

HOUSE BILL REPORT

HB 1786

As Amended by the Senate

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

Brief Description: Modifying mobile home landlord-tenant provisions.

Sponsors: By Representatives Veloria and Santos.

Brief History:

Committee Activity:

Trade & Economic Development: 2/20/03, 2/21/03 [DP].

Floor Activity:

Passed House: 3/11/03, 92-0.

Senate Amended.

Passed Senate: 4/17/03, 47-0.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">· Modifies provisions regulating manufactured and mobile home landlord-tenant relationships.
--

HOUSE COMMITTEE ON TRADE & ECONOMIC DEVELOPMENT

Majority Report: Do pass. Signed by 11 members: Representatives Veloria, Chair; Eickmeyer, Vice Chair; Skinner, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Blake, Chase, Condotta, Kristiansen, McCoy, Pettigrew and Priest.

Staff: Tracey Taylor (786-7196).

Background:

The Mobile Home Landlord-Tenant Act (Act) governs the relationship between the owners of the mobile home parks (landlords) and the owners of the 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 the 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 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 resident in a mobile home lot is governed by Chapters 59.12 and 59.18 RCW.

Summary of 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, manufactured home, or park model 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 the fire or safety standard 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 used as a residence is governed by Chapter 59.20 RCW.

EFFECT OF SENATE AMENDMENT(S):

Changes the definition of "park model" to a recreational vehicle that is intended for permanent or semi-permanent installation and is used as a primary residence." Permits a landlord to require compliance by a tenant with fire and safety standards following a notice of a violation by the state or local agency responsible for enforcement regardless of whether or not the tenant is transferring the rental agreement.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: (In support) A few years ago, the Legislature changed the mobile home laws, but an oversight allowed local mobile home park owners to apply their own fire and safety standards. This created an arbitrary and inconsistent application of the law.

(With concerns) There is support for the change in concept; however, the current language creates a timing problem. The inspection should occur prior to putting a home up for sale, not upon a sale. Many homes have been remodeled which requires permits from the Department of Labor & Industries. There could be a problem if the mobile home owners did not get the required permits prior to selling the remodeled mobile home.

Testimony Against: None.

Testified: (In support) Nick Federici, Washington Low-Income Housing Congress; and Ray Munson, Manufactured Housing Community.

(With concerns) Ken Spencer and John Woodring, Manufactured Housing Communities of Washington.