

SB 691

FILED

2005 MAY -3 A 8: 58

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
*Regular Session, 2005*



**ENROLLED**

SENATE BILL NO. 691

(By Senator Caruth )



PASSED April 9, 2005

In Effect 90 days from Passage

FILED

2005 MAY -3 A 8: 58

OFFICE WEST VIRGINIA  
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## Senate Bill No. 691

(BY SENATOR CARUTH)

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[Passed April 9, 2005; in effect ninety days from passage.]

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AN ACT to amend and reenact §55-3B-3 of the Code of West Virginia, 1931, as amended, relating to termination of tenancy of a factory-built home.

*Be it enacted by the Legislature of West Virginia:*

That §55-3B-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 3B. REMEDIES FOR WRONGFUL OCCUPATION OF FACTORY-BUILT HOME SITE.**

**§55-3B-3. Termination of tenancy.**

- 1 (a) Except for termination for good cause, the tenancy of
- 2 a factory-built home site may be terminated by either
- 3 party only by giving at least three months' notice in
- 4 writing to the other of his or her intention to terminate the
- 5 tenancy. When such notice is to the tenant, it may be
- 6 served upon the tenant or upon anyone holding under the
- 7 tenant the leased premises or any part of the leased

8 premises. When it is by the tenant, it may be served upon  
9 anyone who at the time owns the premises, in whole or in  
10 part, or the agent of the owner or according to the common  
11 law. If the termination is for good cause, no notice  
12 requirements other than those provided in sections four  
13 and six of this article may be imposed.

14 (b) Unless the landlord is changing the use of the site, if  
15 a tenancy is ended by the landlord at the later of its stated  
16 term or at the end of the period set out in subsection (b),  
17 section two of this article, without good cause, the owner  
18 may not prevent the sale of the factory-built home in place  
19 to another tenant who meets the standards and criteria in  
20 effect for new tenants prior to the termination of the  
21 tenancy.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*[Signature]*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*[Signature]*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*[Signature]*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is approved* ..... this the *2nd* .....  
Day of *May* ..... 2005.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

APR 29 2005

Time

9:45 AM