



# Frequently Asked Questions: Mobile Home Park Registration

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**1. What is the new registration requirement for mobile home parks in Colorado?**

Starting February 1, 2020, all mobile home parks need to be registered and renew their registration annually with the Colorado Division of Housing. This requirement was part of [House Bill 19-1309](#) (1309), which was signed into law by Governor Polis on May 23, 2019. The purpose of 1309 is to facilitate better communication and resolve disputes between mobile home park landlords and mobile home owners. 1309 gives Division oversight over the [Mobile Home Park Act](#) (Act) and tasks Division with maintaining a registration database of all mobile home parks in the state.

**2. What type of mobile home parks need to register with the state?**

Starting February 1, 2020, all mobile home parks with five or more occupied mobile homes need to be registered with the Division of Housing. For purposes of the Mobile Home Park Oversight Program, “mobile homes” include factory-built residential structures (modular homes) if they are situated in a mobile home park, pre-1976 mobile homes, and manufactured homes constructed to the federal standards on or after June 15, 1976 ([8 CCR 1302-15-1.1](#)).

For purposes of the Program, “mobile homes” do not include camper coaches, camper trailers, fifth wheel trailers, motor homes, recreational park trailers, recreational vehicles, travel trailers, or truck campers. A mobile home park that rents space to RVs, camper trailers, etc. does not need to register unless the park also rents space to five or more “mobile homes” as defined in [8 CCR 1302-15-1.1](#).

**3. Do parks that rent space to RVs, camper trailers, etc. need to register?**

Parks that rent space to camper coaches, camper trailers, fifth wheel trailers, motor homes, recreational park trailers, recreational vehicles, travel trailers, or truck campers do not need to register unless the park also rents space to five or more “mobile homes” as defined in [8 CCR 1302-15-1.1](#). Under 8 CCR 1302-15-1.1, “mobile homes” include factory-built residential structures (modular homes) if they are situated in a mobile home park, pre-1976 mobile homes, and manufactured homes constructed to the federal standards on or after June 15, 1976.

**4. Do I need to register if my mobile home park has less than five occupied mobile homes?**

No, only mobile home parks with five or more occupied mobile homes need to register with the Division of Housing. However, if an existing park makes additional mobile home lots available for rent, such that the park will have five or more occupied mobile homes when the lots are rented, the park needs to register with Division within three months of



the availability of the mobile home lots for rent. A landlord may be subject to a delinquency fee of up to \$5,000 for failing to register a park by the three-month deadline.

**5. What is the registration deadline for existing mobile home parks?**

All existing mobile home parks with five or more occupied mobile homes need to register with the Division of Housing before February 1, 2020.

**6. What happens if I do not register my park before February 1, 2020?**

Landlords of eligible mobile home parks that fail to submit a registration application before the deadline or registration renewal application before their expiration date may be subject to a delinquent registration penalty of up to \$5,000.

**7. How much is the registration fee?**

The registration fee established in law for the 2020 calendar year is \$24 for each occupied mobile home independently owned on rented land within the landlord's mobile home park. A landlord may, but is not required to, charge a home owner up to but not more than half of the registration fee (ex. \$12 in calendar year 2020). After 2020, registration and renewal fees will be established each year by the Division of Housing through a public rulemaking process.

Landlords should include any mobile homes with rent-to-own and lease-to-own agreements in their count of independently owned mobile homes in the park when filling out their registration application and in calculating the registration fee for their park.

**8. What will the registration fee be used for?**

All money collected from mobile home park registration and delinquency fees will go into the Mobile Home Park Oversight Program Fund (Fund). The Fund will be used to support the Mobile Home Park Act Dispute Resolution and Enforcement Program, which will be available to all mobile home park landlords and mobile home owners starting May 1, 2020, as an option to resolve disputes concerning potential violations of the Mobile Home Park Act in lieu of pursuing all matters of redress through a costly and time consuming court process.

**9. How can the landlord of a mobile home park demonstrate that they have not passed on more than half of the registration fee (ex. \$12 in calendar year 2020) to a mobile home owner?**

The Division of Housing recommends landlords of mobile home parks keep documentation of the reason(s) for any lot rent increase(s) and any items included in a



rent increase, and share the reason(s) for / items included in the rent increase in writing with the mobile home owners. If a mobile home owner files a complaint with Division that alleges a landlord passed on a fee or penalty to the home owner as part of the rent increase in violation of the Mobile Home Park Act or the Mobile Home Park Oversight Program, and Division investigates that complaint, as part of the investigation Division may ask the landlord to provide documentation that the rent increase was justified and did not include any impermissible fees or penalties.

**10. I received a mobile home park registration application form by mail in December 2019. The second paragraph of the attestation at the end of the application asks the landlord to attest that they have posted a required Home Owner Notice; however, I have not gotten this Notice from the Division of Housing yet. What should I do?**

You have a few options. The second paragraph of the landlord attestation on the park registration application was updated on 12/31/2019 to reflect that the Division will not be mailing the Home Owner Notice to landlords until February 2020, after park registration is complete. You can download the updated version of the [paper registration application](#) on the Division's website, or complete your registration [online](#) (note that the online registration form now reflects the updated version of the attestation).

If you *already submitted* a paper or online registration application with the old attestation language, the Division will follow up with you to complete your park registration. The Division will send you an updated attestation form by mail or email (if available) to complete, sign, and return.

We hope that this change to the attestation and timing of the Home Owner Notice will allow landlords to focus on registering their park in the month January 2020, and turn their attention to posting the Home Owner Notice after registration is complete but before the complaint process opens on May 1, 2020.

**11. The park registration application asks for an “SOS ID” – what is this?**

Businesses that register with the Colorado Secretary of State are assigned an 11-digit identification number – this is a business' “SOS ID.” If your mobile home park is owned by a business (like an LLC) that is registered with the Secretary of State, you can look up your SOS ID here: [www.sos.state.co.us/biz/AdvancedSearchCriteria.do](http://www.sos.state.co.us/biz/AdvancedSearchCriteria.do). If your park is owned by an individual or group of individuals, you can leave the SOS ID field on the park registration application blank.

**12. The park registration application asks whether the park has a “DBA(s)” – what is this?**

“DBA” stands for Doing Business As. A business has a DBA when it operates under a name(s) that is different from the business' legal name. If your mobile home park or landlord does not use any DBAs, you can leave the DBA table on the application blank.



**13. I need to register multiple mobile home parks. Can I register multiple mobile home parks online using the same email address?**

You can register multiple mobile home parks [online](#), but you will need to use a different email address to register each park. In order to keep the software licensing costs down for the Mobile Home Park Oversight Program (and ultimately for mobile home park landlords and mobile home owners using the Program), each online park application needs a unique email address. You can use a free service to create separate email addresses for each park, and set up email forwarding so that any emails sent to the park email addresses are forwarded to your primary email account. Or you can submit a [paper registration application](#) for each park, by mail or in person.

**14. All of the homes in my mobile home park are park-owned – do I still need to register?**

Yes. Mobile home parks with five or more mobile homes (as defined in [Rules 1.1 and 1.2](#) of 8 CCR 1302-15) are required to register with the Program. However, the registration fee is based only on the number of homes within a park that are independently-owned (not park-owned). Therefore, if your park has more than five mobile homes but all of the mobile homes are park-owned, you *are* required to register but your registration fee is \$0 for 2020.

**15. I own a seasonal mobile home park and the mobile homes in my park are only occupied in the summer. Do I still need to register my park and pay a fee for the independently-owned mobile homes in my park if those homes are not currently occupied?**

Yes. There is currently no registration exemption for seasonal parks or partial-year tenancies. For purposes of park registration and calculation of the registration fee, the Division considers an independently-owned home “occupied” if the mobile home owner is required to make a monthly or annual rent payment to the park, regardless of whether the home owner is currently living in the house or whether the rent has been paid on time.

