

LFC Requester:	Emily Hilla
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**AGENCY BILL ANALYSIS
2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date March 10, 2025

Bill No: HB 442 HJCS

Sponsor: Rep. Matthews
Short Title: Mobile Home Rent Stabilization

Agency Name and Code Regulation and Licensing Department - 420
Number: _____
Person Writing Lori Chavez
Phone: 505-469-2728 **Email** Lori.chavez1@rld.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: n/a
Duplicates/Relates to Appropriation in the General Appropriation Act: n/a

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis of House Judiciary Committee Substitute for House Bill 442 (HJCSUB.HB442):

The original HB 442 amended the Mobile Home Park Act definitions to include manufactured homes and added a section to the Act that specifies landlords can only increase rent once a year and limits that increases to no more than five percent (5%) of the previous year's rent. The bill also would create private remedies for violations of the provision, would allow for damages equal to twice the amount of monthly rent and allows for such violations to be pursued under the Unfair Practices Act.

HJCSUB.HB442 makes property zoned for manufactured home divisions be subject to the Mobile Home Park Act.

HJCSUB.HB442 adds an affirmative requirement that a resident of a mobile home park provide written notification to the landlord of any interruptions of utility services.

HJCSUB.HB442 modifies private remedies for violations of the Mobile Home Park Act, Sections 47-10-19 through 47-10-20 NMSA 1978, deleting civil penalties not exceeding five hundred dollars (\$500) and adding that the landlord shall be held liable for two (2) times the amount of the total monthly rent for violations of the entire Mobile Home Park Act except for Section 47-10-20 NMSA 1978, Cost of Utility Services.

HJCSUB.HB442 adds a new section assessing a penalty of one hundred fifty dollars (\$150) rent abatement for violations of Section 47-10-20 NMSA 1978, against the landlord for violations that continues for eight (8) hours or more beginning the day the violation is first observed by the resident until the violation is cured. If the violation continues for more than seven (7) days, the resident may withhold two hundred fifty dollars (\$250) per day in rent abated until the violation is cured.

HJCSUB.HB442 makes landlords subject to the Unfair Practices Act for violations of the Mobile Home Park Act, Sections 47-10-19, 47-10-21 and 47-10-22 NMSA 1978.

HJCSUB.HB442 creates a "mobile home parks work group" comprised of several government agencies and stakeholders to study and develop a regulatory framework for mobile home part tenancies and rent increases. The mobile home parks work group shall function until July 1, 2027, submitting its first report on December 1, 2025, and its second report with recommendations by September 1, 2026, to the appropriate interim legislative committees that study housing and property issues.

FISCAL IMPLICATIONS

HJCSUB.HB442 creates a mobile home park work group with the Superintendent of the Regulation and Licensing Department (RLD) assigned to chair the working group. The RLD is required by the substitute bill to provide all staffing and cover any administrative costs necessary

to support the working group. No funding is provided in the bill to cover the costs of carrying out the duties assigned to the working group. The Manufactured Housing Division of the RLD does not regulate mobile home parks.

SIGNIFICANT ISSUES

HJCSUB.HB442 requires the landlord to correct violations of Section 47-10-20 NMSA 1978, within eight (8) hours before incurring a penalty of one hundred fifty dollars (\$150) per day rent abatement. Unless the mobile home park employs a licensed contractor qualified to make corrections, it may be an impossibility for a landlord to hire a private contractor to come out to make utility service repairs within eight (8) hours. There are a number of factors that impact the landlord and contractor's ability to make repairs in such a short period of time such as the distance to the park, weather, availability of parts, holidays or availability of licensed contractors.

HJCSUB.HB442 assesses a two hundred fifty dollars (\$250) per day rent abatement penalty for violations of Section 47-10-20 NMSA 1978, that exceed seven (7) days. The penalty may be considered unreasonable since the fine could reach seven thousand five hundred dollars (\$7,500) a month. A \$7,500 fine is likely to be considerably higher than what residents pay to lease or rent the mobile home lot. It is estimated that the lease or rental cost of a mobile home lot ranges between five hundred dollars (\$500) to one thousand dollars (\$1,000) per month.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 418 Mobile Home Rental Agreements & Landlords
House Bill 426 Mobile Home Park Sale Notices
House Memorial 35 Mobile Home Park Regulatory Framework
Senate Bill 320 Mobile Home Replacement Initiatives

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS