
HOUSE BILL 2766

State of Washington 64th Legislature 2016 Regular Session

By Representatives Harmsworth, Vick, Manweller, Springer, and Zeiger

Read first time 01/20/16. Referred to Committee on Judiciary.

1 AN ACT Relating to the maintenance of certificates of title for
2 manufactured homes; and adding a new section to chapter 46.12 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.12
5 RCW to read as follows:

6 (1) The department, county auditor or other agent, or subagent
7 appointed by the director may issue a temporary certificate of title
8 with the label "TEMPORARY - OWNERSHIP IN DOUBT" printed on its face
9 in boldface type and withhold issuance of a new certificate of title
10 or require a bond as a condition of issuing a new certificate of
11 title if the department is not satisfied:

12 (a) As to the ownership of the manufactured home; or

13 (b) That there are no undisclosed security interests in the
14 manufactured home.

15 (2) A person who is unable to provide satisfactory evidence of
16 ownership may:

17 (a) Apply for ownership in doubt and receive either:

18 (i) A temporary certificate of title for a one-year period; or

19 (ii) A bonded certificate of title as described in subsection (3)
20 of this section; or

1 (b) Petition any district court or superior court of any county
2 in this state to receive a judgment awarding ownership of the
3 manufactured home.

4 (3) A person who is either required by the department, county
5 auditor or other agent, or subagent appointed by the director to file
6 a bond or wants a temporary certificate of title for a manufactured
7 home when ownership is in doubt must file the bond for a one-year
8 period. The bond must:

9 (a) Be in the form approved by the department;

10 (b) Be in an amount equal to one and one-half times the value of
11 the manufactured home as determined by the department;

12 (c) Be signed by the applicant and the bonding agent; and

13 (d) Offer protection to any previous owner, secured party, future
14 purchaser, or his or her successors against any expense, loss, or
15 damage, including reasonable attorneys' fees.

16 (4) A person who has or has held an interest in the manufactured
17 home may, during the one-year ownership in doubt period, petition any
18 district court or superior court of any county in this state to
19 receive a judgment either awarding ownership of the manufactured home
20 or be compensated for any expense, loss, or damage, including
21 reasonable attorneys' fees. The total claim must not be more than the
22 amount of the bond if a bond has been filed with the department.

23 (5) A person who has applied for ownership in doubt may apply for
24 a new certificate of title at any time during the one-year ownership
25 in doubt period when satisfactory evidence of ownership becomes
26 available. At the end of the one-year ownership in doubt period, the
27 owner must apply to the department, county auditor or other agent, or
28 subagent appointed by the director for a new certificate of title.
29 The new certificate of title must not include reference to the bond
30 if a bond was filed with the department.

31 (6) A person applying for ownership in doubt must have acquired
32 the manufactured home by purchase, exchange, gift, lease, or
33 inheritance from the owner of record or interim owner.

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