

SENATE BILL REPORT

SB 5164

As Passed Senate, January 28, 1998

Title: An act relating to mobile home park tenants and occupants.

Brief Description: Removing certain tenants and occupants from a mobile home park.

Sponsors: Senators Haugen, Long, Goings, Patterson, Franklin and Bauer.

Brief History:

Committee Activity: Financial Institutions, Insurance & Housing: 1/28/97, 2/13/97 [DP, DNP].

Passed Senate, 3/17/97, 44-4.

Passed Senate, 1/28/98, 43-5.

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, INSURANCE & HOUSING

Majority Report: Do pass.

Signed by Senators Winsley, Chair; Benton, Vice Chair; Finkbeiner and Prentice.

Minority Report: Do not pass.

Signed by Senators Heavey and Kline.

Staff: Dave Cheal (786-7576)

Background: Mobile home park landlords may only evict tenants for the reasons listed in the Mobile Home Landlord-Tenant Act. One of the reasons listed is engaging in criminal activity,– which is defined as a criminal act defined by statute that threatens the health, safety, or welfare of the tenants.– Conviction of a crime is not required. Notice from a law enforcement agency of criminal activity on the part of a tenant is grounds for eviction.

Mobile home park tenants sometimes require the assistance of a live-in care giver. The occupancy rights of care givers are unclear.

Summary of Bill: The term occupant– is added to the definitions section of the Mobile Home Landlord-Tenant Act. It is defined as any person, including a live-in care provider, other than a tenant, who occupies a mobile home and mobile home lot.

The eviction provisions of the Mobile Home Landlord-Tenant Act are amended to include occupants.–

The definition of criminal activity, as a basis for eviction, is expanded to include the requirement that the tenant or occupant register as a sex offender with local law enforcement authorities. The requirement of registration then becomes a ground for eviction.

Appropriation: None.

Fiscal Note: None requested.

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

Testimony For: Mobile home park owners can only evict tenants from the park for reasons listed in the Mobile Home Landlord-Tenant Act. Tenants often have a friend or relative move in with them to provide care and assistance. It needs to be made clear that these occupants,— that are not tenants,— can be evicted on the same grounds as tenants. Criminal activity,— one of the grounds for eviction should expressly include having to register as a sexual offender.

Testimony Against: None.

Testified: Ray Munson, Fred Miller, MHOA; Theresa Bosler, Martin Faveluke, John Woodring, MHCW (pro).

House Amendment(s): An amendatory section is added that removes outdated references to eviction without cause.