
HOUSE BILL 2872

State of Washington

56th Legislature

2000 Regular Session

By Representatives DeBolt, Alexander, Benson and Hatfield

Read first time 01/21/2000. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to escrows on the sale of manufactured homes;
2 adding a new section to chapter 46.70 RCW; creating a new section; and
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that housing is a
6 fundamental need of Washington residents and manufactured homes are the
7 housing choice for a significant number of state residents, often being
8 their largest asset. The legislature also finds that problems with the
9 sale of a manufactured home may cause extreme hardship on purchasers of
10 a manufactured home. These problems may be the result of, among other
11 things, a lack of information or knowledge on the part of the
12 purchaser, mistakes by the seller, and, occasionally, fraud or improper
13 business practices on the part of the seller. These issues are
14 complicated by the fact that manufactured homes are titled as vehicles
15 unless they are converted to real property under chapter 65.20 RCW.
16 The legislature intends to protect purchasers of manufactured homes by
17 requiring a more formal process for closing the transfer of ownership
18 of a manufactured home at the time of sale.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.70 RCW
2 to read as follows:

3 (1) Any sale of a manufactured home whose title has not been
4 eliminated under chapter 65.20 RCW prior to the sale shall be closed in
5 escrow as provided in this section. In addition to the standard escrow
6 functions, the escrow shall provide the purchaser with the notice under
7 subsection (2) of this section and require the purchaser to acknowledge
8 receipt of this notice.

9 (2) The department of licensing, in consultation with the attorney
10 general and the department of financial institutions, shall design a
11 form for use in the escrow that closes the sale of a manufactured home
12 that provides the purchaser of a manufactured home consumer protection
13 information regarding the purchase of the manufactured home, including:

14 (a) A summary of the rights of the consumer regarding warranties
15 and installation protections under this chapter; and

16 (b) Examples of improper sales activities such as: (i) Secret side
17 agreements; (ii) delivering a different home than the one purchased and
18 pressuring the purchaser to accept the delivered home; and (iii)
19 providing the seller with a power of attorney.

20 (3) An escrow may be done under this section by a person licensed
21 to practice law in this state doing escrows as part of his or her
22 profession, an escrow agent under chapter 18.44 RCW, or a title company
23 under chapter 48.29 RCW.

24 (4) For purposes of this section, "escrow" means the same as
25 defined in RCW 18.44.011.

26 (5) When the seller is a dealer, funds shall not be disbursed to
27 the dealer until the terms of the sale have been satisfied, including
28 delivery of the manufactured home.

29 (6) The department of licensing may adopt rules necessary to
30 implement this section.

31 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect
34 immediately.

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