

HOUSE BILL REPORT

HB 1839

As Reported By House Committee On:

Trade & Economic Development

Title: An act relating to mobile home relocation assistance.

Brief Description: Providing mobile home relocation assistance.

Sponsors: Representatives Van Luven, Wolfe, Silver, Ogden, Patterson, Sheldon and Costa; by request of Department of Community, Trade, and Economic Development.

Brief History:

Committee Activity:

Trade & Economic Development: 2/20/95, 2/23/95 [DPS].

HOUSE COMMITTEE ON TRADE & ECONOMIC DEVELOPMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Van Luven, Chairman; Radcliff, Vice Chairman; D. Schmidt, Vice Chairman; Sheldon, Ranking Minority Member; Veloria, Assistant Ranking Minority Member; Backlund; Ballasiotes; Hatfield; Hickel; Mason; Sherstad; Skinner and Valle.

Staff: Kenny Pittman (786-7392).

Background: The Mobile Home Relocation Act was enacted in 1989 and subsequently amended in 1990 and 1991. Under the Mobile Home Relocation Act, relocation assistance is provided to low-income mobile home owners when a mobile home park is closed or converted to another use. Funding for relocation assistance was collected from both park owners and tenants. Mobile home park owners were required to pay a lump sum to low-income tenants and the tenant's contribution was through a variety of annual or licensing assessments.

In 1993, the State Supreme Court upheld a superior court judge's ruling that the mobile home relocation assistance legislation was unconstitutional. The mobile home park owners had argued that the burden of rectifying the public problem of displaced low-income tenants is more properly placed upon society as a whole. Guimont v. Clarke, 121 Wn.2d 586, 610-11 (1993).

Summary of Substitute Bill: The Mobile Home Relocation Assistance program is reenacted.

Monetary relocation assistance is made available to all mobile home owners that are displaced due to a park closure, conversion to another use, or partial park closure. The relocation assistance is determined by the size of the mobile home and if the tenant actually relocated the mobile home.

All tenants in mobile home parks that received a notice of closure or closed after June 30, 1991 and before January 1, 1996, and who move their mobile home to a new mobile home park can receive up to \$3,500 for a single-wide home and \$6,500 for a double-wide home. Tenants that were forced to sell or abandon their mobile homes do not receive relocation assistance, but are entitled to a flat payment of \$1,500 for a single-wide home and \$3,500 for a double-wide home.

The Department of Community, Trade, and Economic Development must accept applications for relocation assistance up to December 31, 1995. Payment of relocation assistance depends on the number of claims and amount in the relocation fund.

Tenants in mobile home parks that close after December 31, 1995 are served on a first-come, first-served basis. Assistance is limited only to those tenants that relocate to another mobile home park.

The bill requires mobile home park owners to provide a 12-month notice of park closure to be included in month-to-month rental agreements. Tenants are not entitled to relocation assistance if they give notice to vacate the park before the park closure notice is issued by the park owner, or if they purchase or move a mobile home into a park after the 12-month closure notice has been issued by the park owner.

The park owner contribution and annual tenant fees used to fund the mobile home relocation fund are repealed.

Substitute Bill Compared to Original Bill: The substitute bill allows relocation assistance to tenants affected by a partial closure of a mobile home park. Tenants that receive notice of a park closure before January 1, 1996, are eligible for relocation assistance. The flat reimbursement is only available to those tenants that were forced to sell or abandon their mobile home due to a park closure.

Appropriation: None.

Fiscal Note: Requested on February 16, 1995.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: Most seniors in mobile home parks have less income than the general population. The mobile home relocation fund was sort of insurance against the high cost of relocating the mobile home if a park closed. Due to the lawsuit, collection of tenant fees and relocation payments were put on hold. Now that the lawsuit has been settled, we need to get the monies out to these mobile home park tenants that were forced to either relocate, sell, or abandon their mobile homes.

Testimony Against: None.

Testified: (Pro) Enid Buchanan, Department of Community, Trade, and Economic Development; Theresa Bosler, Manufacturing Housing Communities of Washington; Majken Ryherd Keira, Mobile Home Owners Association & Washington Low-Income Housing Congress; Arnold Livingston, Senior Lobby; Ian Rodihan and Gordon Walgren, Port of Bremerton; Jim Thomas, Department of Revenue; and Clark Blazer.