
HOUSE BILL 2894

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Leonard, Winsley, Nelson, Mitchell, J. Kohl,
Franklin and Wood

Read first time 01/31/92. Referred to Committee on Housing.

1 AN ACT Relating to relocation assistance in mobile home parks; and
2 amending RCW 59.21.020, 59.21.050, and 59.21.095.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 59.21.020 and 1991 c 327 s 11 are each amended to read
5 as follows:

6 (1) If a mobile home park is closed or converted to another use,
7 all low-income park tenants owning a mobile home or recreational
8 vehicle used as a residence are entitled to relocation assistance from
9 the park-owner or the fund at the time the tenant relocates as follows:

10 (a) For a single-wide mobile home, four thousand five hundred dollars;
11 ~~((and))~~ (b) for a double-wide or larger mobile home, seven thousand
12 five hundred dollars ~~((The park-owner shall pay the actual relocation~~
13 ~~expenses, not to exceed two thousand dollars,))~~; and (c) for the
14 relocation of recreational vehicles used as residences, the actual

1 relocation expenses, not to exceed two thousand dollars. The
2 relocation assistance costs shall be adjusted annually by the housing
3 component of the consumer price index for the Washington state area.

4 (2) When a tenant is forced to relocate before July 1, 1991, the
5 payment of relocation assistance as provided by this section shall be
6 paid by the park-owner. However, if the tenant has been given notice
7 to vacate prior to April 1, 1989, and the tenant has not yet relocated
8 as of April 28, 1989, the payment of relocation assistance by the park-
9 owner shall be required only if the tenant is low income.

10 (3) When a tenant is forced to relocate after June 30, 1991, the
11 payment of relocation assistance to low-income park tenants as provided
12 in this section shall be made from the mobile home park relocation fund
13 unless there are insufficient moneys in the fund.

14 (4) The park-owner shall be responsible for paying up to the full
15 amount of relocation assistance to low-income park tenants if there are
16 insufficient moneys in the fund until July 1, 1992. The department
17 shall adopt rules governing disbursements of assistance from the fund and
18 park-owner payments when there are insufficient moneys to meet the
19 demand for relocation assistance.

20 (5) The tenant may recover court costs and a reasonable attorney's
21 fee in any action brought to require the park-owner to pay relocation
22 assistance in which the tenant prevails.

23 (6) If the park-owner does not pay his or her portion of the
24 relocation assistance when required by this chapter, the department
25 shall have a lien on the real property on which the park is located.
26 Such lien shall be collected as delinquent general property taxes and
27 shall be forwarded to the department by the county treasurer.

28 (7) All tenants eligible for relocation assistance shall apply for
29 verification of eligibility to the department. The department shall
30 issue a document to each tenant signifying the tenant's low-income

1 status, or status other than low income to be given to the park-owner
2 by the tenant.

3 (8) The director or his or her designee shall approve all
4 expenditures from the fund.

5 (9) Relocation assistance contributions required from landlords or
6 park-owners by this section shall be reduced by the amount paid or
7 required to be paid under any other law for the same mobile home park
8 tenant for the same relocation.

9 (10) Notwithstanding RCW 59.21.100, it is a violation of this
10 chapter to request or require as a condition of initiating or renewing
11 a tenancy in a mobile home park, a waiver of relocation assistance
12 under this section or any other law or ordinance. Any such waiver,
13 regardless of the date of its execution, is void and unenforceable as
14 contrary to public policy.

15 (11) Any park-owner coercing or attempting to coerce a tenant into
16 terminating a tenancy for the purpose of avoiding the payment of
17 relocation assistance shall give rise to a civil cause of action for
18 damages or equitable relief by a tenant injured by such act.

19 **Sec. 2.** RCW 59.21.050 and 1991 sp.s. c 13 s 74 are each amended to
20 read as follows:

21 (1) The mobile home park relocation fund is created in the custody
22 of the state treasurer. All legislative appropriations for mobile home
23 relocation assistance, receipts from fees collected under this chapter,
24 and amounts required to be paid by park-owners to low-income park
25 tenants when there are insufficient moneys in the fund shall be
26 deposited into the fund. Expenditures from the fund may be used only
27 for relocation assistance under RCW 59.21.020, or transfer to the
28 mobile home park purchase fund under subsection (2) of this section.
29 Only the director of community development or the director's designee

1 may authorize expenditures from the fund. All relocation payments to
2 low-income park tenants, including those due from the park-owner shall
3 be made from the fund. The fund is not subject to allotment procedures
4 under chapter 43.88 RCW, (~~but~~) and no appropriation is required for
5 expenditures.

6 (2) Unexpended and unencumbered moneys that remain in the fund at
7 the end of the fiscal year do not revert to the state general fund but
8 remain in the fund, separately accounted for, as a contingency reserve,
9 or if the director determines at the end of any fiscal year beginning
10 after December 31, 1991, that the fund contains a surplus over the
11 projected amount needed for relocation during the upcoming year(s), any
12 surplus may be transferred to the mobile home park purchase fund
13 created by chapter 59.22 RCW. However, the director may cause any
14 uncommitted funds in the mobile home park purchase fund which were
15 transferred from the mobile home park relocation fund to be transferred
16 back to the mobile home park relocation fund if that fund cannot
17 otherwise meet its current obligations.

18 (3) A low-income park tenant who is entitled to relocation
19 assistance under this chapter is entitled to payment only after
20 submitting an application which includes: (a) A copy of the notice
21 from the park-owner that the tenancy is terminated due to closure of
22 the park; (b) a copy of the rental agreement currently in force; and
23 (c) a copy of the contract entered into for the purpose of relocating
24 the mobile home, which includes the date of relocation.

25 (4) The director may adopt rules for the administration of the
26 fund.

27 **Sec. 3.** RCW 59.21.095 and 1991 c 327 s 9 are each amended to read
28 as follows:

1 Each mobile home park-owner shall pay an annual fee of five dollars
2 for each (~~occupied~~) lot occupied by a mobile home or recreational
3 vehicle in the mobile home park. Lots that are occupied by mobile
4 homes or recreational vehicles owned by the park-owner are exempt from
5 this fee requirement. The fee shall be due on October 1 of each year.
6 The fee shall be remitted by the park-owner to the department of
7 revenue under rules as the department shall prescribe. The fee imposed
8 under this section shall be forwarded by the department of revenue to
9 the state treasurer for deposit into the mobile home park relocation
10 fund. The provisions of chapter 82.32 RCW shall apply to the
11 collection and enforcement of this fee.