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FISCAL IMPACT REPORT

ORIGINAL DATE 01/28/13
SPONSOR O'Neill **LAST UPDATED** 02/09/13 **HB** _____

SHORT TITLE Change of Use In Mobil Home Notifications **SB** 125/aSPAC

ANALYST Weber

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY13 | FY14 | FY15 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|------|------|------|----------------------|------------------------------|------------------|
| Total | | NFI | | | | |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Attorney General's Office (AGO)

SUMMARY

Synopsis of SPAC Amendment

1. On page 3, line 6, after "landlord", insert "of a mobile home park with more than thirty tenants".
2. On page 3, line 10, strike "twenty-four" and insert in lieu thereof "eighteen".

The section now reads.

D. If the landlord intends to change the use of the premises, and where such change of use would result in the termination of tenancy of a resident, the landlord of a mobile home park with more than thirty tenants shall give notice of the landlord's intent to terminate the tenancy of the resident to the resident not less than eighteen months prior to the earlier of the termination of the tenancy or the change of use of the premises.

Synopsis of Original Bill

Senate Bill 125 adds a new section of the law related to a landlord's intent to change the use of a mobile home park. When such change of use would result in the termination of tenancy of a resident, or all residents, the landlord shall give notice of the landlord's intent to terminate the tenancy of the resident to the resident not less than twenty-four months prior to the earlier of the termination of the tenancy or the change of use of the premises.

Other minor changes in language do not make substantial changes.

FISCAL IMPLICATIONS

No fiscal implications are identified.

SIGNIFICANT ISSUES

The Attorney General’s Office (AGO) notes this gives considerable more protection to the resident.

However, to make the section consistent with previous sections the AGO recommends re-writing as noted:

If the landlord intends to change the use of the premises, and where such change of use would result in the termination of a tenancy of a resident, the landlord shall give written notice of the landlord’s intent to terminate the tenancy of the resident to the resident not less than twenty-four months prior to the earlier of the termination of the tenancy or the change of the use of the premises. That notice must contain the information required in a notice to quit under Sub-Section A of this section.

POSSIBLE QUESTIONS

Since the prior sections do not offer specific justifications for terminating tenancy, why should change of use require special consideration?

MAW/bm:svb