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# Demand for Past Due Rent in Mobile Home Parks

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## What is the legal definition of a mobile home park?

A property is classified as a mobile home park if:

- There are at least three (3) mobile homes on the property, and
- The mobile homes are lived in year-round

## What happens if I am behind on my rent?

If you owe rental arrears and are renting from a mobile home park, the law requires that your landlord give you written notice that you must pay the rent within 30 days. Your landlord must provide you with this notice before filing an eviction in court. This rule applies whether you own your mobile home or rent one from the mobile home park.

Note: The law is different if you rent the mobile home from someone other than the park owner. In that case, the notice to pay rent must give you at least 14 days to pay.

The notice your landlord provides must be in writing. It should provide at least 30 days to pay and clearly outline what is expected. Here is an example of a notice that is clear:

"Dear Tenant: You owe rental arrears for April 2025 in the amount of \$500, and you must pay this amount within 30 days of today's date. If you do not pay this amount within 30 days, you must vacate the property. If you do not pay this amount within 30 days, a nonpayment eviction will be filed against you in court."

Here is an example of a notice that is not clear:

"Dear Tenant: You are behind on your rent and should pay it soon. If you don't, you may have to move."

Even if you cannot pay the rent that the landlord claims you owe, the landlord must take you to court, where a judge will hold a hearing and determine if you can be evicted.

If you were not given proper notice, and your landlord tries to evict you for nonpayment of rent, be sure to tell that judge that:

- The notice was not written, or
- The notice did not tell you how much you owed, or
- The notice did not tell you what month's rent you owed, or
- The notice did not give you 30 days to pay.

The judge should require your landlord to prove that he or she provided you with proper notice and that you are behind on rent. If your landlord cannot demonstrate to the court that correct notice was given to you and that you owe rent, then the judge should dismiss your landlord's nonpayment case and not issue a warrant to evict you.

The [Residential Tenants' Rights Guide](#), published by the New York State Attorney General's Office, provides additional information on manufactured home park tenants' rights. Please contact us if you would like us to provide a physical copy.

If your landlord is threatening to evict you and you cannot pay rent, you should try to get an attorney to assist you. Your local Department of Social Services may also guide you to resources or assist you in bringing your rent current if you satisfy certain eligibility requirements.

Note: Contact an attorney if problems arise with the park owner or operator. If the park tries to evict a rent-to-own purchaser, the purchaser may be able to get their money back.

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This article provides general information about this subject. Laws affecting this subject may have changed since this article was written. For specific legal advice about a problem you are having, get the advice of a lawyer. Receiving this information does not make you a client of our office.

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