
SUBSTITUTE SENATE BILL 5354

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Patterson, Prentice, Winsley, Fraser, Fairley, Costa, Regala and McAuliffe; by request of Department of Community, Trade, and Economic Development)

READ FIRST TIME 03/05/2001.

1 AN ACT Relating to mobile home relocation assistance; amending RCW
2 59.21.010, 59.21.021, 59.21.040, and 59.21.050; adding a new section to
3 chapter 59.21 RCW; and providing an effective date.

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

5 **Sec. 1.** RCW 59.21.010 and 1998 c 124 s 1 are each amended to read
6 as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Director" means the director of the department of community,
10 trade, and economic development.

11 (2) "Department" means the department of community, trade, and
12 economic development.

13 (3) "Fund" means the mobile home park relocation fund established
14 under RCW 59.21.050.

15 (4) "Mobile home" has the same meaning as "manufactured home" and
16 "mobile home" as those terms are defined in RCW 59.20.030.

17 (5) "Mobile home park" or "park" means real property that is rented
18 or held out for rent to others for the placement of two or more mobile
19 homes for the primary purpose of production of income, except where the

1 real property is rented or held out for rent for seasonal recreational
2 purpose only and is not intended for year-round occupancy.

3 ~~((+5))~~ (6) "Landlord" or "park-owner" means the owner of the
4 mobile home park that is being closed at the time relocation assistance
5 is provided.

6 ~~((+6))~~ (7) "Relocate" means to remove the mobile home from the
7 mobile home park being closed and to either reinstall it in another
8 location or to demolish it and purchase another mobile/manufactured
9 home.

10 ~~((+7))~~ (8) "Relocation assistance" means the monetary assistance
11 provided under this chapter.

12 **Sec. 2.** RCW 59.21.021 and 1998 c 124 s 2 are each amended to read
13 as follows:

14 (1) If a mobile home park is closed or converted to another use
15 after December 31, 1995, eligible tenants shall be entitled to
16 assistance on a first-come, first-serve basis. Payments shall be made
17 upon the department's verification of eligibility, subject to the
18 availability of remaining funds.

19 (2) Assistance for closures occurring after December 31, 1995, is
20 limited to persons who maintain ownership of and relocate their mobile
21 home or who dispose of a home not relocatable to a new site.

22 (3) Persons who removed and disposed of their mobile home or
23 maintained ownership of and relocated their mobile homes are entitled
24 to reimbursement of actual relocation expenses up to seven thousand
25 dollars for a double-wide home and up to three thousand five hundred
26 dollars for a single-wide home.

27 (4) Any individual or organization may apply to receive funds from
28 the mobile home park relocation fund, for use in combination with funds
29 from public or private sources, toward relocation of tenants eligible
30 under this section. Funds received from the mobile home park
31 relocation fund shall only be used for relocation assistance expenses
32 or other mobile/manufactured home ownership expenses, that include
33 downpayment assistance, if the owners are not planning to relocate
34 their mobile home as long as their original home is removed from the
35 park.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 59.21 RCW
37 to read as follows:

1 (1) A fifty dollar fee is imposed upon the buyer on every transfer
2 of title issued under chapter 46.12 RCW on a mobile home where (a) the
3 ownership of the mobile home changes; and (b) the mobile home is
4 located in a mobile home park. However, the fee does not apply to the
5 sale of any new mobile home that is located in a mobile home park if
6 the home has not previously been occupied as a residence. A transfer
7 of title does not include the addition or deletion of a spouse co-owner
8 or secured interest.

9 (2) Mobile homes with a sale price of less than one thousand
10 dollars are not subject to the fee imposed in subsection (1) of this
11 section.

12 (3) The department of licensing or its agents shall collect the fee
13 when processing an application for transfer of title. The fee
14 collected under this section shall be forwarded to the state treasurer
15 for deposit into the mobile home park relocation fund created in this
16 chapter. The department of licensing may deduct a percentage amount,
17 not to exceed two percent of the fees collected, for the collection
18 expenses incurred by the department of licensing.

19 (4) The department of licensing and the state treasurer may adopt
20 rules necessary to carry out this section.

21 **Sec. 4.** RCW 59.21.040 and 1998 c 124 s 4 are each amended to read
22 as follows:

23 A tenant is not entitled to relocation assistance under this
24 chapter if: (1) The tenant has given notice to the landlord of his or
25 her intent to vacate the park and terminate the tenancy before any
26 written notice of closure pursuant to RCW 59.20.080(1)(e) has been
27 given; (2) the tenant purchased a mobile home already situated in the
28 park or moved a mobile home into the park after a written notice of
29 closure pursuant to RCW 59.20.090 has been given and the person
30 received actual prior notice of the change or closure; ~~((or))~~ (3) the
31 tenant receives assistance from an outside source that exceeds the
32 maximum amounts of assistance to which a person is entitled under RCW
33 59.21.021(3); or (4) at the time that the written notice of closure was
34 given pursuant to RCW 59.20.080(1)(e), the mobile home was not the
35 tenant's primary residence. However, no tenant may be denied
36 relocation assistance under subsection (1) of this section if the
37 tenant has remained on the premises and continued paying rent for a

1 period of at least six months after giving notice of intent to vacate
2 and before receiving formal notice of a closure or change of use.

3 **Sec. 5.** RCW 59.21.050 and 1998 c 124 s 5 are each amended to read
4 as follows:

5 (1) The existence of the mobile home park relocation fund in the
6 custody of the state treasurer is affirmed. Expenditures from the fund
7 may be used only for relocation assistance awarded under this chapter.
8 Only the director or the director's designee may authorize expenditures
9 from the fund. All relocation payments to tenants shall be made from
10 the fund. The fund is subject to allotment procedures under chapter
11 43.88 RCW, but no appropriation is required for expenditures.

12 (2) A park tenant is eligible for assistance under this chapter
13 only after an application is submitted by that tenant or an
14 organization acting on the tenant's account under RCW 59.21.021(4) on
15 a form approved by the director which shall include:

16 (a) For those persons who maintained ownership of and relocated
17 their homes or removed their homes from the park: (i) A copy of the
18 notice from the park-owner, or other adequate proof, that the tenancy
19 is terminated due to closure of the park or its conversion to another
20 use; (ii) a copy of the rental agreement then in force, or other proof
21 that the applicant was a tenant at the time of notice of closure; (iii)
22 a copy of the contract for relocating the home which includes the date
23 of relocation, or other proof of actual relocation expenses incurred on
24 a date certain; and (iv) a statement of any other available assistance;

25 (b) For those persons who sold their homes and incurred no
26 relocation expenses: (i) A copy of the notice from the park-owner, or
27 other adequate proof, that the tenancy is terminated due to closure of
28 the park or its conversion to another use; (ii) a copy of the rental
29 agreement then in force, or other proof that the applicant was a tenant
30 at the time of notice of closure; and (iii) a copy of the record of
31 title transfer issued by the department of licensing when the tenant
32 sold the home rather than relocate it due to park closure or
33 conversion.

34 (3) The department may deduct a percentage amount of the fee
35 collected under section 3 of this act, not to exceed five percent of
36 the fees received, for administration expenses incurred by the
37 department.

1 NEW SECTION. **Sec. 6.** This act takes effect October 1, 2001.

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