

Commerce & Labor Committee

ESSB 5703

Brief Description: Directing a study to be conducted of mobile/manufactured home alteration and repair permit problems.

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

Brief Summary of Engrossed Substitute Bill

- *Requires the Senate Labor, Commerce & Financial Institutions Committee to study the problems associated with obtaining permits for manufactured and mobile home alterations and make recommendations before the 2002 legislative session.*

Hearing Date: 3/27/01

Staff: Chris Cordes (786-7103).

Background:

The Department of Labor and Industries is responsible for adopting and enforcing rules governing the safety of body and frame design and the installation of plumbing, heating, and electrical equipment in manufactured and mobile homes. The department's rules conform with rules adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974, a federal law that preempts inconsistent state laws regarding the manufacture of a manufactured home. Leasing or selling a manufactured or mobile home that does not comply with the department's rules is prohibited.

Plans and specifications for models or production prototypes of manufactured homes must be submitted to the department for approval. Once the plans have been approved, changes or alterations may not be made to the body and frame design, construction, plumbing, heating, or electrical installations without the department's prior written approval.

By department rule, alterations that must have prior approval include replacement, addition, modification, or removal of any equipment or installation that affects the

construction, planning considerations, fire safety, or the plumbing, mechanical, or electrical systems of the manufactured or mobile home. Alterations do not include:

- repairs to equipment with approved parts, or adjustment and maintenance of equipment.*
- modification of a fuel-burning appliance according to the listing agency's specifications.*

Under emergency rules adopted March 22, 2001, the department may grant a variance from these requirements for alterations initiated after the expiration of written warranties. The new rules require a homeowner who sells the home to disclose alterations performed by a previous owner and any variances granted by the department.

Summary of Bill:

The Senate Labor, Commerce & Financial Institutions Committee must conduct a study of the problems of owners of manufactured and mobile homes in obtaining necessary permits for repair, remodel, maintenance, and alternation of their homes. The committee must enlist the assistance of these homeowners, home mortgage lenders, the Department of Labor and Industries, and other state or local government agencies as needed. The study must address:

- the problem of alterations that many homeowners have made without obtaining the required permits;*
- the costs associated with obtaining the required permits, particularly if an engineering analysis is required;*
- the possibility of reducing the alterations that require a permit, consistent with public health and safety considerations;*
- the appropriateness of the current legal sanction for failure to obtain a permit; and*
- changes in the law that can assist homeowners in the proper and economical maintenance of the home and the protection of their equity.*

The committee must complete its study and develop any recommended legislation before the start of the 2002 legislative session.

Rules Authority: *The bill does not contain provisions addressing the rule-making powers of an agency.*

Appropriation: *None.*

Fiscal Note: *Not requested.*

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