Base Rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Section 5.04.

Section 5.03 Notification Requirements: The Park Owner shall provide notice of any planned increase in lot rent or fees to the affected Mobile Home Residents, no less than 90 days before the effective date of the increase. The 90-day notice must include:

- (a) The name, address, telephone number and e-mail address of the Park Owner; and

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- (b) The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.
- (c) And any other notification requirements required by 10 M.R.S. §9093-B. (This once again allows for changes to state law without the city having to make amendments AND makes it clear to all parties that the city's notification requirements do not *replace* the state requirements.

(d)

Section 5.04 Presumption of Reasonableness: A proposed Rent Increase shall be presumed to provide a Reasonable Rate of Return and shall not require a hearing by the Board if the proposed increase is less than:

- (a) The most recently posted annual percentage change in the Consumer Price Index (CPI) plus 1% or
- (b) Five percent of the current Base Rent.

Section 5.05 Written Petition for Hearing. A Park Owner seeking a Rent Increase which is not presumed to provide a Reasonable Rate of Return pursuant to Section 5.04 above must submit a signed, written petition to the City Clerk's Office. The City Clerk's Office shall forward the petition to the City Administrator's Office, which will then schedule it with the Rent Stabilization Board for a hearing. The petition must be filed in advance of the rent or fee increase notice described in Section 5.03 above and contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements, or unforeseeable expenses incurred at the Mobile Home Park.

Section 5.06 Vacancy Base Rent: A Park Owner shall be permitted to increase the lot rent by up to 15% whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot. "Lawful vacancy" needs to be defined. If it means "totally empty lot that someone plops a house on, sure. I still think 15% is way too high but I wouldn't die on that hill. If they mean "vacant because someone is in the process of selling their home", absolutely not. Jacking up the rent on an occupied lot takes money out of the hands of a resident (by making it hard to sell at an appropriate price) and puts it in the pocket of the landlord

Article VI. Violations and Enforcement.

Section 6.01 Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code. Each lot where a violation occurs shall be considered a separate violation.

Article VII. Appeals.

Section 7.01 An appeal of the Board's decision must be made to Superior Court within 30 days of the vote on the original decision. (A time limit on this seems like a good idea since it would prevent landlords from pulling out a surprise appeal at any time. However, it does put a squeeze on tenants who would then have to gather themselves and figure out how to make an appeal. If

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this ordinance is passed and you are not successful in your park purchase, I would recommend
you get the appeal process figured out ahead of time so you can jump on it when/if you need to)

DRAFT

Mobile home laws passed in 2026. They go into effect on July 29.

The state website lags FAR behind when updating the Maine Revised Statutes. ([The website's disclaimer](#)) Last year's bills went into effect in September but the website wasn't updated until *November*. How the heck are Mainers supposed to know their legal rights and responsibilities if they have to dig in 400 different places to figure it out??

This year's laws-

LD 2231- *An Act to Support Owners of Manufactured Housing, Mobile Homes and Tiny Homes*

- Limits rent increases to once per calendar year
- Removes a lot of confusing language regarding rent increase notice requirements
- Says that park owners may not require tenants to sign non-disclosure agreements as part of mediation negotiations
- There's also stuff about titles and deeds but I believe it mostly affects people who are trying to get mortgages on new or high-priced homes. I didn't pay attention to a lot of those details.

LD 364- *Resolve, Directing the Maine Office of Community Affairs to Submit Legislation and Take Other Actions to Effectuate the Transition of Responsibility for Regulating Manufactured Housing Communities and the Construction and Installation of Manufactured Homes from the Manufactured Housing Board to the Maine Office of Community Affairs*

