

HOUSE BILL REPORT

HB 1086

As Reported by House Committee On:
Transportation

Title: An act relating to moving permits for owners of mobile home parks.

Brief Description: Moving mobile homes by mobile home park owners.

Sponsors: Representatives Morris, Pearson, Sullivan, Miloscia and Kristiansen.

Brief History:

Committee Activity:

Transportation: 1/29/03, 2/13/03 [DPS].

Brief Summary of Substitute Bill

- If a mobile home has been abandoned or has been awarded to the mobile home park landlord as part of a final court judgment, the landlord may move the mobile home upon a public highway without having to obtain an endorsement from the County Treasurer certifying that all property taxes have been paid, provided that the landlord files a signed affidavit of destruction with the County Assessor and intends to destroy the home.
- If the mobile home park landlord intends to rent or sell a mobile home acquired under the circumstances stated above, he/she will be held responsible for any outstanding taxes due on the home.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Simpson, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Anderson, Armstrong, Bailey, Campbell, Clibborn, Cooper, Dickerson, Edwards, Flannigan, Hankins, Hatfield, Hudgins, Kristiansen, Lovick, Mielke, Morris, Nixon, Romero, Schindler, Shabro, Sullivan, Wallace, Wood and Woods.

Staff: Reema Griffith (786-7301).

Background:

Under current law a person interested in moving a mobile home upon a public highway must obtain a special movement permit from the Department of Transportation (DOT). However, the permit is not valid until the county Treasurer provides an endorsement certifying that all property taxes have been paid on the dwelling. If taxes are owed, the county Treasurer will not issue the certification until the taxes are paid in full, which therefore means the mobile home cannot legally be moved. Once the county Treasurer certifies that the taxes have been paid, a decal is issued which must be displayed during the movement of the home.

The only time the county Treasurer certification and associated decal are not required is when a mobile home is entering the state, is being moved from a manufacturer or distributor to a retail sales outlet, is being moved directly to the purchasers designated location, or is being moved between retail sales outlets. Because of the limited nature of these exemptions, issues have arisen around situations where a mobile home must be moved by someone other than the owner but it is discovered that the property taxes due were not paid and thus, a movement permit and county Treasurer certification could not be obtained.

Summary of Substitute Bill:

Authorizes landlords of mobile home parks to move a mobile home or park model trailer without having to obtain county certification or display the associated decal, but only in cases where the dwelling has been abandoned or if it has been awarded to the landlord as part of a final court judgement for restitution of the premises.

Substitute Bill Compared to Original Bill:

In the original bill, if a mobile home park landlord gained ownership of a mobile home because it was abandoned or was awarded as restitution of the premises, the landlord would not be liable for payment of any outstanding property taxes on the dwelling, should they want to move the home out of the park.

Because counties would incur a significant loss in revenue under the original bill's provisions, the substitute bill provides that if the landlord intends to destroy the dwelling, they must file a signed affidavit of destruction with the County Assessor's Office. Once this is done, the landlord would be relieved of any tax liability and the home would be removed from the tax rolls. However, if the landlord plans to sell or rent the dwelling, the landlord would be held liable for any outstanding taxes.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill provides a valuable tool to mobile home park landlords because it will enable them to legally move a mobile home out of their park and not be penalized for the irresponsible behavior of the original homeowner who did not pay their property taxes.

Testimony Against: If landlords are relived of the responsibility to pay the taxes due on abandoned mobile homes, the counties will incur a significant loss in revenue.

Testified: Representative Morris, prime sponsor; and John Woodring, Manufactured Housing Communities of Washington.

(Opposed) Rose Bowman, Washington State Association of County Treasurers.