

**Repair Rights and Remedies: Differences Between Manufactured Home Tenancies (Ch. 94) and Other Residential Tenancies (Ch. 92)**

Right, Duty, or Remedy Provision	Applicable Law
A <i>manufactured home community</i> landlord has additional maintenance obligations related to the manufactured home community.	Prop. Code § 94.152
A written lease may require the tenant’s <b>initial</b> notice of a condition to be repaired to be in writing in a <i>residential tenancy</i> only.	Prop. Code § 92.052(d) Prop. Code § 94.153
Landlord has <b>no</b> obligation to repair a condition in or on the tenant’s <i>manufactured home</i> .	Prop. Code § 94.153(a)
Landlord has no obligation under a <i>manufactured home tenancy</i> to provide water of at least 120 degrees.	Prop. Code § 92.052(a) Prop. Code § 94.153(b)
Option to close premises for demolition or non-residential purpose only applies to <i>residential tenancies</i> .	Prop. Code § 92.055
The subsequent written notice of a condition <b>must</b> be delivered by certified mail, return receipt requested, or registered mail in a <i>manufactured home tenancy</i> , but may also be delivered by any other trackable mail or delivery service in a <i>residential tenancy</i> .	Prop. Code § 92.056(b)(3)  Prop. Code § 94.156(b)(3)
Only <i>residential leases</i> must contain language that informs the tenant of the remedies.	Prop. Code § 92.056(g)
A landlord’s affidavit of delay may be delivered by personal delivery or certified mail with return receipt. Additionally, if authorized in a written lease, in a <i>residential tenancy</i> the landlord may leave it in a conspicuous place in the dwelling; or in a <i>manufactured home tenancy</i> , may leave the notice securely fixed on the outside of the main entry door of the manufactured home.	Prop. Code § 92.0562(e)(3)  Prop. Code § 94.158(e)(3)
<p><b>Ch. 92</b> cases are filed as Repair and Remedy Cases under Rule 509, are limited to \$10,000 in damages, and judge <b>may</b> order repairs to be made.</p> <p><b>Ch. 94</b> cases are filed as small claims cases, cap is \$20,000 if filed on/after 9/1/20, and judge <b>may not</b> order repairs.</p>	Prop. Code § 92.0563 Prop. Code § 94.159 Rule 509.1, TRCP