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SENATE BILL 5383

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Conway, Benton, and Hobbs

Read first time 01/24/11. Referred to Committee on Financial Institutions, Housing & Insurance.

1 AN ACT Relating to clarifying the manufactured housing and mobile  
2 home program functions and account; amending RCW 59.22.050, 59.22.070,  
3 46.17.150, 59.20.300, and 59.22.020; adding a new section to chapter  
4 43.22A RCW; and recodifying RCW 59.22.070.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 59.22.050 and 2008 c 116 s 6 are each amended to read  
7 as follows:

8 (1) In order to provide general assistance to ((~~manufactured/mobile~~  
9 ~~home~~)) resident organizations, qualified tenant organizations,  
10 ((~~manufactured/mobile home community or park owners, and landlords~~))  
11 and tenants, the department shall establish an office of ((~~manufactured~~  
12 ~~housing~~)) mobile/manufactured home relocation assistance.

13 (2) This office will provide, either directly or through contracted  
14 services, technical assistance to qualified tenant organizations as  
15 defined in RCW 59.20.030 and resident organizations or persons in the  
16 process of forming a resident organization pursuant to this chapter  
17 ((~~59.22-RCW~~)). The office will keep records of its activities in this  
18 area.

1        ~~((2))~~ (3) The office shall administer the mobile home relocation  
2 assistance program established in chapter 59.21 RCW, including  
3 verifying the eligibility of tenants for relocation assistance.

4        **Sec. 2.** RCW 59.22.070 and 2007 c 432 s 10 are each amended to read  
5 as follows:

6        ~~((There))~~ (1) The manufactured housing account is created in the  
7 custody of the state treasurer ~~((a special account known as the  
8 manufactured housing account))~~.

9        ~~((Disbursements from this special account shall be as follows:~~

10        ~~(1) For the two year period beginning July 1, 1988, forty thousand  
11 dollars, or so much thereof as may be necessary for costs incurred in  
12 registering landlords and collecting fees, and thereafter five thousand  
13 dollars per year for that purpose.~~

14        ~~(2) All remaining amounts shall be remitted to the department for  
15 the purpose of implementing RCW 59.22.050, except those funds needed to  
16 implement))~~ (2) All receipts from fees imposed under RCW 46.17.150 must  
17 be deposited into the account.

18        (3) Expenditures from the account may be made only as follows:

19        (a) The director of the department of commerce or the director's  
20 designee may authorize expenditures of up to five thousand dollars per  
21 year for the purpose of implementing RCW 59.22.050.

22        (b) The director of the department of labor and industries or the  
23 director's designee may authorize expenditures of all remaining amounts  
24 for the state administrative agency function and manufactured home  
25 installation training and certification program under this chapter  
26 ~~((43.22A RCW, as well as all appropriated and nonappropriated funds  
27 related to department of labor and industries functions))~~.

28        (4) The account is subject to allotment procedures under chapter  
29 43.88 RCW, but an appropriation is not required for expenditures.

30        **Sec. 3.** RCW 46.17.150 and 2010 c 161 s 510 are each amended to  
31 read as follows:

32        Before accepting an application for a transfer of certificate of  
33 title for a new or used manufactured home as required in this title and  
34 chapter 65.20 RCW, the department, county auditor or other agent, or  
35 subagent appointed by the director shall require the applicant to pay  
36 a fifteen dollar fee in addition to any other fees and taxes required

1 by law. The fifteen dollar fee must be forwarded to the state  
2 treasurer, who shall deposit the fee in the manufactured housing  
3 account created in RCW 59.22.070 (as recodified by this act).

4 **Sec. 4.** RCW 59.20.300 and 2008 c 116 s 4 are each amended to read  
5 as follows:

6 (1) A landlord must provide a written notice of sale of a  
7 manufactured/mobile home community by certified mail or personal  
8 delivery to:

9 (a) Each tenant of the manufactured/mobile home community;

10 (b) The officers of any known qualified tenant organization;

11 (c) The office of (~~manufactured housing~~) mobile/manufactured home  
12 relocation assistance;

13 (d) The local government within whose jurisdiction all or part of  
14 the manufactured/mobile home community exists;

15 (e) The housing authority within whose jurisdiction all or part of  
16 the manufactured/mobile home community exists; and

17 (f) The Washington state housing finance commission.

18 (2) A notice of sale must include:

19 (a) A statement that the landlord intends to sell the  
20 manufactured/mobile home community; and

21 (b) The contact information of the landlord or landlord's agent who  
22 is responsible for communicating with the qualified tenant organization  
23 or eligible organization regarding the sale of the property.

