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HOUSE BILL 1005

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State of Washington

66th Legislature

2019 Regular Session

By Representative Appleton

Prefiled 12/04/18. Read first time 01/14/19. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to sales of manufactured/mobile or park model  
2 homes at county treasurer's foreclosure or distraint sales; and  
3 amending RCW 46.12.700.

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

5 **Sec. 1.** RCW 46.12.700 and 2011 c 171 s 38 are each amended to  
6 read as follows:

7 (1) **Titling options.** An owner of a manufactured home shall  
8 establish ownership in the manufactured home by either:

9 (a) Applying for a certificate of title as required under this  
10 chapter; or

11 (b) Eliminating the certificate of title under chapter 65.20 RCW.

12 (2) **Exemption.** This section does not apply to a manufactured home  
13 held for resale by a dealer or manufacturer.

14 (3) **Transferring ownership.** (a) A registered owner of record must  
15 sign the certificate of title releasing the owner's interest when  
16 transferring ownership of a manufactured home. If the manufactured  
17 home was manufactured before June 15, 1976, the registered owner must  
18 sign an affidavit on a form approved by the department. The affidavit  
19 must state that the purchaser was notified that failure of the  
20 manufactured home to meet federal housing and urban development  
21 standards or failure of the manufactured home to meet a fire and

1 safety inspection by the department of labor and industries may  
2 result in denial by a local jurisdiction of a permit to site the  
3 manufactured home.

4 (b) When a manufactured/mobile or park model home is sold at a  
5 county treasurer's foreclosure or distraint sale, the registered  
6 owner of record, legal owner on title, and the purchaser are not  
7 required to sign the certificate of title and title application to  
8 transfer title. Any leinholder interest in a manufactured/mobile or  
9 park model home are extinguished by the county treasurer's  
10 foreclosure or distraint sale.

11 (4) **Evidence of taxes paid.** Before accepting an application for a  
12 certificate of title for a manufactured home, the department, county  
13 auditor or other agent, or subagent appointed by the director shall  
14 require the applicant to provide evidence that any taxes due on the  
15 sale of the manufactured home under chapters 82.45 and 84.52 RCW have  
16 been paid. Acceptable evidence includes a copy of:

17 (a) The real estate excise tax affidavit that has been stamped by  
18 the county treasurer; or

19 (b) A treasurer certificate that is prepared by the treasurer of  
20 the county in which a used manufactured home is located and that  
21 states that all property taxes due upon the used manufactured home  
22 being sold have been satisfied.

23 (5) **County assessor notification.** The department shall notify the  
24 county assessor of the county where the manufactured home is located  
25 when ownership of a manufactured home is transferred. The  
26 notification must include the name and address of the former owner  
27 and the new owner.

28 (6) **Title elimination.** The certificate of title for a  
29 manufactured home may be eliminated or not issued when the  
30 manufactured home is registered under chapter 65.20 RCW. If the  
31 certificate of title is eliminated or not issued, the application  
32 must be recorded in the county property records of the county where  
33 the real property to which the home is affixed is located. All  
34 vehicle license fees and taxes applicable to manufactured homes under  
35 this chapter are due and must be collected before recording the  
36 ownership with the county auditor.

37 (7) **Rules.** The department may adopt rules as necessary to  
38 implement this section.

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