

Other Housing Initiatives

Manufactured Housing

An antiquated structure of ownership means that owners of manufactured homes on leased land are in a constantly precarious situation. Sharp increases in ground rents and community closures due to failing systems or new development can spell disaster for homeowners. Several bills that would help to equalize the balance of power between home owners and land owners are currently being considered.

- S.B. 208 This Act requires mobile home community owners to disclose to each prospective tenant the rents and fees it has charged for a lot of interest to the prospective tenant for the previous five years.
- S.B. 209 This Act provides for the creation of a Board as an interim/administrative tribunal designed to resolve disputed rules, standards, or rents. The Board's goal is to determine the reasonableness of disputed rules, standards, and rents and, where unreasonable, to recommend reasonable alternatives. Unreasonable rules, standards, and rents shall not be applied after the date the Board approves a decision on the matter.
- S.B. 211 This bill requires the owner of the manufactured home community to notify all tenants 60 days prior to completing any sale or transfer of the community. The owner will sell to a tenant cooperative association if its offer is equal to or greater than the best third party offer.
- S.B. 212 This Act expands the rules governing lot rent increases. Existing law requires that a community owner provide 60 days written notice of an increase and that only one increase may be made per calendar year. In addition to these provisions, this Act requires that rent be reasonable and related to the operating costs and market conditions.

Key Contacts: Senate Agriculture Committee (Chairman: Rep. George Bunting; Members: Reps. Thurman Adams, Colin Bonini, Nancy Cook, Gary Simpson, and Robert Venables)

Senate Subcommittee on Manufactured Housing (Chairman: Rep. Robert Valihura; Members: Reps. Donna Stone, Bruce Ennis, Gerald Hocker, Deborah Hudson, Gregory Lavelle, Peter Schwartzkopf, Pamela Thornburg)

For more Info: Delaware Manufactured Home Owners Association
- Ed Speraw, President (302-945-2122; esperaw@aol.com)
- Bill Reed, Vice President (302-645-0380; DiBillReed@cs.com)

Protection for Victims of Domestic Violence

A Bill making changes to the Delaware Landlord-Tenant code will be introduced in spring 2006. This Bill would allow victims of domestic violence to terminate their leases with 30 days notice. The Delaware Landlord-Tenant Code requires that tenants to give sixty-days notice of terminating their lease agreement unless they fall into one of six exceptions. For those sixty days, tenants are held responsible for rent. This legislation amends Section 5314 of the Landlord-Tenant Code to add victims of domestic violence to the list of exceptions.

Often, incidents of domestic violence create an exigent need for victims to find alternative housing. Because domestic violence is more common among low-income persons, many victims cannot afford to pay sixty days rent for a unit in which they do not reside and still afford other safe accommodations. By lessening the financial burden placed upon victims who must seek alternative accommodations, early termination provisions both encourage victims to remove themselves from dangerous situations and make it more feasible for them to avoid homelessness in the process.

Key Contacts: Sen. Patricia Blevins

Other Housing Initiatives

Protection for Victims of Domestic Violence (Cont'd)

For more Info: Delaware Coalition Against Domestic Violence (DCADV)

- Paulette Sullivan Moore (302-658-2958)

Delaware State Housing Authority (DSHA)

- Matthew Heckles (302-739-4263, matthew@dsha.state.de.us)

Community Legal Aid Society, Inc. (CLASI)

- Debbie Gottschalk, Deputy Director (302-575-0660, x. 239, dgottschalk@declasi.org)

Source of Income Discrimination

Legislation prohibiting discrimination against persons on the basis of their source of income will be introduced in Spring 2006. This would amend Delaware's fair housing laws to prohibit discrimination against persons seeking housing on the basis of their source of income. It is estimated that over 100,000 families, persons with disabilities and senior citizens rely heavily on some form of non-wage income to obtain safe, decent and affordable house. Non-wage income includes any lawful subsidy or benefit, including SSI, SSDI, TANF, Child Support, and other public assistance or rental assistance programs.

Many low-income families and individuals with the ability to pay rent are unable to access safe and decent housing because some landlords discriminate against families and individuals based upon their source of income and refuse to rent to them. By amending Delaware's fair housing laws to prohibit discrimination based upon legal sources of income, tenants will have better access to housing they can afford. This legislation would still allow landlords to require landlord references, home visits, credit checks, and other tools to screen tenants and landlords would remain free to raise rents.

For more Info: Delaware State Housing Authority (DSHA)

- Matthew Heckles, Executive Assistant (302-739-4263, matthew@dsha.state.de.us)

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H.B. 36

HB 36 adds "sexual orientation" to the existing laws prohibiting discrimination in the sale or rental of housing. "Sexual orientation" is defined as "lesbian, gay, bisexual, or heterosexual orientation, real or perceived." It retains the existing exemptions for religious organizations, private clubs not open to the public, and owner-occupied dwellings intended to be occupied by no more than 4 families.

This bill fits within the original intent of Delaware's Fair Housing Act that seeks to ensure that "all persons may fully enjoy equal rights and access to housing for themselves and their families." It is not about "favoring" or "accepting" any sexual orientation, any more than the existing ban on discrimination regarding marital status favors the choice or circumstance of being single, married, divorced, or widowed. This bill applies equally to all *lawful* sexual orientations. This bill fits within the original intent of Delaware's Fair Housing Act that seeks to ensure that "all persons may fully enjoy equal rights and access to housing for themselves and their families."

Key Contacts: Rep. Oberle; Senators; Senate Judiciary Committee (Chairman: Senator Vaughn; Members: Senators Adams, Amick, DeLuca, McDowell, and Simpson)

For more Info: Community Legal Aid Society, Inc. (CLASI)

- Debbie Gottschalk, Deputy Director (302-575-0660, x. 239, dgottschalk@declasi.org)

American Civil Liberties Union (ACLU) – Delaware

- Drew Fennell (302-654-3966)