



SB 169 - AN ACT concerning residential rentals and leases; relating to the mobile home parks residential landlord and tenant act; prohibiting landlords from limiting a tenant's access to communications and video services; amending K.S.A. 58-25,111 and repealing the existing section.

Chair Fagg, Vice Chair Petersen, and distinguished members of this Committee.

My name is Ethan Kaplan. I am General Counsel and Director of Broadband Advocacy of Ideatek, a fiber internet service provider headquartered in Buhler, Kansas with a mission to deploy high speed, affordable broadband to unserved and underserved communities throughout the state. Currently, Ideatek has built over 6000 miles of fiber across Kansas, connecting some of the most underserved local residents and businesses.

We are here today to discuss SB 169, a simple bill which will help to clarify mobile home park owners obligations and provide the protection to their tenants rights to access internet and telecommunication providers of their choosing.

As we have deployed our fiber internet throughout Kansas, Ideatek has and continues to respect and protect the property rights of our fellow Kansans. In doing so, we strive to delicately balance those property rights with the basic service needs of Kansas tenants. Unfortunately, numerous times we have run into issues whereby a tenant desires to obtain improved broadband services to their mobile home, but are ultimately denied the opportunity by the Mobile Home Park owner not willing to provide access up to the home for installation of the necessary equipment and facilities into the mobile home to provide the direct fiber optic services we provide.

The current legislation in 58-25,111(b) provides that, absent a reasonable health, safety, or welfare concern to the park and its residents, a mobile home park landlord is prohibited from restricting their tenants in the choice of a seller of fuel, furnishings, goods, services or mobile homes. However, as it stands, there is a question as to whether the “services” would include the choice of cable television, communications, broadband, and telecommunications. Being that these services are essential and a necessity in this day and age, we feel that adding in those specific services would clarify the statutory requirements, and if not intended initially as being included as an eligible service, it would add those to the list of other essential utilities.

Another addition to the bill we have requested is that in addition to a landlord being able to refrain from imposing conditions in restricting choice, they may also not unreasonably withhold a tenant's access to the newly chosen services. Adding this language would allow providers to install their equipment and facilities on the mobile home park property to reach those tenants choosing their services.

We respectfully request you consider passing this bill to clarify and better protect tenants of mobile home parks from unreasonable restrictions on the necessary access to service providers for installation of equipment, cables, and other facilities required to provide those tenants with the chosen services.

Thank you for your time and attention to this matter, and I am happy to answer any questions you may have.