
Judiciary Committee

ESSB 5433

Title: An act relating to a landlord's duty to maintain common areas, roads, and trees in manufactured/mobile home communities.

Brief Description: Modifying landlord responsibilities in manufactured/mobile home communities.

Sponsors: Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Fraser, Conway, Kastama, Keiser, Chase, Rockefeller, McAuliffe and Nelson).

<p style="text-align: center;">Brief Summary of Engrossed Substitute Bill</p> <ul style="list-style-type: none">• Establishes additional duties for landlords under the Manufactured/Mobile Home Landlord-Tenant Act.
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Hearing Date: 3/9/11

Staff: Edie Adams (786-7180).

Background:

The Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) establishes the legal rights, remedies, and obligations arising from a rental agreement between a landlord and a tenant of a mobile home lot.

The MHLTA imposes certain duties upon landlords of manufactured/mobile home communities. These duties include a number of obligations relating to maintaining the premises within the mobile home park. Specifically, a landlord must:

- maintain the common premises and prevent the accumulation of stagnant water and the detrimental effects of moving water;
- keep the shared or common premises reasonably clean and safe from defects to reduce the hazards of fire or accident;

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- keep all common premises of the park and vacant mobile home lots free of weeds or noxious plants and free from objects or conditions that are unsightly or potentially injurious; and
- maintain roads within the mobile home park in good condition.

The MHLTA allows a tenant to take action to remedy a breach of the landlord's duties if the landlord fails to do so within a reasonable time after notice from the tenant. The tenant must provide the landlord with at least two bids for performing any repairs required to remedy a defective condition. If the landlord has not begun repairs within a reasonable amount of time, the tenant may contract with a person to make the repair and deduct the cost of the repair from his or her rent (up to one month's rent per year). Tenants are not allowed to collectively initiate a remedy according to the above procedure.

In addition, a tenant may file a complaint with the Manufactured/Mobile Home Dispute Resolution Program (Program). The Program is administered by the Office of the Attorney General (AGO) and provides a process for the efficient resolution of disputes arising under the MHLTA. Any aggrieved party may file a complaint with the AGO alleging a violation of the MHLTA. After receiving a complaint, the AGO may initiate an investigation of the alleged violation and facilitate negotiations between the complainant and the respondent.

Summary of Bill:

Additional landlord duties are established under the MHLTA. A landlord must:

- keep vacant mobile home lots reasonably clean, sanitary, and safe from defects to reduce the hazards of fire or accident;
- maintain in good condition or remove all trees that were not planted by the current tenant; and
- take reasonable steps to prevent the accumulation of water, snow, or ice on roads within the mobile home park that would prevent tenants from accessing homes or exiting the mobile home park.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.