If a landlord has proof that a mobile home has been abandoned by the home owner, the landlord may exclude the abandoned mobile home from the park’s count of “independently-owned occupied mobile homes” for purposes of calculating the park’s registration fee.

**16. I own a mobile home park but some/all of the mobile homes in the park are only occupied for part of the year. Do I still need to register my park and pay a fee for the independently-owned mobile homes in my park if those homes are not currently occupied?**

Yes. There is currently no registration exemption for seasonal parks or partial-year tenancies. For purposes of park registration and calculation of the registration fee, the Division considers an independently-owned home “occupied” if the mobile home owner



is required to make a monthly rent payment to the park, regardless of whether the home owner is currently living in the house or whether the rent has been paid on time.

If a landlord has proof that a mobile home has been abandoned by the home owner, the landlord may exclude the abandoned mobile home from the park's count of "independently-owned occupied mobile homes" for purposes of calculating the park's registration fee.

**17. I am a mobile home owner and also a shareholder in the mobile home park where I live. Does my park need to register with the Program?**

Maybe. It depends on whether someone - you as a mobile home owner or an outside interest - is getting a "pecuniary benefit," like making a profit, from operating the land as a mobile home park.

The Mobile Home Park Act defines a "mobile home park" as "a parcel of land used for the continuous accommodation of five or more occupied mobile homes and operated for the pecuniary benefit of the owner of the parcel of land, his agents, lessees, or assignees. Mobile home park does not include mobile home subdivisions or property zoned for manufactured home subdivisions" ([38-12-201.5](#)). If you have questions about whether your park meets this definition, contact the Program at [DOLA\\_MHPADREP@state.co.us](mailto:DOLA_MHPADREP@state.co.us) or 1.833.924.1147(toll free).

**18. Do I have to pay a registration fee for a mobile home that has been abandoned by the home owner in my park?**

If a landlord has proof that a mobile home has been abandoned by the home owner, the landlord may exclude the abandoned mobile home from the park's count of "independently-owned occupied mobile homes" for purposes of calculating the park's registration fee.

**19. How are mobile homes with rent-to-own agreements treated for purposes of park registration and access to dispute resolution?**

The Division considers individuals with rent-to-own agreements as mobile home owners for purposes of the Mobile Home Park Oversight Program. Therefore, landlords must include mobile homes with rent-to-own agreements in their count of independently-owned occupied mobile homes in the park when filling out their registration application and in calculating the registration fee for their park. In addition, individuals with rent-to-own agreements may file a complaint with Division under the Program to investigate and address a potential violation of the Mobile Home Park Act or Program.

**20. How are mobile homes with lease-to-own agreements treated for purposes of park registration and access to dispute resolution?**

The Division considers individuals with lease-to-own agreements as mobile home owners for purposes of the Mobile Home Park Oversight Program. Therefore, landlords



must include mobile homes with lease-to-own agreements in their count of independently-owned occupied mobile homes in the park when filling out their registration application and in calculating the registration fee for their park. In addition, individuals with lease-to-own agreements may file a complaint with the Division under the Program to investigate and address a potential violation of the Mobile Home Park Act or Program.

**21. I submitted my registration application and payment to the Division of Housing (by mail, online, or in person). Is there a way to confirm my park is successfully registered?**

The Division will be following up by email or postal mail (depending on the contact information provided by the landlord) with each park that submitted a registration application to confirm whether the park's registration application is complete or whether additional information is needed. Each park will receive a Registration Number, Initial Registration Date, and Expiration Date when their registration is complete and has been approved by the Division. Please allow the Division one month to process your application before contacting the Division to check on the status of your application.

Starting March 2, 2020, any interested party will be to find out whether a mobile home park is registered with the state by visiting the Division's website:

[www.colorado.gov/dola/mobile-home-park-oversight](http://www.colorado.gov/dola/mobile-home-park-oversight).