24 **Sec. 5.** RCW 59.22.020 and 2010 c 161 s 1150 are each amended to  
25 read as follows:

26 The following definitions shall apply throughout this chapter  
27 unless the context clearly requires otherwise:

28 (1) (~~"Account" means the manufactured housing account created~~  
29 ~~under RCW 59.22.070.~~

30 ~~(2))~~ "Affordable" means that, where feasible, low-income residents  
31 should not pay more than thirty percent of their monthly income for  
32 housing costs.

33 ~~((3))~~ (2) "Conversion costs" includes the cost of acquiring the  
34 mobile home park, the costs of planning and processing the conversion,  
35 the costs of any needed repairs or rehabilitation, and any expenditures  
36 required by a government agency or lender for the project.

1           ~~((+4))~~ (3) "Department" means the department of commerce.

2           ~~((+5))~~ (4) "Fee" means the mobile home title transfer fee imposed  
3 under RCW 46.17.150.

4           ~~((+6))~~ (5) "Fund" or "park purchase account" means the mobile home  
5 park purchase account created pursuant to RCW 59.22.030.

6           ~~((+7))~~ (6) "Housing costs" means the total cost of owning,  
7 occupying, and maintaining a mobile home and a lot or space in a mobile  
8 home park.

9           ~~((+8))~~ (7) "Individual interest in a mobile home park" means any  
10 interest which is fee ownership or a lesser interest which entitles the  
11 holder to occupy a lot or space in a mobile home park for a period of  
12 not less than either fifteen years or the life of the holder.  
13 Individual interests in a mobile home park include, but are not limited  
14 to, the following:

15           (a) Ownership of a lot or space in a mobile home park or  
16 subdivision;

17           (b) A membership or shares in a stock cooperative, or a limited  
18 equity housing cooperative; or

19           (c) Membership in a nonprofit mutual benefit corporation which  
20 owns, operates, or owns and operates the mobile home park.

21           ~~((+9))~~ (8) "Landlord" shall have the same meaning as it does in  
22 RCW 59.20.030.

23           ~~((+10))~~ (9) "Low-income resident" means an individual or household  
24 who resided in the mobile home park prior to application for a loan  
25 pursuant to this chapter and with an annual income at or below eighty  
26 percent of the median income for the county of standard metropolitan  
27 statistical area of residence. Net worth shall be considered in the  
28 calculation of income with the exception of the resident's  
29 mobile/manufactured home which is used as their primary residence.

30           ~~((+11))~~ (10) "Low-income spaces" means those spaces in a mobile  
31 home park operated by a resident organization which are occupied by  
32 low-income residents.

33           ~~((+12))~~ (11) "Manufactured housing" means residences constructed  
34 on one or more chassis for transportation, and which bear an insignia  
35 issued by a state or federal regulatory agency indication compliance  
36 with all applicable construction standards of the United States  
37 department of housing and urban development.

1        (~~(13)~~) (12) "Mobile home" shall have the same meaning as it does  
2 in RCW (~~(46.04.302)~~) 43.22.335.

3        (~~(14)~~) (13) "Mobile home lot" shall have the same meaning as it  
4 does in RCW 59.20.030.

5        (~~(15)~~) (14) "Mobile home park" means a mobile home park, as  
6 defined in RCW 59.20.030(10), or a manufactured home park subdivision  
7 as defined by RCW 59.20.030(12) created by the conversion to resident  
8 ownership of a mobile home park.

9        (~~(16)~~) (15) "Resident organization" means a group of mobile home  
10 park residents who have formed a nonprofit corporation, cooperative  
11 corporation, or other entity or organization for the purpose of  
12 acquiring the mobile home park in which they reside and converting the  
13 mobile home park to resident ownership. The membership of a resident  
14 organization shall include at least two-thirds of the households  
15 residing in the mobile home park at the time of application for  
16 assistance from the department.

17        (~~(17)~~) (16) "Resident ownership" means, depending on the context,  
18 either the ownership, by a resident organization, as defined in this  
19 section, of an interest in a mobile home park which entitles the  
20 resident organization to control the operations of the mobile home park  
21 for a term of no less than fifteen years, or the ownership of  
22 individual interests in a mobile home park, or both.

23        (~~(18)~~) (17) "Tenant" means a person who rents a mobile home lot  
24 for a term of one month or longer and owns the mobile home on the lot.

25        NEW SECTION.   **Sec. 6.** RCW 59.22.070 is recodified as a section in  
26 chapter 43.22A RCW.

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