

SENATE BILL REPORT

SB 5068

As of February 25, 2003

Title: An act relating to resolving manufactured/mobile home landlord and tenant disputes.

Brief Description: Resolving manufactured/mobile home landlord and tenant disputes.

Sponsors: Senator Prentice.

Brief History:

Committee Activity: Financial Services, Insurance & Housing: 2/27/03.

SENATE COMMITTEE ON FINANCIAL SERVICES, INSURANCE & HOUSING

Staff: Alison Mendiola (786-7576)

Background: The Manufactured/Mobile Home Landlord-Tenant Act is designed to govern the relationship between owners of manufactured/mobile homes, who rent the lot where their home is located, and owners of such parks and communities. Renters of manufactured/mobile homes who also rent the lot where their home is located are governed by the Residential Landlord-Tenant Act.

The Manufactured/Mobile Home Landlord-Tenant Act is designed to address the unique relationship that exists between the landlord and tenants. For example, it is often hard and expensive for manufactured/mobile home owners to physically move their home to another lot.

A mobile home is a dwelling built prior to 1976. A manufactured home is a dwelling built according to the U.S. Department of Housing and Urban Development's manufactured home construction and safety standards.

Within the Department of Community, Trade, and Economic Development is the Office of Mobile Home Affairs, which provides an ombudsman service to manufactured/mobile home park owners and manufactured/mobile home tenants with respect to problems and disputes between the two parties.

Summary of Substitute Bill: The ombudsman service in the Office of Mobile Home Affairs is eliminated and the responsibility of resolving manufactured/mobile home landlord and tenant disputes is moved to the Department of Licensing (DOL).

DOL compiles a list of all manufactured/mobile home parks. The owners of manufactured/mobile home parks register with DOL. DOL assesses a fee, of up to \$10 per lot for each lot that falls under the provisions of the Manufactured/Mobile Home Park Landlord-Tenant Act. Up to half of this fee may be passed onto tenants. The fees generated fund the enforcement efforts of DOL.

Beginning January 1, 2005, landlords or tenants who have an unresolved dispute in violation of the Manufactured/Mobile Home Landlord-Tenant Act, may file a written complaint with DOL. DOL may then investigate the complaints and issue citations and fines, while considering aggravating and mitigating circumstances.

Both landlords and tenants can appeal an adverse citation. Nothing in this act is meant to limit the right of landlords or tenants to take legal action as provided in the Manufactured/Mobile Home Landlord-Tenant Act.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: None.

Fiscal Note: Requested on February 19, 2003.

Effective Date: Ninety days after adjournment of session in which bill is passed.