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September 19, 2025

Delaware General Assembly  
411 Legislative Avenue  
Dover, Delaware 19901

RE: Delaware Manufactured Homeowner Attorney Fund Annual Report

Members of the Delaware General Assembly:

In accordance with 25 *Del. C.* § 7046(d), the Department of Justice shall file an annual report with the General Assembly providing information for the Manufactured Homeowner Attorney Fund. This report includes information for the period of July 1, 2024 through June 30, 2025.

As of June 30, 2025, the amount in the Attorney Fund was \$56,447.95. The amount spent between July 1, 2024 and June 30, 2025 was \$99,984.45. During this same period, the fund brought in \$124,435.82. The annual expenditure does not include expenditures by the contractor, Community Legal Aid Society, Inc. (CLASI), for work done during the second quarter of the reporting year because invoices are sent after the end of the relevant quarter. For the same reason, these totals include expenditures for the second quarter of the prior year.

From July 1, 2024 through June 30, 2025, CLASI worked on 211 cases and represented 204 homeowners and HOAs. These cases included:

1. CLASI represented a senior whose community owner wanted to evict her because she was late on rent for the first time in her 24 year tenancy. The late payment occurred a month after the long-time local community owner sold the community to a new corporate owner who changed the payment options available to homeowners. Instead of leaving rent in a drop box, the new owner required payment through an online portal or a payment card at Walmart. The homeowner thought she had paid her rent through the new system but had not, and she did not pay during the 7-day period after receiving notice from the community owner. Once she realized the problem and before the end of the month, she paid the overdue rent, the late fee, and the next month's rent.

Four days later, the community owner sent a reservation of rights letter and filed the eviction case even noting in its complaint that the rent had been paid in full already. The community owner agreed to dismiss the case, but only if the homeowner agreed to a 72% rent increase. After CLASI entered an appearance and demanded a jury trial, CLASI was able to assist the homeowner in reaching a reasonable settlement. The community owner agreed to dismiss the case if the homeowner agreed to a \$10 per month rent increase and to pay her rent on time for six months. The homeowner completed her end of agreement, and the case was dismissed. (JP16-24-009642)

2. CLASI currently represents 3 sets of homeowners in an unregistered manufactured home community called Towers Lane. The current landowner is attempting to remove the homeowners through a Superior Court ejectment action by arguing that the community is not covered by the Manufactured Homes and Manufactured Home Communities Act (“Chapter 70”). The land was sold by the estate of the prior owners, and the same attorney represents both the estate and the new landowners. The new owners argue that the community is not covered by Chapter 70 because they never collected rent or personally entered into leases with the homeowners. The homeowners, some of whom have been living in the community for decades, had verbal leases with the prior owner paid him rent directly. The new owner is also arguing that whether the community is covered by Chapter 70 is dependent on whether there was proper permitting for the water and septic systems when the homes were originally placed decades ago. The case is currently in discovery. Dispositive motions are due later this year, and trial is set for next summer. (S24C-10-017 RHR)
  
3. A Spanish-speaking homeowner with a wife and young children contacted CLASI after a default judgment and 6 days after the writ of possession had been posted. The case was for conditions issues on the property, one of which involved replacing siding on the house that had been heat-damaged when a neighboring house burned down. The homeowner had completed most of the required repairs, and the landlord’s pictures submitted as evidence showed that the work was nearly completed. CLASI reached out to landlord’s attorney and worked out an agreement where the default judgment would be vacated and the case dismissed as long as the homeowner completed the repairs in 30 days. The work was completed, and the case was dismissed. (JP13-24-016431)

If you have any questions, please do not hesitate to contact me.

Sincerely,

*/s/Brian S. Eng*

Brian S. Eng  
Manufactured Housing Ombudsman

cc: Owen Lefkon, Director, Fraud and Consumer Protection Division