- Moves licensing and oversight away from the Department of Professional & Occupational Regulation (OPOR) to the Maine Office of Community Affairs (MOCA)
 - Why this is good: under the current system, complaints must follow OPOR's Administrative Complaint Procedure which
 - Prevents real-time enforcement of licensing rules for mobile home parks. The only power is wagging a finger and reminding park owners that there are rules.
 - Makes all complaints confidential unless and until the Board determines that disciplinary action is warranted. The board only meets every 2 months, and they dismiss the majority of the complaints. Also, the average length of time between the deadline given for correcting a violation and the Board giving them a fine or other penalty: 17 months.
 - Limits the possible fines to \$1500 per violation up to a maximum of \$4500. For all but the smallest parks, that amount of money could be found in the couch cushions. Only ONE park has ever received the maximum fine of \$4500. That's a park that didn't repair a broken pump which meant that the raw sewage from the whole park poured down a hill into a stream that flows into the Kennebec River 1/3 mile away. How long was the pump broken? SEVEN MONTHS.
 - It also makes it so that if a park doesn't renew their license by April 1 and it remains lapsed for 90 days, the Manufactured Housing Board no longer has ANY authority over that park. They can't even go in and perform an inspection. Nothing. All they can do is refer the situation to the Attorney

General's office, which may or may not do anything about it. There are likely *many* parks that are operating without a license, either because they let their license lapse or because they were never licensed in the first place. There's no way to know how many or where they are. I personally know of a fully occupied 85-lot park in York whose license lapsed in 2022 (with an owner who resisted every attempt at contact by the Board) and a 15-lot park in Norridgewock that operated for several decades (under at least 3 different owners) before it was ever licensed at all.

- Saco leaders are free to contact [MOCA](#) and let them know about any changes they think should be made to state mobile home laws.

Not a law, but was recommended by GOPIF and have been put in place:

- A new position in the Attorney General's office for an AAG specific to housing. Currently, all housing issues are handled by the Consumer Protection AAG. I called them a month ago and that position was not in place yet.
- A 2-year position at Pine Tree Legal for someone to work specifically on mobile home park issues. (Pine Tree Legal is not a state agency so this change was not directed by the government. I think [Greg Payne](#) was a big part of putting that in motion through his network of connections but I'm not sure)

Rent Stabilization Ordinance Notes and Concerns:

BHRC General Notes:

Will we, the Blue Haven Residents Committee (BHRC) have any input?... and if so when and how?

[What date is the public hearing going to be held on?](#)

The entirety of the draft proposal says Mobile Home Park. It should be noted that in 1976 HUD (US Department of Housing and Urban Development) changed the term MHP to Manufactured Home per new and improved building codes to address safety and construction issues. The wording should be changed to reflect/include the name change.

Specific Comments to/on the Draft:

Meeting Item Commentary

1.) "In the Fall" should be replaced with actual dates and **should include the dates of each moratorium and receding on** indicated by March 9th, 2026, in the next sentence. **Be consistent.**

2.) council has provided HIGH LEVEL policy direction..."

> **Based on what? Not following state policy by Greg Payne's office and draft ordinance LD 1765 that was sent out to municipalities. Why the change from the draft ordinance from the Governor's Policy Advisor on Housing**

3.) First Reading, Public Hearing, Second/Final Reading

> **Dates?**

4.) Exhibits: Date of Exhibit, the First Draft is June 1, 2026. We received it at the last minute, on the morning of the July 6th Council meeting. **We requested a copy of this after the city council meeting on June 1st. Why did nobody respond to this request and provide the committee with a copy?**

> **If it was done/available 5 weeks ago, why wait so long to send it to us and bring it to the Council meeting? Why wait until the day of the meeting to let BHRC know about it as it delayed us informing the residents here.**

> **Were the park owners also notified?**

> **If so, when?**

Ordinance Draft:

Page 1.

Article 1 What is the definition of reasonable and unreasonable and for whom- clear definition of this. As definition later in the ordinance is contradicting

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> **Article 2 Section 2.02b:** Too vague, needs more clarity.

Section 2.02(b) exempts: "Lots subject to any agreement that restricts lot rent...in a manner more restrictive than this ordinance." But it does **not** clarify:

- Whether long-term leases are exempt
- Whether leases with CPI clauses are exempt

- Whether leases with ambiguous language are exempt

This could allow owners to create lease structures that circumvent the ordinance. They currently have leases that are illegal according to Pine State Legal so we might want to take out part B entirely.

