

**THE STATE OF NEW HAMPSHIRE
BOARD OF MANUFACTURED HOUSING**

**Peter Parrino
"Complainant"**

v.

**Mobile Courts, Inc.
"Respondent"**

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Docket No. 17-14

Hearing held on December 15, 2017, at Concord, New Hampshire.

DECISION

This matter came before the Board of Manufactured Housing (hereinafter referred to as the Board) on the complaint of Peter Parrino (hereinafter referred to as the Complainant) against Mobile Courts, Inc. (hereinafter referred to as the Respondent) alleging Respondent's conduct to be in violation of RSA 205-A:2, II. At the hearing, Complainant, Peter Parrino, appeared and represented himself. Respondent was represented by Attorney Thomas Morgan. After careful consideration of the evidence presented, including any exhibits offered and the testimony presented, the Board finds the following facts and makes the following rulings:

FINDINGS OF FACT

This matter was continued from the Board's November 3, 2017 meeting. Complainant Peter Parrino was not represented by counsel and introduced his witness Bob Petrillo. Mobile Courts, Inc. was represented by Attorney Thomas Morgan who introduced Glenn Gidley. Complainant alleged that the park violated RSA 205-A:2, II which states, in relevant part, as follows:

No person who owns or operates a manufactured housing park shall:

II. Deny any resident of a manufactured housing park the right to sell at a price of such resident's own choosing said resident's manufactured housing within the park or require the resident or purchaser to remove the manufactured housing from the park on the basis of the sale thereof. A resident of a manufactured housing park may place no more than 2 "for sale" signs on or in the manufactured housing for the purpose of selling the home. The park owner or operator may reserve the right to approve the purchaser of the manufactured housing as a tenant, but such approval may not be unreasonably withheld. The park owner or operator may require as a condition of said permission that the purchaser and the purchaser's household meet the current rules of the park.

Attorney Morgan stated he believed the issue was moot because the complainant's unit sold, and the buyer was approved by the park. Attorney Morgan made an oral Motion to Dismiss. The complainant objected to the motion as he was seeking a judgment that the first unsuccessful buyer denied by the park was more than qualified.

RULING

The Board is charged with hearing and determining matters involving manufactured housing parks, specifically RSA 205-A:2, RSA 205-A:7 and RSA 205-A:8. (See RSA 205-A:27, I.) The Board is further vested with the authority to determine whether a rule is reasonable as applied to the facts of a specific case. (See RSA 205-A:7, I(a).)

Following discussion Board Member Franklin Sterling moved to accept the Motion to Dismiss and was seconded by Board member Judy Williams. The motion unanimously passed.

Accordingly, the Board UNANIMOUSLY dismisses the matter as moot.

Man 211.01 Motions for rehearing, reconsideration or clarification or other such post-hearing motions shall be filed within 30 days of the date of the Board's order or decision. Filing a rehearing motions shall be a prerequisite to appealing to the superior court in accordance with RSA 204-A:28, II.

**SO ORDERED
BOARD OF MANUFACTURED HOUSING**

By: _____



Robert D. Hunt, Esq., Secretary

Members participating in this action:

Robert Hunt Esq.
Rep. Thomas Laware,
Rep. Franklin Sterling,
Kenneth Dame,
Lois Parris,
Judy Williams


Members not participating in this action:

Mark Tay, Esq., Chair
Adam Gidley.

CERTIFICATION OF SERVICE

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to the parties.

Dated: 3-28-18


Rick Wisler, Clerk
Board of Manufactured Housing