

HOUSE BILL REPORT

E2SSB 5134

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to the mobile home landlord-tenant act.

Brief Description: Modifying provisions of the mobile home landlord-tenant act.

Sponsors: Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Kastama, Winsley and Regala).

Brief History:

Committee Activity:

Local Government & Housing: 2/27/02, 2/28/02 [DP].

Brief Summary of Engrossed Second Substitute Bill

- Modifies provisions regulating manufactured and mobile home landlord-tenant relationships.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass. Signed by 11 members: Representatives Dunshee, Chair; Edwards, Vice Chair; Mulliken, Ranking Minority Member; Berkey, Crouse, DeBolt, Dunn, Hatfield, Kirby, Mielke and Sullivan.

Staff: Amy Wood (786-7127).

Background:

The Mobile Home Landlord-Tenant Act governs the relationship between owners of mobile home parks (landlords) and owners of manufactured and mobile homes (tenants) who lease space in a mobile home park. The act provides a variety of protections for tenants, including protecting a tenant's right to sell their mobile home in the park, and limiting a landlord's ability to evict a tenant.

A "mobile home park" or "manufactured home community" is defined as real property rented to others for the placement of two or more mobile homes, manufactured homes, or park models. A "park model" is defined as a recreational vehicle intended for permanent

or semi-permanent installation and habitation.

A landlord is prohibited from preventing the entry or requiring the removal of a mobile home, manufactured home or park model on the sole basis of the home's age. The statute provides, however, that the landlord may exclude or expel a home for any other reason, including fire and safety concerns.

A tenant may assign his or her rental agreement to any person who purchases the tenant's mobile home, manufactured home, or park model, provided that certain conditions are met. One of the conditions is that the landlord may require that the mobile home meet applicable fire and safety standards.

Eviction of a "recreational vehicle" not used as a permanent residence in a mobile home lot, is governed by RCW 59.12 and 59.18.

Summary of Engrossed Second Substitute Bill:

The definition of "park model" is changed to a recreational vehicle "that is permanently or semi-permanently installed and used as a residence," rather than "intended for permanent or semi-permanent installation and habitation."

A landlord may exclude or expel a mobile home, manufactured home, or park model for failure to comply with fire, safety or other local ordinances and state laws.

A landlord may require a mobile home to meet state or local fire and safety laws as a condition to the transfer of a rental agreement if an enforcement officer has issued a notice of violation of fire or safety standards to the tenant and those violations have remained uncorrected. Upon correction of the violations, the landlord's refusal to permit the transfer is deemed withdrawn.

Eviction of mobile homes, manufactured homes, and recreational vehicles not used as a residence from a mobile home park is governed by this chapter.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: The transfer of rental agreements allows the rules to remain consistent for all tenants within a park. Fire and safety standards should be applied with clear standards. The bill provides a benchmark for fire and safety. This is a worked out

compromised bill and is a priority that the bill move forward, not the amendments that have come in after the fact. There is the ability to agree to arbitration already, do not need this requirement. The bill tightens language and relieves concerns of tenants.

Testimony Against: None.

Testified: (In support) Mike Ryherd, Washington State Manufactured Housing Association; Chris Thayer, Larson, Hart and Shepard; Andy Watson, Greenpoint Credit; Jim Halstrom, Money Lenders; Mildred M. Salmon, Manufactured Home Owners of America; Gordon Blast, Mobile Home Owners of America; Burke V. Waldron, Mobile Home Owners of America; and Ray Munson, Mobile Home Owners of America.