

SENATE BILL REPORT

ESHB 1440

AS REPORTED BY COMMITTEE ON COMMERCE & LABOR, MARCH 28, 1991

Brief Description: Regulating mobile homes.

SPONSORS: House Committee on Housing (originally sponsored by Representatives Winsley, Franklin, Ballard, Nelson, Leonard, Ogden, Wineberry and Miller).

HOUSE COMMITTEE ON HOUSING

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McMullen, Moore, and Murray.

Staff: Dave Cheal (786-7576)

Hearing Dates: March 25, 1991; March 28, 1991

BACKGROUND:

The Office of Mobile Home Affairs was created by the Legislature in 1988 within the Department of Community Development. The office serves as the coordinating office within state government for matters related to manufactured housing. The office serves as an ombudsman for mobile home park owners and tenants, and also provides mediation services for disputes that arise in mobile home parks. In addition, the Legislature transferred some functions pertaining to manufactured housing from other agencies to the Department of Community Development in 1990.

When the mobile home park purchase fund was created in 1987, it contained a sunset on the entire chapter on July 1, 1991. The act creating the Office of Mobile Home Affairs was codified in this chapter a year later, but there is no indication that there was an intention to automatically terminate the Office of Mobile Home Affairs.

This program is funded by a \$15 fee on the transfer of title of new or used mobile homes. Funding was suspended when the Mobile Home Relocation Act was declared unconstitutional by a trial court last summer. It has since been reinstated by the Supreme Court pending final resolution of that case.

Some states have a Mobile Home Commission funded by the industry and mobile home owners that administers all mobile home programs within the state. There is interest in adopting a similar structure in Washington.

SUMMARY:

A fee of \$15 is imposed on every transfer of title of new or used mobile homes. The fee does not apply to transfers that are a part of a property settlement in a divorce.

A Manufactured Housing Task Force is created to study the type of agency the state should use to regulate manufactured housing. The task force consists of: four legislators, one from each caucus of the House and Senate; two representatives each from mobile home park owners and tenants; one representative of manufacturers and one from mobile home dealers; one representative of mobile home transporters; a representative of local building officials; and a representative of local health officials. There are ex officio members from the Departments of Community Development, Licensing, Labor and Industries, and the Office of the Attorney General. Staff services would be provided by legislative staff and staff from the agencies.

The task force is required to submit a final report to the appropriate legislative committees by December 1, 1992. The task force terminates on December 31, 1992.

The sunset provision which terminates the Office of Mobile Home Affairs is repealed.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

The Office of Mobile Home Affairs has proven valuable to park owners, tenants and manufacturers. It is supported by the industry without impact on the general fund, and should be continued.

The task force to study the proper type of state government regulation of mobile homes is necessary due to the multiple agencies currently involved and the recurring problems associated with this affordable housing resource.

TESTIMONY AGAINST: None

TESTIFIED: Representative Winsley, original sponsor; John Woodring, Paul McWherter, Morton Clark, Washington Mobile Park Owners Association; Ron Clarke, Washington Manufactured Housing Association (pro); John Jensen, MHOA (pro)