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**SUBSTITUTE SENATE BILL 5298**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senate Housing (originally sponsored by Senators Frame, Bateman, Conway, Hasegawa, Nobles, Stanford, Trudeau, Valdez, and C. Wilson)

READ FIRST TIME 02/11/25.

1 AN ACT Relating to the notice of sale or lease of manufactured/  
2 mobile home communities; amending RCW 59.20.325 and 59.20.335; and  
3 repealing RCW 59.20.300.

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

5 NEW SECTION. **Sec. 1.** RCW 59.20.300 (Manufactured/mobile home  
6 communities—Notice of sale) and 2023 c 40 s 6, 2011 c 158 s 5, & 2008  
7 c 116 s 4 are each repealed.

8 **Sec. 2.** RCW 59.20.325 and 2024 c 325 s 2 are each amended to  
9 read as follows:

10 (1) An owner shall give written notice of an opportunity to  
11 compete to purchase indicating the owner's interest in selling the  
12 manufactured/mobile home community before the owner markets the  
13 manufactured/mobile home community for sale or includes the sale of  
14 the manufactured/mobile home community in a multiple listing, and  
15 when the owner receives an offer to purchase that the owner intends  
16 to consider (~~(unless that offer is received during the process under~~  
17 ~~RCW 59.20.330)~~).

18 (2) The owner shall give the notice in subsection (1) of this  
19 section (~~(by certified mail or personal delivery)~~) to:

1 (a) (~~All~~) Each tenant(~~s~~) of the manufactured/mobile home  
2 community;

3 (b) (~~A qualified tenant organization, if there is an existing~~  
4 ~~qualified tenant organization within the manufactured/mobile home~~  
5 ~~community~~) The officers of any known qualified tenant organization;

6 (c) The department of commerce; (~~and~~)

7 (d) The local government within whose jurisdiction all or part of  
8 the manufactured/mobile home community exists;

9 (e) Any housing authority within whose jurisdiction all or part  
10 of the manufactured/mobile home community exists; and

11 (f) The Washington state housing finance commission.

12 (3) The notice required in subsection (1) of this section must  
13 include:

14 (a) The date that the notice was (~~mailed by certified mail or~~  
15 ~~personally delivered~~) served per RCW 59.20.150 to all tenants  
16 referenced in subsection (2)(a) of this section and distributed to  
17 all recipients set forth in subsection (2) (b) through (f) of this  
18 section;

19 (b) A statement that the owner is considering selling the  
20 manufactured/mobile home community or the property on which it sits;

21 (c) A statement that the tenants, through a qualified tenant  
22 organization representing a majority of the tenants in the community,  
23 based on home sites, or an eligible organization, have an opportunity  
24 to compete to purchase the manufactured/mobile home community;

25 (d) A statement that in order to compete to purchase the  
26 manufactured/mobile home community, within 70 days after the  
27 certified mailing or personal delivery date stated in accordance with  
28 (a) of this subsection of the notice of the owner's interest in  
29 selling the manufactured/mobile home community, the tenants must form  
30 or identify a single qualified tenant organization for the purpose of  
31 purchasing the manufactured/mobile home community and notify the  
32 owner in writing of:

33 (i) The tenants' interest in competing to purchase the  
34 manufactured/mobile home community; and

35 (ii) The name and contact information of the representative or  
36 representatives of the qualified tenant organization with whom the  
37 owner may communicate about the purchase; and

38 (e) A statement that information about purchasing a manufactured/  
39 mobile home community is available from the department of commerce.

1 (4) The representative or representatives of the tenants  
2 committee will be able to request park operating expenses ((described  
3 in ~~RCW 59.20.330~~)) from the owner within a 20-day information period  
4 following delivery of the qualified tenant organization's notice to  
5 the owner indicating interest in competing to purchase the  
6 manufactured/mobile home community.

7 (5) An eligible organization may also compete to purchase and is  
8 subject to the same time constraints and applicable conditions as a  
9 qualified tenant organization.

10 (6) Electronic delivery of the notice of opportunity to compete  
11 to purchase is acceptable to:

12 (a) The department of commerce;

13 (b) The local government within whose jurisdiction all or part of  
14 the manufactured/mobile home community exists;

15 (c) Any housing authority within whose jurisdiction all or part  
16 of the manufactured/mobile home community exists; and

17 (d) The Washington state housing finance commission.

