

January 17, 2024

VIA EMAIL

The Honorable Sara K. Ruffi
Chair, Board of Selectmen
Town of Auburn
104 Central Street
Auburn, MA 01501

Re: Rent Control to Protect Mobile Home Park Residents in Auburn

Dear Chair Ruffi:

Lawyers for Civil Rights (“LCR”) writes to inform you of a grave injustice affecting the residents of two mobile home parks in Auburn: American Mobile Home Park and Whispering Pine Estates (together, the “Parks”). Parakeet Communities, the company that owns the Parks, recently imposed such extreme rent hikes at both properties that many residents are now at risk of eviction. To better protect these residents and others like them, preserve the Town’s affordable housing stock, and ensure Auburn is welcoming to everyone, LCR urges the Board of Selectmen to swiftly enact a rent control ordinance for mobile home parks.

Auburn has broad discretion to regulate mobile home park rents under well-established state law. Numerous municipalities in Massachusetts, including smaller towns like Raynham and Salisbury, have already done so to protect vulnerable residents.¹ Auburn should follow suit.

I. Factual Background

Like most mobile home communities in Massachusetts, the Parks are populated primarily by individuals living on small, fixed incomes due to disability and advanced age. Within the Parks’ populations, there are two types of tenants: (1) renter-tenants who don’t own a unit and pay monthly for both a unit and the lot it sits on; and (2) owner-tenants who own a unit and pay a lower monthly “lot fee” to keep their unit on lot within the park.² Regardless of their exact arrangement, though, these residents chose the mobile home lifestyle because, generally, it is much more affordable than traditional housing.³ Older residents have even told us that they intended this to be their “final stop” in retirement due to the low costs when they moved in.

¹ See Mass Legal Help, *Legal Tactics: Tenants’ Rights in Massachusetts* 372 (2017), available at <https://www.masslegalhelp.org/housing/lt1-chapter-16-mobile-homes.pdf>.

² Based on information received from residents at the Parks, American Mobile Home Park appears to be made up of both renter-tenants and owner-tenants, whereas Whispering Pine Estates currently only has owner-tenants.

³ See Commonwealth of Massachusetts Office of the Attorney General, *The Attorney General’s Guide to Manufactured Housing Community Law 1* (2017), available at <https://www.mass.gov/doc/attorney-generals-guide-to-manufactured-housing-nov-2017/download>.

However, since purchasing the Parks, Parakeet has inflated rents to the point where many residents can no longer afford the cost. In November 2023, Parakeet notified residents that their rent would be going up for 2024. Renter-tenants would have to pay about 40% more, bringing their monthly payments from under \$1,000 to over \$1,300. And owner-tenants' lot fees, which were at or just under \$500, would be going up by between \$100 and \$115—increases of about 25%. These hikes are exorbitant for such a vulnerable, low-income population.

In fact, the increases have hit some tenants at American Mobile Home Park so hard that a group of residents have taken it upon themselves to set up a food bank for those who are now struggling to afford basic necessities. This situation is particularly problematic because residents who cannot afford to remain at the Parks have very few housing alternatives available to them.

Despite the name, most modern mobile homes are not movable and, even if they were, there is limited space in existing mobile home communities.⁴ As a result, it is essentially impossible for owners to relocate their units, and Parakeet's extreme price increases undermine any prospect of selling. Meanwhile, given the affordable housing crisis plaguing Massachusetts, most renter-tenants won't be able to find more traditional housing within their budgets. These vulnerable people should not be expendable in Parakeet's pursuit of higher profits.

II. Rent Control Would Protect Vulnerable Mobile Home Tenants

Auburn has clear authority to prevent companies from imposing such unconscionable rent increases on its mobile home park residents. Specifically, as permitted under G.L. c. 40P § 3(c), the Town can pass an ordinance to create a rent control board with the power to regulate rents in mobile home communities. Numerous cities and towns in Massachusetts have done exactly that.

Both the Massachusetts Legislature and Supreme Judicial Court ("SJC") have recognized that residents of mobile home communities should be protected from exploitation by mobile home park owners. The Legislature passed the Manufactured Housing Act, G.L. c. 140 §§ 32A-32S, for that reason. And the SJC has written that mobile home parks provide a "viable, affordable housing option to many elderly persons and families of low and moderate income, who are often lacking in resources and deserving of legal protection."⁵

LCR thus implores Auburn to exercise its power and pass a mobile home park rent control ordinance as quickly as possible. While it endeavors to do so, the Town can also take more immediate steps to protect its mobile home park residents. The Town can, for example, send inspectors to the Parks with greater regularity, pass a resolution condemning Parakeet's treatment of the Parks' residents, and demand greater transparency from the company.

Parakeet's mistreatment of the tenants at these Parks is not an isolated incident. Rather, it is part of a well-documented pattern of conduct that is also affecting residents of other parts of the

⁴ See footnote 3 *supra* at 1.

⁵ *Greenfield Country Estates Tenants Ass'n., Inc. v. Deep*, 423 Mass. 81, 83 (Mass. 1996).

Commonwealth.⁶ In the absence of strong and swift action by the Town, more mobile home residents in Auburn will face the prospect of homelessness due to unchecked rent increases.

III. Conclusion

To the extent the Board of Selectmen has questions about what is happening at the Parks, enacting a rent control ordinance, or the interim steps it can take to protect mobile home park residents, LCR would be happy to provide additional information. Please direct all inquiries to Attorney Jacob Love by email at jlove@lawyersforcivilrights.org.

Sincerely,

/s/ Jacob M. Love, Esq.
Staff Attorney
Lawyers for Civil Rights

cc: Town of Auburn Board of Health

⁶ For example, residents at another Parakeet-owned park in Plymouth have raised serious issues with Parakeet management. See Fred Thys, *An electrocution, an oil spill, and disrepair: Residents of Mayflower Hills mobile home park have had it*, *Plymouth Independent*, Nov. 26, 2021, <https://www.plymouthindependent.org/an-electrocution-an-oil-spill-and-disrepair-residents-of-mayflower-hills-mobile-home-park-have-had-it/>.