> Article 3 Section 3.02a: “Base Rent” needs clarification. Does it mean what the residents are currently paying for lot fees, the \$660 “Base Rent” as established by the park owners during before and during mediation based on the CPI industry standard in the Northeast, or the current \$750 rent for new residents? **If this is based on a certain date it will still have to be determined which one is the base rent, even with the last increase we will all be paying \$660 by 2027 but new residents are paying \$750 so this needs clear parameters or be set based on the tier you are in (On any specific date)- this allows room for manipulation**

> How does Vacancy Base Rent apply, if any? See Article 5.06

> Article 3 Section 3.01 C In the definition of Mobile Home include it to say Mobile Home and or Manufactured homes and defined by MRS Title 10 Chapter 953 section 9090.

Page 2:

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> Article 3 Section 3.02g: “Reasonably incurred operating expenses”. Despite the attempt to give examples, they could mean anything.

> Who confirms and justifies that the expenses are accurate and legitimate? We are still having issues with water fees.

Also need to define Capital Improvements and reasonable reserve contributions

Remove interest expenses related to acquisition or capital improvement, why would there be interest unless there is a loan on these and why should this be part of operating expenses since they took out a loan because they could not cover this in the first place.

Section 3.02 q vi “Capital Improvements (amortized)”
the ordinance **does not define**:

- What counts as a capital improvement
- Whether residents must approve it
- Whether it must improve resident living conditions
- Whether cosmetic upgrades qualify
- How long amortization lasts
- Whether capital improvement surcharges sunset

Owners can claim almost anything is a capital improvement and justify large increases. We would like to see some of these defined further.

In addition to this I also noticed that there is no language or requirement that capital improvements be completed before rent increases therefore Park Owners can propose improvements, raise rent, and then **never complete the work**.

There is no enforcement mechanism here for this.

Section 3.02 g viii “Interest expenses related to acquisition or capital improvements.”

This means **park owners can raise rent to pay off their mortgage** or refinance debt. This is extremely owner-friendly. Most Maine ordinances **exclude acquisition debt** because it encourages owners to overpay for parks and pass the cost to residents. We recommend removing this from the draft ordinance.

Article 3 Section 3.02i: Reasonable Rate of Return is vague and needs clarification. **Conflicting definitions remove or redefine in clear language.**

I would recommend taking out (letter i) “debt service” and (letter g viii) “interest expenses related to acquisition” from the definitions of Operating Expenses and Reasonable Rate of Return. They should not be able to count this towards rent hikes. This allows these corporate investors to buy a park using massive, high interest loans, and then legally forcing us residents to pay off the landlord’s mortgages via rent increases.

Article 3 Section 3.02j: why include bonuses, benefits, and gratuity in the definition of rent. Should say Rent is a regular fixed payment made by a tenant to the owner for mobile home lot rent as there are no mobile home dwellings units being rented as those units are owned by residents. So, this needs to revisit and change the definition of this.

Article 3 Section 3.02k: Clarify “... and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.” ***This should not be if there are any reduction in services that residents must have an avenue to file a complaint to remedy this.*** defines rent increases to include: “any reduction in services without a corresponding reduction in the amount demanded” This ordinance **does not prohibit** owners from reducing services and then claiming they need a rent increase to “cover operating expenses.” This is contradictory and exploitable.

Section 4.01: why is it only “Park Owners” what about residents and BHRC? Also should include Article 5 Lot Rent and Fee Limation and Article 6 Violations.

Section 4.02: “Rent Stabilization Board is created to hear requests by Park Owners?”

> What about the Residents Committee and Park Residents

This seems to be one sided: what if they violate or reduce services to residents what recourse does a resident have to bring a complaint to the board. allows the Board to review fees, but the ordinance does **not**:

- Cap fees
- Define allowable fees
- Prevent owners from replacing rent increases with new fees
- Prevent “service reductions” paired with fee increases

There is currently no protection against “fee inflation.”

Page 3:

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Article 4 Section 401A: should be a 7-person committee and after the discussion sounds like the city council may want to do this at a special meeting however, we strongly recommend many municipalities include residents directly, because residents are the ones who actually know what is happening within the parks. If the City Council intends to oversee the board, then oversight should come from former City Council members—not active ones. Active members already carry significant responsibilities, and the board needs individuals who can listen fully, understand the realities on the ground, and act accordingly. Without resident representation or independent oversight, the ordinance risks becoming one-sided, and portions of the current draft already reflect that concern.