18 (7) Delivery of the notice of opportunity to compete to purchase  
19 to the department of commerce must include:

20 (a) A complete list of all current known tenants and contact  
21 information listed on the leases within the manufactured/mobile home  
22 community in an electronic format, or on a form as provided by the  
23 department of commerce; and

24 (b) One copy of the notice as sent to each tenant of the  
25 manufactured/mobile home community.

26 (8) Notices sent under subsection (2)(c) through (f) of this  
27 section must be sent within 10 days of notices sent under subsection  
28 (2)(a) and (b) of this section.

29 **Sec. 3.** RCW 59.20.335 and 2024 c 325 s 4 are each amended to  
30 read as follows:

31 (1) During the process described in RCW 59.20.325 ((and  
32 ~~59.20.330~~)), the parties shall act in good faith and in a  
33 commercially reasonable manner, which includes a duty for the tenants  
34 to notify the owner promptly if there is no intent to purchase the  
35 manufactured/mobile home community or the property on which it sits.  
36 The parties have an overall duty to act in good faith. With respect  
37 to negotiation, this overall duty of good faith requirement means  
38 that the owner must allow the tenants to develop an offer, must give  
39 their offer reasonable consideration, and to further competition,

1 must inform any qualified tenant organization, eligible  
2 organizations, and competing potential buyers participating in  
3 negotiations upon receipt if a preferred offer is submitted.  
4 Furthermore, the owner may not deny residents the same access to the  
5 community and to information, such as operating expenses and rent  
6 rolls, that the landowner would give to a commercial buyer. With  
7 respect to financial information, all parties shall agree to keep  
8 this information confidential.

9 (2) Except as provided in RCW 59.20.340(1), before selling a  
10 manufactured/mobile home community to an entity that is not formed by  
11 or associated with the tenants, or to an eligible organization, the  
12 owner of the manufactured/mobile home community must give the notice  
13 required by RCW 59.20.325 (~~and comply with the requirements of RCW~~  
14 ~~59.20.330~~)).

15 (3) A minor error in providing the notice required by RCW  
16 59.20.325 (~~or in providing operating expenses information required~~  
17 ~~by RCW 59.20.330~~)) does not prevent the owner from selling the  
18 manufactured/mobile home community to an entity that is not formed by  
19 or associated with the tenants and does not cause the owner to be  
20 liable to the tenants for damages or a penalty.

21 (4) During the process described in RCW 59.20.325 (~~and~~  
22 ~~59.20.330~~)), the owner may seek, negotiate with, or enter into a  
23 contract subject to the rights of the tenants in chapter 40, Laws of  
24 2023 with potential purchasers other than the tenants or an entity  
25 formed by or associated with the tenants or another eligible  
26 organization.

27 (5) If the owner does not comply with the requirements of chapter  
28 40, Laws of 2023 in a substantial way that prevents the tenants or an  
29 eligible organization from competing to purchase the manufactured/  
30 mobile home community, the tenants or eligible organization may:

31 (a) Obtain injunctive relief to prevent a sale or transfer to an  
32 entity that is not formed by or associated with the tenants; and

33 (b) Recover actual damages not to exceed twice the monthly rent  
34 from the owner for each tenant.

35 (6) If a party misuses or discloses, in a substantial way,  
36 confidential information (~~in violation of RCW 59.20.330~~)), that  
37 party may recover actual damages from the other party.

38 (7) The department of commerce shall prepare and make available  
39 information for tenants about purchasing a manufactured dwelling or  
40 manufactured/mobile home community.

1       (8) Every six months from the date of delivery of a notice of  
2 opportunity to compete to purchase as provided in RCW 59.20.325 until  
3 sold or no longer for sale or actively listed, the owner must provide  
4 the department of commerce by mail, electronic delivery, or personal  
5 delivery an update on the status of the notification and an update on  
6 the status of sale. The update will be made publicly available by the  
7 department of commerce within 10 business days of receipt. The notice  
8 must include:

9       (a) The date that the notice was sent by mail, electronically  
10 delivered, or personally delivered to all recipients as set forth in  
11 RCW 59.20.325;

12       (b) The status of the sale or the opportunity to compete to  
13 purchase of the property as active, under contract, closed, or  
14 removed from the market;

15       (c) If the property has sold, the date of closing;

16       (d) If the property is under contract, the anticipated closing  
17 date;

18       (e) If the property is active, any change in listing price and  
19 other information noted in subsection (1) of this section.

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