

# SENATE BILL REPORT

## SB 6153

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As of January 21, 2016

**Title:** An act relating to the maintenance of certificates of title for manufactured homes.

**Brief Description:** Concerning the maintenance of certificates of title for manufactured homes.

**Sponsors:** Senators Mullet and Angel.

**Brief History:**

**Committee Activity:** Financial Institutions & Insurance: 1/20/16.

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### SENATE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE

**Staff:** Shani Bauer (786-7468)

**Background:** Manufactured homes that are not affixed to land owned by the homeowner are registered through the Department of Licensing (DOL) and are transferred through a certificate of title. Titles may be transferred similarly to a vehicle, with the registered owner signing the certificate of title releasing the owner's interest.

A legal owner of a vehicle, including manufactured homes, may apply for a duplicate certificate of title if a certificate of title is lost, stolen, mutilated, destroyed, or becomes illegible. If ownership of the vehicle is in doubt, DOL may register a vehicle and withhold issuance of a certificate of title or require a bond as a condition of issuing a certificate of title if DOL is not satisfied:

- as to the ownership of the vehicle; or
- that there are no undisclosed security interests in the vehicle.

A person who is unable to provide satisfactory evidence of ownership may apply for ownership in doubt and receive a registration without a certificate for a three-year period; or a bonded certificate of title with or without registration. The bond must be for a three-year period and must be equal to one and a half times the value of the vehicle. In the alternative, the person may petition any district court or superior court to receive a judgment awarding ownership of the vehicle.

**Summary of Bill:** If ownership of a manufactured home is in doubt, DOL may issue a temporary certificate of title with the label "TEMPORARY - OWNERSHIP IN DOUBT" printed on its face.

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*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.*

A person who is unable to provide satisfactory evidence of ownership may apply for ownership in doubt and receive either a temporary certificate of title for a one-year period or a bonded certificate of title. The bond must be for a one-year period and must be equal to one and a half times the value of the manufactured home. In the alternative, the person may petition any district court or superior court to receive a judgment awarding ownership of the manufactured home.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: The original goal of this bill was to facilitate a person getting title to their mobile home when ownership is in doubt. There is no desire to pass this bill if parties are not in agreement. An owner of a manufactured home has two paths to obtain title when ownership is in doubt. The owner can apply for a certificate of title and wait the 3-year period or get a bond and obtain a bonded certificate of title. Under the first scenario, this bill reduces the waiting period from 3 years to 1 year that an owner would have to wait to get title. The process is currently often not followed because of the long time period. This change allows for a much simpler path to obtain title for a homeowner. Landlords have other mechanisms available to obtain title and usually do not use this process. This bill is trying to help those situations where landlords have multiple tenants that do not have title to their mobile home. Allowing homeowners with a simple mechanism to obtain title gives them what they need so they can access homeowner resources such as financing, energy credits, and homeowners' insurance.

CON: There is no merit to this bill. Homeowners who have lost title can already follow a process through DOL to get new title and can get relocation assistance without showing proof of title. The requirement to obtain a bond for one and a half times the value of the home is excessive and beyond the means of most manufactured home owners. Reducing the period from 3 years to 1 year would seem to be a help. There has been no consultation between landlords and mobile home owners regarding this bill. A shorter wait time may be good for some owners, but work a detriment to a person who needs to gather the resources to contest title.

**Persons Testifying:** PRO: Chester Baldwin, Tony Branson, and Craig Hillis, Manufactured Housing Communities of Washington.

CON: Birte Olsen, Association of Manufactured Home Owners; Janice Sylvester, Manufactured Home Owners of America; Greg Provenzano, Columbia Legal Services; Robert Ashmore, MHOA/LAT.

Persons Signed In To Testify But Not Testifying: No one.