Article 4 Section 4.01b “Membership will be appointed by the Mayor and confirmed by City Council.”

> Nowhere does it say that park residents should not be a part of the committee. It has been mentioned that park residents cannot be on the Board. I believe that the Board should have at least one member from the park community, even if it is Non-voting or Ex-Officio, for nobody outside of the park will have the knowledge base of said park that a resident would. Could even be a Resident's Committee member.

I understand that the City Council would like to consider retaining and acting as the final authority, or act as the hearing body, but we believe that you should include a couple members of our community in Saco or BHRC Cooperative on this rent stabilization board as we retain inside first hand knowledge. “The board shall include at least 2 members who are current Mobile Home Park Residents living in Saco, and no more than 1 member who owns or operates rental property.”

Section 4.03 should clearly identify who can petition the board and the process to go about doing that. Should have steps be laid out for the petition process, what needs to be included and the hearing process.

Section 4.03 B Hearings: “Petitioner” needs to be defined clearly in the definition section.

> Who is the petitioner? Should include Persons, Park Owners’, Residents/Homeowner, or Representatives

Section 4.03 Section c: “...Park Owner shall provide a written notice of the petition to the Mobile Home Residents... and proof of said notices shall be proved to the Board in advance...”

>It should be further noted that the notification MUST be done via certified mail. Our experience with all correspondence from the park owners these past 10 months has been through notices taped on people’s doors. This was proved to be unreliable due to poor weather conditions and notices blowing off, notices taped at doors not used, people who do not live here full time, etc. Proof of said notice shall be provided by Certified mail to the Board.

Section 4.03 Section D: “Evidence removes the sentence by excluding irrelevant, immaterial, or unduly repetitive evidence. They should be weighing in all evidence to come to a fair decision.

Page 4:

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Section 4.02 Section f: Standard of Approval: “...Board shall approve an increase that requires a hearing only upon finding that the increase is necessary to provide a Reasonable Rate of Return...”

> Five examples are listed. Can BHRC have input?

> Article 4.02 Section f 5: *"...shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park..."*

> This could mean just about anything.

> Violations by whom?

> Who enforces and how?

Section 4.03c- Could we suggest changing the notice given to **45 days** instead of 14 so that elderly residents and the cooperative can have time to gather evidence, hire an attorney, gather financial experts, view the park's accounting spreadsheets, and prepare a defense.

Also could these notices be sent by **certified mail** so that all residents receive these notices

Section 4.03d- Could we add a "Tenant Legal Fund" fee or an "Expert Witness Clause" so that when the park owner files a petition to break the rent cap, they must pay an administrative fee to the city to fund an independent auditor or attorney to represent the residents' interests. These corporations have deep pockets and can afford corporate lawyers and it would cost the residents thousands of dollars just to prove the park owner is lying about their maintenance costs.

Section 4.03f 4- reflects enhanced services that need to be defined.

We currently don't have any enhanced services, we are trying to keep the costs lower as most residents in this park are on Social Security or fixed incomes.

There are currently no rules for preventing owners from charging for "enhanced services" that residents didn't request.

Section 4.03(f)(4) allows increases to:

"Reflect enhanced services."

But the ordinance does not require:

- Resident approval
- Resident benefit
- Resident need
- Resident consent

Owners can add unnecessary services and raise rent.

Section 4.03f 5- The way this section reads now actually rewards the park owners by letting them raise the rent to fix broken pipes that they should have maintained over the last five years in the first place. A total rent freeze is the only leverage that forces these corporate owners to fix the infrastructure and maintain it.

This section should state, "Any Park Owner with an active, uncorrected local or State health, safety, or housing code violation is completely barred from implementing ANY rent or fee increase, including the basic CPI or 3% whichever is lower increase."

There is currently no requirement for the Park Owners to maintain the park before raising the rent increase.

Section 4.03(f)(5) says owners who fail to maintain the park cannot exceed the basic increase **unless the increase is used to correct violations**. But it does **not**:

- Require proof
- Require completion
- Prevent owners from raising rent again after partial compliance
- Prevent owners from raising fees instead

This should be strengthened to be a stronger maintenance safeguard.

