

SENATE BILL REPORT

SB 5550

As of February 9, 2009

Title: An act relating to minimum terms for closure or conversion notices for mobile home parks and manufactured housing communities.

Brief Description: Requiring a minimum of three years' notice on closures or conversions of mobile home parks and manufactured housing communities.

Sponsors: Senators McAuliffe, Rockefeller, Kastama, Franklin, Kauffman and Fraser.

Brief History:

Committee Activity: Financial Institutions, Housing & Insurance: 2/11/09.

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & INSURANCE

Staff: Diane Smith (786-7410)

Background: The Manufactured/Mobile Home Landlord-Tenant Act (Act) provides that any mobile home space tenancy, regardless of term, must be based upon a written rental agreement. The conversion or sale of the park and the potential consequences to the tenant are required to be addressed in the rental agreement. Two alternative approaches are provided.

One alternative allows the use of a covenant by the landlord that the park will not be converted to a use that will require the tenant to vacate the park for three years from the start of the rental agreement. The other alternative allows the rental agreement to set out in large, boldfaced text directly above the tenant's signature that the park may be sold or the landlord may close the park at any time after the required notice.

A landlord may not terminate a tenancy except for one or more reasons stated in the Act. One of those reasons is a change of land use such as a sale or conversion to a use as other than a mobile home park, or conversion of the park to a cooperative or subdivision. The landlord must give the tenant 12 months advance notice of the effective date of this change.

Summary of Bill: Tenants must be given three years notice of closure of the park, with some exceptions. The closure notice must be in substantially the same form as the example provided. It includes contact information and notification of the possibility of relocation

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assistance. It also includes language that applies if the owner is willing to sell the park to the tenants.

Each rental agreement must state in large, boldfaced text directly above the tenant's signature that the park may be sold or the landlord may close the park at any time after the required notice. The notice period of that required notice is three years. Each rental agreement must include a copy of the closure notice, if the notice is in effect.

If a home is to be sold and that home is inside a park under a closure notice, a copy of that notice must be given to the buyer by the landlord at least seven days in advance of the sale.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.