

HOUSE BILL ANALYSIS HB 2306

Title: An act relating to mobile home parks.

Brief Description: Making mobile home parks available.

Sponsors: Van Luven, Kastama, Veloria, Boldt, Kenney, McDonald, Eickmeyer, Radcliff, Ballasiotes, Miloscia, K. Schmidt, Haigh, Skinner, Hankins and Wolfe.

BRIEF SUMMARY OF BILL

- Allows costs for the development of mobile home parks from the Mobile Home Park Purchase Fund.
- Allows up to \$2,000 in demolition costs for a mobile home from the Mobile Home Relocation Assistance Fund.
- Makes violations of the Mobile Home Landlord-Tenant Act subject to the remedies of the Consumer Protection Act.
- Allows early termination of a rental agreement if the tenant receives notice of a change of land use of the mobile home.
- Requires the removal of all mobile homes to other locations or demolished before a city, code city, or county can issue a permit to convert the use of the land from a mobile home park to another use.

HOUSE ECONOMIC DEVELOPMENT, HOUSING & TRADE COMMITTEE

Staff: Kenny Pittman (786-7392)

Background:

Mobile Home Park Purchase Account

The Mobile Home Park Purchase Account was created by the Legislature in 1987 to provide funds to nonprofit, resident, or governmental organizations for the purchase of mobile home parks. The Department of Community, Trade, and Economic Development is responsible for the management of the account. Eligible resident organizations or low-income residents of mobile home parks converted to resident

ownership may obtain a long-term, low-interest rate loan to assist them in the financing cost to convert the mobile home park into a resident-owned mobile home park. The Legislature has never appropriated any funds into the account.

Mobile Home Relocation Assistance

The Mobile Home Relocation Assistance Fund was created by the Legislature in 1989, and administered by the Department of Community, Trade, and Economic Development (CTED) to provide assistance to low-income mobile home owners that were forced to relocate from their mobile home park as a result of the mobile home parks closure or conversion to another use. The fund provides the mobile home owner up to \$7,500 to relocate a double-wide mobile home and up to \$3,500 to relocate a single-wide mobile home.

Mobile Home Landlord-Tenant Act Provisions

The Mobile Home Landlord-Tenant Act governs the relationship between the mobile home park owner (landlord) and the mobile home owner (tenant). Violations of the Mobile Home Landlord-Tenant Act are subject to ordinary civil remedies, and the remedies contained in the act itself, such as repair and deduct– for defective conditions, and voluntary arbitration or mediation.

The Mobile Home Landlord-Tenant Act prohibits a landlord from prohibiting the removal from or entry into a mobile home park by a mobile home based solely because has reached a certain age. All rental agreements between the landlord and tenant must be for a term of one year. A tenant must provide written notice 30 days prior to the expiration of the rental agreement of their intent not the renew the lease. The opportunity to terminate a rental agreement prior to the expiration date is limited to members of the armed forces who must relocate and tenant’s forced to relocate due to change in employment.

Summary of Bill:

Mobile Home Park Purchase Account

The Mobile Home Park Purchase Account is renamed the Mobile Home Park Purchase and Development Account. The Department of Community, Trade, and Economic Development (CTED) is authorized to fund development costs– from the account. These costs include the land acquisition, planning and predevelopment, and construction costs associated with the development of a mobile home park.

The eligibility for financing assistance used in the development of mobile home parks is expanded to include local governments, local housing authorities, regional networks, nonprofit community or neighborhood-based organizations, federally

recognized Indian tribes in the state of Washington, and regional or state-wide nonprofit housing assistance organizations.

CTED, before providing financial assistance from the account, must require: (1) a certification from the eligible organization that at least 51 percent of the mobile home park will be occupied by residents that are low-income or infirmed; (2) the projected development costs and funding sources for the development of the mobile home park; (3) a projected five-year operating budget; and (4) a management plan for the development and operation of the mobile home park.

CTED may provide technical assistance to nonprofit organizations wanting to develop mobile home parks. CTED can not act in a representative capacity regarding the acquisition of property or in the drafting of documents affecting legal or property rights of the two parties.

The terms manufactured home,— mobile home,— and tenant— are revised to conform with the definitions in the Mobile Home Landlord-Tenant Act.

Mobile Home Relocation Assistance

The Mobile Home Relocation Assistance Fund may provide assistance to pay security deposits, and first and last months rents for double-wide and single-wide mobile homes that relocate to other lots due to park closure or conversion to another use. A tenant that demolishes their mobile home can get up to \$2,000 to cover the cost of demolishing a single-wide or double-wide mobile home.

Mobile Home Landlord-Tenant Act

. Applicability of Consumer Protection Act.

A violation of the Mobile Home Landlord-Tenant Act is subject to the remedies contained in the Consumer Protection Act. The Office of the Attorney General would be able to bring action in the name of the state to restrain and prevent unlawful act. The Attorney General would be issue an injunction, further violations would be subject to monetary penalties.

. Single-Wide Mobile Homes Not Excluded

A mobile home park owner is prohibited from preventing the entry into or requiring the removal of a mobile home solely because it is a single-wide mobile home. This provision would not apply if local zoning regulations impose restrictions on the size of residential structures within specific areas.

. Early Termination of Rental Agreement

A mobile home owner (tenant) may terminate the rental agreement upon 20 days written notice, without further liability for rent, after receipt of a notice from the mobile park owner of a change of land use of the mobile home park, if the tenant either relocates the mobile home to another location or abandons/transfers the ownership of the mobile home.

. Demolition Costs and Information Brochure

The mobile home park owner is responsible for the costs of demolition or removal of a mobile home, if the mobile home owner (tenant) abandons the mobile home or provide written notification relinquishing ownership of the mobile home in response to notification of a change of land use of the mobile home park.

The Mobile Home Park Owner must provide tenants with an informational brochure that explains their rights and responsibilities under the Mobile Home Landlord-Tenant Act. The Department of Community, Trade, and Economic Development, in consultation with the Office of the Attorney General, is responsible for the development of the brochure.

Land Development Regulations

Any city, code city, and county that plans must adopt an ordinance no later than December 31, 1999, that prohibits the issuance of a project permit for the development of land that contains a mobile park into another use, until all mobile homes in the mobile home park have been relocated to other locations or demolished.

Appropriation: None.

Fiscal Note: Requested January 17, 2000.

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