

# **HOUSE BILL ANALYSIS**

## **HB 1348**

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**Title:** *An act relating to provision of utilities to mobile home parks.*

**Brief Description:** *Providing utility service in mobile home parks.*

**Sponsors:** *Representatives Crouse, Poulsen, Sterk, Sheahan and D. Sommers.*

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### **HOUSE COMMITTEE ON ENERGY & UTILITIES**

**Meeting Date:** *February 5, 1997.*

**Bill Analysis Prepared by:** *Margaret Allen (786-7110).*

**Background:** Municipalities, counties, and some special districts are authorized to place liens for charges due, but unpaid, against the premises to which utility services are provided. Different utilities have different lien provisions. The differences involve the method of enforcing the lien, the length of time for which unpaid charges may be subject to a lien, the priority status of the lien, and how the lien is perfected. Examples of these liens are those for county sewer, water, and storm water services, and municipal garbage, water, sewer, and electric light or power services.

Some such public utilities have held landlords of mobile home parks liable for the unpaid charges of tenants who have moved out, holding landlords liable either by exercising the utility's lien authority or by refusing to provide service to a subsequent tenant when a prior tenant's charges are still owing. Thus, a mobile home park landlord wishing to rent the property to a new tenant may be required to pay the prior tenant's unpaid utility bill before again renting the property. Some mobile home park landlords report having received single, large lump-sum bills incorporating unpaid charges incurred by several prior tenants. Some landlords also report that a prior tenant with unpaid charges for which the landlord is liable may be receiving service from the same utility at a new address.

Public utility districts (as distinguished from water and sewer districts) do not have lien authority except under limited circumstances inapplicable to the act.

Investor-owned utilities are required to levy charges for services that are just, fair, reasonable, and sufficient.— Investor-owned utilities have no general lien authority, and may not refuse to serve a new tenant based on a prior tenant's failure to pay utility charges.

**Summary of Bill:** Any mobile home park landlord may ask a public or investor-owned utility to provide services to tenants in the name of the tenant, if the tenant's utility can be reasonably identified separately. Any costs for the utilities are the exclusive responsibility of the tenant; the landlord is not liable for charges for services provided in the name of the tenant.

The act applies to municipal utilities, public utility districts, water and sewer districts, and investor-owned utilities.

**Appropriation:** *None.*

**Fiscal Note:** *Available.*

**Effective Date:** *Ninety days after adjournment of session in which bill is passed.*