

E2SHB 1033 - S COMM AMD

By Committee on Housing Stability & Affordability

NOT CONSIDERED 12/23/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 59.21.005 and 1995 c 122 s 2 are each amended to
4 read as follows:

5 The legislature recognizes that it is quite costly (~~(to move a~~
6 ~~mobile home)~~) for tenants who own homes in manufactured/mobile home
7 parks to relocate when the park in which they reside is closed or
8 converted to another use. Many (~~(mobile home)~~) such tenants need
9 financial assistance in order to (~~(move their mobile homes from a)~~)
10 relocate from a manufactured/mobile home park. The purpose of this
11 chapter is to provide a mechanism for assisting manufactured/mobile
12 home tenants to relocate their manufactured/mobile homes to suitable
13 alternative sites (~~(when the mobile home park in which they reside is~~
14 ~~closed or converted to another use)~~) or demolish and dispose of their
15 homes and secure housing.

16 **Sec. 2.** RCW 59.21.010 and 2009 c 565 s 47 are each reenacted and
17 amended to read as follows:

18 Unless the context clearly requires otherwise, the definitions in
19 this section apply throughout this chapter.

20 (1) "Assignee" means an individual or entity who has agreed to
21 advance allowable relocation assistance expenses in exchange for the
22 assignment and transfer of a right to reimbursement from the fund.

23 (2) "Department" means the department of commerce.

24 (~~((2))~~) (3) "Director" means the director of the department of
25 commerce.

26 (~~((3))~~) (4) "Fund" means the manufactured/mobile home park
27 relocation fund established under RCW 59.21.050.

28 (~~((4))~~) (5) "Landlord" or "park-owner" means the owner of the
29 manufactured/mobile home park that is being closed at the time
30 relocation assistance is provided.

1 ~~((5))~~ (6) "Low-income household" means a single person, family,
2 or unrelated persons living together whose adjusted income is less
3 than eighty percent of the median family income, adjusted for
4 household size, for the county where the manufactured/mobile home is
5 located.

6 (7) "Manufactured/mobile home park" or "park" means real property
7 that is rented or held out for rent to others for the placement of
8 two or more manufactured/mobile homes for the primary purpose of
9 production of income, except where the real property is rented or
10 held out for rent for seasonal recreational purpose only and is not
11 intended for year-round occupancy.

12 ~~((6))~~ (8) "Relocate" means to do one of the following:

13 (a) Remove ~~((the))~~ a manufactured/mobile home from ~~((the))~~ a
14 manufactured/mobile home park being closed and ~~((to—either))~~
15 reinstall it in another location ~~((or to))~~; or

16 (b) Remove a manufactured/mobile home from a manufactured/mobile
17 home park being closed and demolish and dispose of it ~~((and purchase~~
18 ~~another mobile/manufactured home constructed to the standards set by~~
19 ~~the department of housing and urban development))~~ and secure other
20 housing.

21 ~~((7))~~ (9) "Relocation assistance" means the monetary assistance
22 provided under this chapter, including reimbursement for the costs of
23 relocation as well as cash assistance provided to allow the tenant to
24 secure new housing.

25 (10) "Tenant" means a person that owns a manufactured/mobile home
26 located on a rented lot in a manufactured/mobile home park.

27 **Sec. 3.** RCW 59.21.021 and 2005 c 399 s 5 are each amended to
28 read as follows:

29 (1) If a manufactured/mobile home park is closed or converted to
30 another use ~~((after December 31, 1995))~~, eligible tenants shall be
31 entitled to relocation assistance on a first-come, first-serve basis.
32 The department shall give priority for distribution of relocation
33 assistance to eligible tenants residing in parks that are closed as a
34 result of park-owner fraud or as a result of health and safety
35 concerns as determined by the local board of health. Payments shall
36 be made upon the department's verification of eligibility, subject to
37 the availability of remaining funds.

38 (2) Eligibility for relocation assistance funds is limited to
39 low-income households. ~~((As used in this section, "low-income~~

1 household" means a single person, family, or unrelated persons living
2 together whose adjusted income is less than eighty percent of the
3 median family income, adjusted for household size, for the county
4 where the mobile or manufactured home is located.

