
SENATE BILL 5161

State of Washington

55th Legislature

1997 Regular Session

By Senators Swecker and Bauer

Read first time 01/17/97. Referred to Committee on Financial Institutions, Insurance & Housing.

1 AN ACT Relating to mobile homes; and adding a new section to
2 chapter 60.72 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 60.72 RCW
5 to read as follows:

6 (1) Any landlord may sell on the mobile home lot or any other
7 location a mobile home or any other personal property located on the
8 mobile home lot after the tenant owing the landlord has either
9 abandoned the mobile home or has been evicted from the mobile home lot
10 under an unlawful detainer action. A landlord, in the alternative, may
11 have the tenant's mobile home or any other personal property located on
12 the mobile home lot removed from the park.

13 (2) A mobile home or any other personal property located on the
14 mobile home lot may be sold at a public auction after the following
15 notice and publication:

16 (a) Notification by first class mail of any owner and any
17 lienholder of record of the mobile home or personal property;

18 (b) Posting of notice on the mobile home or personal property; and

1 (c) Publication one time in a newspaper of general circulation in
2 the city or county where the mobile home or personal property is
3 located.

4 (3) The notice shall contain the following information:

5 (a) A description of the mobile home or personal property and the
6 location;

7 (b) The time, date, and location of the public auction; and

8 (c) The name, address, and telephone number of the landlord who is
9 selling the mobile home or personal property.

10 (4) The public auction may be held fifteen days after completion of
11 the notice and publication requirements in subsections (2) and (3) of
12 this section.

13 (5) Prior to the sale at public auction of the mobile home or
14 personal property, an owner or lienholder of record may regain
15 possession of the mobile home or personal property by the following
16 actions:

17 (a) Making payment to the landlord on all charges, to include
18 attorneys' fees and costs incurred by the landlord in regard to the
19 mobile home or personal property, and to include any unlawful detainer
20 action; and

21 (b) Making arrangements satisfactory with the landlord for the
22 immediate removal of the mobile home or personal property from the
23 mobile home lot.

24 (6) The proceeds of a sale under this section shall be applied
25 first to the payment of any lienholder with a security interest in the
26 mobile home or personal property; then to payment of the charges,
27 attorneys' fees, and costs under subsection (5) of this section; and
28 then to satisfy any other liens on the mobile home or personal property
29 in order of their priority. The balance, if any, shall be paid to the
30 mobile home or personal property owner. If the owner cannot in the
31 exercise of due diligence be located by the landlord within one year of
32 the date of the sale, the excess funds from the sale shall revert to
33 the department of revenue under chapter 63.29 RCW. If the sale is for
34 a sum less than the applicable charges, attorneys' fees, and costs
35 under subsection (5) of this section, the landlord is entitled to
36 assert a claim for deficiency against the owner of the mobile home or
37 personal property.

38 (7) In the event no one purchases the mobile home or personal
39 property at a public auction, or the mobile home or personal property

1 is not removed from the lot, or other arrangements agreed to by the
2 landlord are not made within ten days of sale, ownership of the mobile
3 home or personal property shall revert to the landlord.

4 (8) The rights granted to a landlord under this section are in
5 addition to any other legal rights a landlord may have and in no manner
6 does this section alter those legal rights.

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