**22. When do new mobile home parks need to register with the state?**

If a new mobile home park will have five or more occupied mobile homes, the park needs to register with the Division of Housing within three months of the availability of mobile home lots for rent within the new park. If a new park will have less than five occupied mobile homes in the park, the park does not need to register with Division. A landlord may be subject to a delinquency fee of up to \$5,000 for failing to register a park before the three-month deadline.

**23. Will I get an invoice for the registration fee?**

No; however, you will get a receipt from the Division of Housing after you submit the park Registration Application and Registration Fee payment. You can determine what the Registration Fee for your park will be ahead of time by multiplying the number of occupied, independently-owned mobile homes in the park by the registration fee amount (ex. in 2020, \$24 for each occupied, independently-owned mobile home in the park). Any mobile homes with rent-to-own agreements are considered independently-owned mobile homes in the park and must be included when calculating the registration fee.

**24. Will I get a registration or confirmation number?**





Yes. After you submit the Registration Application and Registration Fee payment, the Division of Housing will review the Registration Application and Registration Fee payment and approve the Registration Application once it is complete. After your application and payment have been approved, you will receive a Park Registration Number, Application Number, the park's Initial Registration Date, and the park's Registration Expiration Date.

## **25. When does the registration expire?**

Pursuant to [8 CCR 1302-15-2.4](#), a mobile home park registration expires one year from the first day of the following month after Division of Housing approves the park's Registration Application and Registration Fee payment. *For example, if Division approves a park registration in January of 2020, the registration expires February 1, 2021.* A landlord must renew the registration before the expiration date if they are still operating the land as a mobile home park. A landlord may be subject to a delinquency fee of up to \$5,000 for failing to renew a park registration before the park's Registration Expiration Date.

## **26. Do I need to renew my registration?**

Yes. A landlord must renew their park registration **annually** by the expiration date if they are still operating the land as a mobile home park. A landlord may be subject to a delinquency fee of up to \$5,000 for failing to renew a park registration before the park's Registration Expiration Date.

## **27. Will I get a reminder when my registration is about to expire?**

The Division of Housing will send expiration notices / registration renewal reminders to the landlord designated as the primary contact for the mobile home park 30 days, 14 days, and one day before the park registration expires. However, it is the responsibility of the landlord to renew their park registration before the park's Registration Expiration Date. A landlord may be subject to a delinquency fee of up to \$5,000 for failing to renew a park registration before the park's Registration Expiration Date.

If the name or contact information of the landlord designated as the primary contact for the park or the name or contact information of park changes between the time of initial registration and renewal, or between registration renewals, the landlord is required to notify Division within 30 calendar days of the change to ensure timely delivery of registration renewal updates.

In addition, a landlord must notify Division within 30 calendar days of a change in the ownership of the landlord's mobile home park so that the division may update the mobile



home park's registration information and ensure timely delivery of registration renewal updates.

**28. What if the contact person or contact information for the park changes during the year?**

A landlord must notify the Division of Housing within 30 calendar days if any of the following information changes between the time of initial registration and renewal, or between registration renewals:

- The name, mailing address, phone number, and email address (if available) of the landlord designated as the primary contact for the mobile home park; or
- The name, physical address, phone number, and website address (if available) of the mobile home park.

**29. What happens if park ownership changes during the year?**

A landlord must notify the Division of Housing within 30 calendar days of a change in the ownership of the landlord's mobile home park so that Division may update the mobile home park's registration information and ensure timely delivery of registration renewal updates.

**30. Can I look up whether a park is registered?**

Yes. Starting March 2, 2020, any interested party will be to find out whether a mobile home park is registered with the state by visiting the Division of Housing's website: [www.colorado.gov/dola/mobile-home-park-oversight](http://www.colorado.gov/dola/mobile-home-park-oversight).