5 ~~(2) Assistance for closures occurring after December 31, 1995, is~~
6 ~~limited to persons who maintain ownership of and relocate their~~
7 ~~mobile home or who dispose of a home not relocatable to a new site.)~~

8 (3) ~~((Persons))~~ (a) Eligible tenants who ~~((removed and disposed~~
9 ~~of their mobile home or maintained ownership of and relocated their~~
10 ~~mobile homes))~~ relocate are entitled to ~~((reimbursement of actual~~
11 ~~relocation expenses))~~ financial assistance from the fund, up to a
12 maximum of twelve thousand dollars for a ~~((double-wide))~~ multisection
13 home and up to a maximum of seven thousand five hundred dollars for a
14 single-~~((wide))~~ section home. The department shall distribute
15 relocation assistance for each eligible tenant as follows:

16 (i) Up to forty percent of the total assistance may be disbursed
17 in the form of cash assistance to help the tenant secure new housing;
18 and

19 (ii) The remainder of the total assistance shall be disbursed as
20 reimbursement for costs associated with relocation.

21 (b) To receive financial assistance as provided in (a)(i) of this
22 subsection, documentation must be provided to the department that
23 demonstrates the tenant:

24 (i) Has relocated the home;

25 (ii) Has established a process to secure the relocation of the
26 home by having assigned the right to reimbursement of the relocation
27 costs and liability for such removal or demolition and disposal to
28 another entity; or

29 (iii) Has contracted to incur expenses associated with relocating
30 the home.

31 (c) If the tenant is requesting financial assistance under
32 (b)(ii) or (iii) of this subsection, the tenant, or the assignee on
33 the tenant's behalf, must submit as part of the application described
34 in RCW 59.21.050(2):

35 (i) Proof of the assignation; and

36 (ii) Evidence that the assignee is capable of fulfilling the
37 obligation itself or a contract or invoice for relocation of the home
38 executed with a vendor by the tenant or the assignee.

39 (4) Any individual or organization may apply to receive funds
40 from the ~~((mobile home park relocation))~~ fund, for use in combination

1 with funds from public or private sources, toward relocation of
2 tenants eligible under this section, with agreement from the tenant.
3 ~~((Funds received from the mobile home park relocation fund shall only
4 be used for relocation assistance expenses or other mobile/
5 manufactured home ownership expenses, that include down payment
6 assistance, if the owners are not planning to relocate their mobile
7 home as long as their original home is removed from the park.))~~

8 (5) The legislature intends the cash assistance provided under
9 subsection (3)(a)(i) of this section to be considered a one-time
10 direct grant payment that shall be excluded from household income
11 calculations for purposes of determining the eligibility of the
12 recipient for benefits or assistance under any state program financed
13 in whole or in part with state funds.

14 **Sec. 4.** RCW 59.21.025 and 1998 c 124 s 3 are each amended to
15 read as follows:

16 ~~((1))~~ If financial assistance for relocation is obtained from
17 sources other than the ~~((mobile home park relocation))~~ fund
18 ~~((established under this chapter))~~, then the relocation assistance
19 provided to any person ~~((under this chapter))~~ from the fund shall be
20 reduced as necessary to ensure that no person receives financial
21 assistance for relocation from all sources combined ~~((more than: (a)~~
22 ~~That person's actual cost of relocation; or (b) seven thousand~~
23 ~~dollars for a double-wide mobile home and three thousand five hundred~~
24 ~~dollars for a single-wide mobile home.~~

25 ~~(2) When a person receives financial assistance for relocation~~
26 ~~from a source other than the mobile home park relocation assistance~~
27 ~~fund, then the assistance received from the fund will be the~~
28 ~~difference between the maximum amount to which a person is entitled~~
29 ~~under RCW 59.21.021(3) and the amount of assistance received from the~~
30 ~~outside source.~~

31 ~~(3) If the amount of assistance received from an outside source~~
32 ~~exceeds the maximum amounts of assistance to which a person is~~
33 ~~entitled under RCW 59.21.021(3), then that person will not receive~~
34 ~~any assistance from the mobile home park relocation assistance fund))~~
35 in excess of that person's actual relocation expenses.

36 **Sec. 5.** RCW 59.21.050 and 2011 c 158 s 7 are each amended to
37 read as follows:

1 (1) (a) The existence of the mobile home park relocation fund in
2 the custody of the state treasurer is affirmed.

3 (b) Expenditures from the fund may only be used as follows:

4 (i) Except as provided in subsection (3) of this section, all
5 moneys received from the fee as specified in RCW 46.17.155 must be
6 used only for relocation assistance awarded under this chapter.

7 (ii) All moneys received from the fee as specified in RCW
8 59.30.050 must be used only for the relocation coordination program
9 created in section 8 of this act.

10 (c) Only the director or the director's designee may authorize
11 expenditures from the fund. All relocation payments to tenants shall
12 be made from the fund. The fund is subject to allotment procedures
13 under chapter 43.88 RCW, but no appropriation is required for
14 expenditures.

