

SENATE BILL REPORT

ESHB 1207

As Reported by Senate Committee On:
Housing Stability & Affordability, March 27, 2019

Title: An act relating to manufactured housing communities.

Brief Description: Concerning manufactured housing communities.

Sponsors: House Committee on Housing, Community Development & Veterans (originally sponsored by Representatives Ryu, Jenkin, Dolan and Pollet).

Brief History: Passed House: 3/13/19, 96-0.

Committee Activity: Housing Stability & Affordability: 3/25/19, 3/27/19 [DPA].

Brief Summary of Amended Bill

- Restricts a city or town, code city, or county from prohibiting siting a manufactured/mobile home on an existing lot based solely on lack of compliance with existing separation and setback requirements that regulate the distance between homes.

SENATE COMMITTEE ON HOUSING STABILITY & AFFORDABILITY

Majority Report: Do pass as amended.

Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille, Fortunato, Saldaña and Warnick.

Staff: Brandon Popovac (786-7465)

Background: A city or town, code city, or county may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the place or use of a home in such a manner that is equally applicable to all homes. Manufactured homes built to federal standards must be regulated for the purposes of siting in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard. However, a city or town, code city, or county, may require that:

- a manufactured home be a new manufactured home;
- the manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be

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- enclosed by concrete or an approved concrete product which can be either load bearing or decorative;
- the manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- the home is thermally equivalent to the state energy code; and
- the manufactured home otherwise meets all other requirements for a designated manufactured home.

A city or town, code city, or county may not adopt an ordinance that has the effect, directly or indirectly, of restricting the location of manufactured/mobile homes in manufactured/mobile home communities that were legally in existence before June 12, 2008, based exclusively on the age or dimensions of the manufactured/mobile home. However, a city or town, code city, or county may restrict the location of a manufactured/mobile home in manufactured/mobile home communities for any other reason including, but not limited to, failure to comply with fire, safety, or other local ordinances or state laws related to manufactured/mobile homes.

Summary of Amended Bill: A city or town, code city, or county may not prohibit the siting of a manufactured/mobile home on an existing lot based solely on lack of compliance with existing separation and setback requirements that regulate the distance between homes.

EFFECT OF HOUSING STABILITY & AFFORDABILITY COMMITTEE AMENDMENT(S):

- Modifies legislative findings and intent language to more accurately reflect the substantive policy of the bill.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Engrossed Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Under this bill, a city may not prohibit the siting of a manufactured or mobile home on an existing lot based solely on the lack of compliance with existing separation and setback requirements that regulate the distance between the homes. The bill rationale is that if there was a home there before, there should be some method of putting a home again in the same spot, otherwise you eliminate that one spot from ever being used again and that affects the housing supply. The bill allows tenants and landlords to replace a home that has exceeded its usable life with a newer home, allowing the homeowner to stay where they are but with an upgrade to their home for a better lifestyle. One of the challenges of preserving existing manufactured home communities is that they cannot be remodeled like stick-built homes. The only way communities can upgrade is by replacement, and it is difficult to find units that fit exactly onto the same pad. So as long as safety is preserved with proper street ingress and egress, the city cannot try to shut down or prevent a manufactured home from upgrading the individual

units. This bill will allow manufactured housing communities to be a viable and attractive form of housing. Landlords will benefit by continuing to stay in business in offering these forms of housing. This bill will help in not having to relocate water lines since updates and replacement is very expensive.

OTHER: The bill allows landlords to site homes on vacant lots without any reassurance that the underlying infrastructure can support traditional homes. There are often complaints from homeowners regarding water pressure and sewer disposal.

Persons Testifying: PRO: Representative Cindy Ryu, Prime Sponsor; Robert Cochran, Contempo MHP; Theresa Janzen, Housing Provider; Russell Millard, Park Preservations.

OTHER: Ishbel Dickens, citizen.

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