
HOUSE BILL 2073

State of Washington

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By Representatives Dunn, Fromhold, Eickmeyer, Ogden, Pennington and Morell

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1 AN ACT Relating to sale of a mobile home, manufactured home,
2 park model, or personal property after eviction of the owner from
3 mobile home lot; and adding a new section to chapter 60.72 RCW.

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

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

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

15 (2) A mobile home, manufactured home, park model, or any other
16 personal property located on the mobile home lot may be sold at a
17 public auction after the following notice and publication:

1 (a) Notification by first class mail of any owner and any
2 lienholder of record of the mobile home, manufactured home, park
3 model, or personal property;

4 (b) Posting of notice on the mobile home, manufactured home,
5 park model, or personal property; and

6 (c) Publication one time in a newspaper of general circulation
7 in the city or county where the mobile home, manufactured home,
8 park model, or personal property are located.

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

10 (a) A description of the mobile home, manufactured home, park
11 model, or personal property and the location;

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

13 (c) The name, address, and telephone number of the landlord who
14 is selling the mobile home, manufactured home, park model, or
15 personal property.

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

19 (5) Prior to the sale at public auction of the mobile home,
20 manufactured home, park model, or personal property, an owner or
21 lienholder of record may regain possession of the mobile home,
22 manufactured home, park model, or personal property by the
23 following actions:

24 (a) Making payment to the landlord of all charges, to include
25 attorneys' fees and costs incurred by the landlord in regard to
26 the mobile home, manufactured home, park model, or personal
27 property, and to include any unlawful detainer action; and

28 (b) Making arrangements satisfactory with the landlord for the
29 immediate removal of the mobile home, manufactured home, park
30 model, or personal property from the mobile home lot.

31 (6) The proceeds of a sale under this section shall be applied
32 first to the payment of any lienholder with a security interest in
33 the mobile home, manufactured home, park model, or personal
34 property; then to payment of the charges, attorneys' fees, and
35 costs under subsection (5) of this section; and then to satisfy
36 any other liens on the mobile home, manufactured home, park model,
37 or personal property in order of their priority. The balance, if
38 any, shall be paid to the mobile home, manufactured home, park

1 model, or personal property owner. If the owner cannot in the
2 exercise of due diligence be located by the landlord within one
3 year of the date of the sale, the excess funds from the sale shall
4 revert to the department of revenue under chapter 63.29 RCW. If the
5 sale is for a sum less than the applicable charges, attorneys'
6 fees, and costs under subsection (5) of this section, the landlord
7 is entitled to assert a claim for deficiency against the owner of
8 the mobile home, manufactured home, park model, or personal
9 property.

10 (7) In the event no one purchases the mobile home, manufactured
11 home, park model, or personal property at a public auction, or the
12 mobile home, manufactured home, park model, or personal property
13 is not removed from the lot, or other arrangements agreed to by
14 the landlord are not made within ten days of sale, ownership of
15 the mobile home, manufactured home, park model, or personal
16 property shall revert to the landlord.

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

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