15 (2) A (~~park~~) tenant is eligible for relocation assistance under
16 this chapter only after an application is submitted by that tenant or
17 an organization acting on the tenant's account under RCW 59.21.021(4)
18 on a form approved by the director (~~which~~). The application shall
19 include: (a) (~~For those persons who maintained ownership of and~~
20 ~~relocated their homes or removed their homes from the park: (i)~~) A
21 copy of the notice from the park-owner, or other adequate proof, that
22 the tenancy is terminated due to closure of the park or its
23 conversion to another use; (~~(ii)~~) (b) a copy of the rental
24 agreement then in force, or other proof that the applicant was a
25 tenant at the time of notice of closure; (~~(iii) a copy of the~~
26 ~~contract for relocating the home which includes the date of~~
27 ~~relocation, or other proof of actual)~~) (c) a statement of relocation
28 expenses expected to be incurred (~~on a date certain~~); (~~and (iv)~~)
29 (d) proof of ownership of the home at the time of notice of closure;
30 and (e) a statement of any other available assistance (~~(†)~~) received.

31 (~~(b) For those persons who sold their homes and incurred no~~
32 ~~relocation expenses: (i) A copy of the notice from the park-owner, or~~
33 ~~other adequate proof, that the tenancy is terminated due to closure~~
34 ~~of the park or its conversion to another use; (ii) a copy of the~~
35 ~~rental agreement then in force, or other proof that the applicant was~~
36 ~~a tenant at the time of notice of closure; and (iii) a copy of the~~
37 ~~record of title transfer issued by the department of licensing when~~
38 ~~the tenant sold the home rather than relocate it due to park closure~~
39 ~~or conversion.)~~)

1 (3) The department may deduct a percentage amount of the fee
2 collected under RCW 46.17.155 for administration expenses incurred by
3 the department.

4 **Sec. 6.** RCW 46.17.155 and 2010 c 161 s 511 are each amended to
5 read as follows:

6 (1) Before accepting an application for a certificate of title
7 for an original or transfer manufactured home transaction as required
8 in this title or chapter 65.20 RCW, the department, county auditor or
9 other agent, or subagent appointed by the director shall require the
10 applicant to pay a ~~((one hundred dollar))~~ fee, in accordance with
11 subsection (4) of this section, in addition to any other fees and
12 taxes required by law if the manufactured home:

13 (a) Is located in a mobile home park;

14 (b) Is one year old or older; and

15 (c) Is new or ownership changes, excluding changes that involve
16 adding or deleting spouse or domestic partner coregistered owners or
17 legal owners ~~((; and~~

18 ~~(d) Sales price is five thousand dollars or more))~~.

19 (2) The ~~((one hundred dollar))~~ fee amount established in
20 subsection (4) of this section must be forwarded to the state
21 treasurer, who shall deposit the fee in the mobile home park
22 relocation fund created in RCW 59.21.050.

23 (3) The department and the state treasurer may adopt rules
24 necessary to carry out this section.

25 (4) The amount of the fee that the department must collect must
26 be 0.25 percent of the sale price of the manufactured home, but in no
27 case may the fee be less than one hundred dollars or greater than
28 five hundred dollars.

29 **Sec. 7.** RCW 59.30.050 and 2013 c 144 s 42 are each amended to
30 read as follows:

31 (1) The department must register all manufactured/mobile home
32 communities, which registration must be renewed annually. Each
33 community must be registered separately. The department must mail
34 registration notifications to all known manufactured/mobile home
35 community landlords. Registration information packets must include:

36 (a) Registration forms; and

1 (b) Registration assessment information, including registration
2 due dates and late fees, and the collections procedures, liens, and
3 charging costs to tenants.

4 (2) To apply for registration or registration renewal, the
5 landlord of a manufactured/mobile home community must file with the
6 department an application for registration or registration renewal on
7 a form provided by the department and must pay a registration fee as
8 described in subsection (3) of this section. The department may
9 require the submission of information necessary to assist in
10 identifying and locating a manufactured/mobile home community and
11 other information that may be useful to the state, which must
12 include, at a minimum:

13 (a) The names and addresses of the owners of the manufactured/
14 mobile home community;

15 (b) The name and address of the manufactured/mobile home
16 community;

17 (c) The name and address of the landlord and manager of the
18 manufactured/mobile home community;

19 (d) The number of lots within the manufactured/mobile home
20 community that are subject to chapter 59.20 RCW; and

21 (e) The addresses of each manufactured/mobile home lot within the
22 manufactured/mobile home community that is subject to chapter 59.20
23 RCW.

