

OFFICE OF THE GOVERNOR  
STATE OF MONTANA

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LT. GOVERNOR

May 16, 2023

The Honorable Jason Ellsworth  
President of the Senate  
State Capitol  
Helena, MT 59620

The Honorable Matt Regier  
Speaker of the House  
State Capitol  
Helena, MT 59620

Dear President Ellsworth and Speaker Regier:

Like you and members of the Legislature, I am committed to increasing Montanans' access to affordable, attainable housing, including measures that ensure the availability of mobile home rental lots for owners of mobile homes. House Bill 889, however, unduly increases regulation of mobile home parks, disincentivizes landlords from maintaining or increasing the inventory of mobile home rental lots, and, in general, compromises the property rights of mobile home park owners.

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 889: "AN ACT GENERALLY REVISING THE MONTANA RESIDENTIAL MOBILE HOME LOT RENTAL ACT; PROVIDING ADDITIONAL RENTAL AGREEMENT TERMS; LIMITING A LANDLORD'S ABILITY TO INTERFERE WITH THE SALE OF A MOBILE HOME; PROVIDING ADDITIONAL PROTECTIONS TO A RESIDENT ASSOCIATION; PROVIDING ADDITIONAL ACTIONS DEEMED RETALIATORY BY A LANDLORD; REVISING REASONS FOR AND THE PROCESS OF A LAWFUL TERMINATION OF A RENTAL AGREEMENT; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 70-33-103, 70-33-201, 70-33-305, 70-33-314, 70-33-431, AND 70-33-433, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

As currently enacted, the Montana Residential Mobile Home Lot Rental Act sets forth the responsibilities of landlords and mobile home tenants, providing a balance between responsibilities and duties of landlords and mobile home owners.

House Bill 889 alters that balance and imposes numerous additional regulations on landlords that will deter investment in new or expanded mobile home parks. For example, House Bill 889

prohibits landlords from the long-standing and currently lawful practice of considering the age of a mobile home in determining whether to allow a transfer of a lease to a new buyer to whom an existing tenant has sold the mobile home. If a landlord and tenant do not specifically agree upon a term of lease, House Bill 889 provides for a one-year lease instead of the current month-to-month lease, and imposes extended notice periods before being able to terminate or modify longer leases without imposing similar notice requirements on tenants.

House Bill 889 unreasonably limits a landlord's ability to change the use of a mobile park by imposing a moratorium on termination of existing leases for a period of at least 12 months after receiving local government approval of a proposed change of use. This provision encumbers the property rights of the landlord and his or her ability to use the land as he or she sees fits within the rule of law.

And although the Montana Board of Housing has no oversight authority over mobile home parks, House Bill 889 unnecessarily inserts the Board by requiring landlords to notify the Board at least one year in advance of any proposed change of use.

For these reasons, I veto House Bill 889.

Sincerely,



Greg Gianforte  
Governor

Enclosure

cc: Legislative Services Division  
Christi Jacobsen, Secretary of State