4.03 g -This is just a suggestion to add into the ordinance here.

There is currently no rule preventing owners from raising rent after a Board denial. If the Board denies an increase, the ordinance does **not**:

- Prevent owners from re-filing immediately
- Prevent owners from raising **fees** instead
- Prevent owners from raising rent the next year to “catch up”

Section 5.01 Limitation on number of rent increases should have a five-year cap.

There is currently no rule preventing the Park Owners from bundling multiple increases. The ordinance limits increases to once per year (Section 5.01), but does **not** prevent owners from:

- Raising rent AND fees at the same time
- Raising rent AND reducing services
- Raising rent AND adding new fees

We need better and stronger language here to prevent further manipulation.

Section 5.02 date to be indicated needs to be chosen. Then the Base Rent for that lot “PLUS” an amount up to that specified in Section 5.04. Can we take out the PLUS?

Section 5.03: Notification Requirements: “...Park Owner shall provide a written notice of the petition to the Mobile Home Residents no less than 90 days before the effective date of the increase.” *As per state law MRS Title 10 Section 9093- B*

>It should be further noted that the notification MUST be done via certified mail. Our experience with all correspondence from the park owners these past 10 months has been through notices taped on people’s doors. This was proved to be unreliable due to poor weather conditions and notices blowing off, notices taped at doors not used, people who do not live here full time, etc.

Section 5.03B: Notification Requirements: *need to include any changes to pass through utilities as stated by MRS Title 10 Chapter 953 need to be properly noticed as well as the lot rent.*

Distinguish all fees such as water fees clearly, rate, cost per gallon, and usage. Also give certified notice to all tenants when Maine Water increases the rate costs.

Section 5.04: Presumption of Reasonableness: "...Reasonable Rate of Return and shall not require a hearing by the Board...."

> CPI plus 1%:

> Why 1%? Why not just CPI

> Five Percent of current Base Rent:

> Why 5%?

> Why not skip CPI and just use a flat percentage?

> Either way it should be noted, not assumed to mean that it means the lesser of the two options. It should say "Whichever is Less."

because CPI can fluctuate from year to year. It was around 8% in 2022. Having a fixed ceiling gives residents more predictability about future rent increases. That said, would prefer to see the cap set at **CPI or 3%, whichever is lower**, as in Sanford's ordinance.

Section 5.04 b: "5% of the current Base Rent"

> Base Rent needs clarification. Does it mean what the residents are currently paying for lot fees, the \$660 "Base Rent" as established by the park owners during before and during mediation based on the CPI industry standard in the Northeast, or the current \$750 rent for new residents?

> How does Vacancy Base Rent apply, if any?

> Vacancy base Rent is permitted up to 15% whenever a lawful vacancy occurs and this amount shall be considered the New Base Rent for that Mobile Home lot.

Could you remove + 1 % after the CPI as this could lead to massive unsustainable rent hikes for seniors and families on fixed incomes

Could you lower the flat cap from 5% to 3%

This draft allows landlords to raise the rent based on their costs, but doesn't punish them if the park falls into disrepair. Could we insert a "Maintenance and Habitation Condition" clause. This should say something like, "any rent increase—even one below the automatic threshold—is completely barred if the park has outstanding code enforcement violations, neglected infrastructure, or deferred maintenance."

Section 5.05 remove "unforeseeable expenses incurred".

*The park submitted over a year ago plans to have **capital improvements** done, but they have been placed on administrative hold at the Planning Department. Just because they can show you plans of future projects, doesn't mean they will do the capital improvements and then turn around and still charged the residents a larger rent increase without violations. They also never continued their plans with the city of Saco Planning Board.*

The park also failed to do daily maintenance for the last 5 years and there are no violations for this either listed under Article VI.