24 (3) Each manufactured/mobile home community landlord must pay to
25 the department:

26 (a) A one-time business license application fee for the first
27 year of registration and, in subsequent years, an annual renewal
28 application fee, as provided in RCW 19.02.075; and

29 (b) An annual registration assessment of (~~ten~~) fifteen dollars
30 for each manufactured/mobile home that is subject to chapter 59.20
31 RCW within a manufactured/mobile home community. Manufactured/mobile
32 home community landlords may charge a maximum of five dollars of this
33 assessment to tenants. Nine dollars of the registration assessment
34 for each manufactured/mobile home must be deposited into the
35 manufactured/mobile home dispute resolution program account created
36 in RCW 59.30.070 to fund the costs associated with the manufactured/
37 mobile home dispute resolution program. (~~The remaining~~) One dollar
38 of the registration assessment must be deposited into the business
39 license account created in RCW 19.02.210. The remaining five dollars
40 of the registration assessment must be deposited into the mobile home

1 park relocation fund created in RCW 59.21.050. The annual
2 registration assessment must be reviewed once each biennium by the
3 department and the attorney general and may be adjusted to reasonably
4 relate to the cost of administering this chapter. The registration
5 assessment may not exceed (~~ten~~) fifteen dollars, but if the
6 assessment is reduced, the portion allocated to the manufactured/
7 mobile home dispute resolution program account (~~and~~), the business
8 license account, and the mobile home park relocation fund must be
9 adjusted proportionately.

10 (4) Initial registrations of manufactured/mobile home communities
11 must be filed before November 1, 2007, or within three months of the
12 availability of mobile home lots for rent within the community. The
13 manufactured/mobile home community is subject to a delinquency fee of
14 two hundred fifty dollars for late initial registrations. The
15 delinquency fee must be deposited in the business license account.
16 Renewal registrations that are not renewed by the expiration date as
17 assigned by the department are subject to delinquency fees under RCW
18 19.02.085.

19 (5) Thirty days after sending late fee notices to a noncomplying
20 landlord, the department may issue a warrant under RCW 59.30.090 for
21 the unpaid registration assessment and delinquency fee. If a warrant
22 is issued by the department under RCW 59.30.090, the department must
23 add a penalty of ten percent of the amount of the unpaid registration
24 assessment and delinquency fee, but not less than ten dollars. The
25 warrant penalty must be deposited into the business license account
26 created in RCW 19.02.210. Chapter 82.32 RCW applies to the collection
27 of warrants issued under RCW 59.30.090.

28 (6) Registration is effective on the date determined by the
29 department, and the department must issue a registration number to
30 each registered manufactured/mobile home community. The department
31 must provide an expiration date, assigned by the department, to each
32 manufactured/mobile home community who registers.

33 NEW SECTION. **Sec. 8.** A new section is added to chapter 59.21
34 RCW to read as follows:

35 (1) A relocation coordination program is created within the
36 department for the purpose of assisting tenants of a mobile home park
37 scheduled for closure or conversion to another use with the process
38 of relocation.

1 (2) The relocation coordination program assistance may include,
2 but is not limited to, performing casework on behalf of individual
3 tenants, maintaining and distributing informational resources for
4 tenants regarding the process for relocating and disposal of
5 manufactured/mobile homes, researching and distributing current
6 information regarding available locations for manufactured/mobile
7 homes and other forms of available housing, and researching and
8 distributing information regarding other sources of financial
9 assistance that may be available to secure new housing."

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NOT CONSIDERED 12/23/2019

10 On page 1, line 1 of the title, after "Relating to" strike the
11 remainder of the title and insert "relocation assistance for tenants
12 of closed or converted mobile home parks; amending RCW 59.21.005,
13 59.21.021, 59.21.025, 59.21.050, 46.17.155, and 59.30.050; reenacting
14 and amending RCW 59.21.010; and adding a new section to chapter 59.21
15 RCW."

EFFECT: (1) Modifies the \$100 manufactured home transaction fee to one-quarter of the sale price of the manufactured home, but between \$100 and \$500.

(2) Increases the \$10 manufactured/mobile home registration fee to \$15, with \$5 of the fee to be deposited into the Manufactured/Mobile Home Park Relocation Fund for the purposes of the newly created relocation coordination program, which assists tenants of a mobile home park scheduled for closure or conversion with the process of relocation, including performing casework, maintaining information regarding relocation and disposal of the unit, and researching information regarding other sources of financial assistance that may be available to secure new housing.

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