

HOUSE BILL REPORT

HB 1309

As Reported by House Committee On: Business & Financial Services

Title: An act relating to the sale of floating homes or floating on-water residences by brokers.

Brief Description: Concerning the sale of floating homes or floating on-water residences by brokers.

Sponsors: Representatives Vick and Kirby.

Brief History:

Committee Activity:

Business & Financial Services: 1/28/15, 2/3/15 [DP].

Brief Summary of Bill

- Permits real estate brokers to sell floating homes.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: Do pass. Signed by 11 members: Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake, G. Hunt, Hurst, Kochmar, McCabe, Santos and Stanford.

Staff: David Rubenstein (786-7153).

Background:

A real estate broker is a person who, among other things, negotiates for others the purchase, sale, exchange, lease, or rental of real property, business opportunities, or a manufactured home in conjunction with the land on which the home is located. A real estate broker is required to obtain a license from the Department of Licensing (Department).

A vessel dealer is a person engaged in the business of selling watercraft used or capable of being used as a means of transportation on the water, not including seaplanes. Vessel dealers must also obtain a license from the Department to sell vessels in Washington.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Certain kinds of residential homes float on the water. There are two types of such homes, each treated differently by law. The first is a floating home, defined as a single-family dwelling constructed on a float that is moored or anchored in the water. Such homes are not considered vessels, even if they are capable of being towed. The second kind of floating domicile is a floating on-water residence, defined as a floating residence with detachable utilities whose owner or occupant has held an ownership or leasehold interest in a marina space since at least June 30, 2014.

Summary of Bill:

The definition of real estate brokerage services is amended to include dealing in floating homes and floating on-water residences.

Real estate brokers are exempt from licensure as vessel dealers for the purpose of selling floating on-water residences.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) People trust realtors to look out for their best interests, and allowing realtors to sell floating homes is in the best interest of anyone trying to buy one. Realtors are much better than private transactions between unrepresented individuals.

Washington real estate licensees have been involved in listing and selling both kinds of house boats for a long time, primarily around Seattle, due to the real property interest being conveyed, be it leasehold, ownership, or condominium. However, the Northwest Multiple Listing Service recently determined that floating homes were not included in the definition of real estate services, which limited brokers to being involved in only the transaction of the marina or other space on real property. The Department worked with stakeholders to get this bill ready.

(Opposed) None.

Persons Testifying: Representative Vick, prime sponsor; and Bob Mitchell, Washington Realtors.

Persons Signed In To Testify But Not Testifying: None.