

FINAL BILL REPORT

HB 1786

C 127 L 03

Synopsis as Enacted

Brief Description: Modifying mobile home landlord-tenant provisions.

Sponsors: By Representatives Veloria and Santos.

House Committee on Trade & Economic Development
Senate Committee on Financial Services, Insurance & Housing

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 the law on forcible entry and unlawful detainer and by the Residential Landlord Tenant Act.

Summary:

The definition of "park model" is changed to a recreational vehicle that is intended for permanent or semi-permanent installation 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 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 a transfer is deemed withdrawn.

Eviction of mobile homes, manufactured homes, and recreational vehicles used as a residence is governed by the Act.

Votes on Final Passage:

House 92 0

Senate 47 0 (Senate amended)

House 97 0 (House concurred)

Effective: July 27, 2003