*They should have to sign something in writing on their **capital improvement plans** that they will be acquiring these fees and that's why the rents will require a higher amount and will need to be inspected by the City of Saco once the job has been completed.*

*If the park owners petition for a **capital improvement**, can we suggest putting a maximum cap of no more than 2% a year can be passed down to residents. Otherwise they can buy another major piece of infrastructure and force us to pay for it all at once.*

Section 5.06 Vacancy Base Rent 15% is too high it should be capped at no more than 5% and which

base rent is this on because the park has 2 if a resident paying \$660 leaves and someone new comes in paying \$750, they can assess 15% on either of these or then if they decide to increase the lot rent another 5% on top ex. \$660+15% would put that person at \$759 +5% increase\$796.95. \$750+15% would put them at \$862.50+5% increase \$905.63. Many residents are on social security or disability and they do not get a 15% increase each year.

Any alleged violation of this section shall be subject to a violation or some sort of penalty.

Keep in mind that the higher these percentage rates are, this will drive the overall price of the park up, but this will decrease the equity and value in the mobile homes, which force people to sell lower just to exit. This Vacancy rate is too high and will force people out faster or be targeted to be forced out faster so the park can profit more and have the overall value increase quicker. It's all about how much they can profit, without reinvesting a dime back into our park. Over time, this destroys the affordable housing stock that's left in Saco. The vacancy rate should also be lowered to a maximum of 3%.

There are no anti-harassment or anti-retaliation protections here. They seem to be omitted. Without anti-harassment protections, owners can:

- *Pressure residents to leave*
- *Refuse to renew leases*
- *Create "lawful vacancies"*
- *Target outspoken residents*
- *Retaliate against cooperative members*

Page 5:

>Article 6.

- > Who enforces and how?*
- > Review City Code Section 1-18*
- > Include it in the explanation or as an exhibit for reference.*
 - > ?? \$1,000 per day??*

Is the penalty per lot, per day and how much. This section is extremely vague.

What are the recourses for residents if something in these ordinances is violated by the Park Owners' how do residents request a review at the rent stabilization board? According to this it only allows Park Owners to petition for a hearing. Why can't the residents? There needs to be a process set up for residents to seek recourse?

>Article 7.

- > Superior Court?*
 - > Define process or provide reference info?*

Who can appeal Park owners, Residents, or both?

Other additions worth considering putting into this rent stabilization ordinance:

1. *No Requirement for rent history or utility history disclosure, which allows the Park Owners to hide:*

- Past increases
- Past fees
- Past service reductions
- Past capital improvement surcharges

This makes it impossible for residents to challenge improper increases.

2. There is currently no requirement for plain-language notices. Notices can be written in legalese.

Residents may not understand:

- Their rights
- The reason for increases
- How to challenge increases
- How to participate in hearings

This is a barrier to enforcement. Even this ordinance is written in attorney jargon, which has been extremely complex and difficult to comprehend. Are you going to make plain-language ordinance as well?

3. If the park is sold:

- The new owner can claim increased operating expenses
- The new owner can claim increased debt service
- The new owner can claim capital improvements
- The new owner can claim a need for “reasonable profit”

This is a structural vulnerability. There is no rule for preventing owners with multiple entities from raising the rent after selling the park.

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ACTION ITEM #
Ryan Pelletier
Exhibit 4
City Administrator
RPelletier@sacomaine.org

Emily Cole-Prescott
Deputy City Administrator
Eprescott@sacomaine.org

TO: Mayor MacPhail & Saco City Council
FROM: Emily Cole-Prescott, Deputy City Administrator
DATE: July 29, 2026 (August 3, 2026 City Council Meeting)
RE: Previous Moratorium Actions (List)

The purpose of this memo is to address a concern that the full history of the repealed moratorium was not provided in the previous meeting packet. To assist with information for the record, staff has compiled the following meeting dates. Please refer to the meeting packets for full information:

- [October 6, 2025](#) (link): Mobile Home Park Lot Rental Increases
- [October 27, 2025](#) (link): Emergency Moratorium on Mobile Home Park Lot Rental Increases
- [December 15, 2025](#) (link): Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- [February 9, 2026](#) (link): Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- [February 23, 2026](#) (link): Repeal of Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- [March 2, 2026](#) (link): Repeal of Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- [March 9, 2026](#) (link): Repeal of Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- [June 1, 2026](#) (link): Mobile Home Park Lot Rent Stabilization Ordinance Options
- [July 6, 2026](#) (link): Mobile Home Park Lot Rent Stabilization Ordinance (Proposed to be Chapter 145 in City Code)