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SECOND SUBSTITUTE SENATE BILL 5354

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State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Patterson, Prentice, Winsley, Fraser, Fairley, Costa, Regala and McAuliffe; by request of Department of Community, Trade, and Economic Development)

READ FIRST TIME 02/08/2002.

1 AN ACT Relating to mobile home relocation assistance; amending RCW  
2 59.21.010, 59.21.021, and 59.21.050; adding a new section to chapter  
3 59.21 RCW; and providing an effective date.

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

5 **Sec. 1.** RCW 59.21.010 and 1998 c 124 s 1 are each amended to read  
6 as follows:

7 Unless the context clearly requires otherwise, the definitions in  
8 this section apply throughout this chapter.

9 (1) "Director" means the director of the department of community,  
10 trade, and economic development.

11 (2) "Department" means the department of community, trade, and  
12 economic development.

13 (3) "Fund" means the mobile home park relocation fund established  
14 under RCW 59.21.050.

15 (4) "Mobile home park" or "park" means real property that is rented  
16 or held out for rent to others for the placement of two or more mobile  
17 homes for the primary purpose of production of income, except where the  
18 real property is rented or held out for rent for seasonal recreational  
19 purpose only and is not intended for year-round occupancy.

1 (5) "Landlord" or "park-owner" means the owner of the mobile home  
2 park that is being closed at the time relocation assistance is  
3 provided.

4 (6) "Relocate" means to remove the mobile home from the mobile home  
5 park being closed and to either reinstall it in another location or to  
6 demolish it and purchase another mobile/manufactured home constructed  
7 to the standards set by the department of housing and urban  
8 development.

9 (7) "Relocation assistance" means the monetary assistance provided  
10 under this chapter.

11 **Sec. 2.** RCW 59.21.021 and 1998 c 124 s 2 are each amended to read  
12 as follows:

13 (1) If a mobile home park is closed or converted to another use  
14 after December 31, 1995, eligible tenants shall be entitled to  
15 assistance on a first-come, first-serve basis. Payments shall be made  
16 upon the department's verification of eligibility, subject to the  
17 availability of remaining funds.

18 (2) Assistance for closures occurring after December 31, 1995, is  
19 limited to persons who maintain ownership of and relocate their mobile  
20 home or who dispose of a home not relocatable to a new site.

21 (3) Persons who removed and disposed of their mobile home or  
22 maintained ownership of and relocated their mobile homes are entitled  
23 to reimbursement of actual relocation expenses up to seven thousand  
24 dollars for a double-wide home and up to three thousand five hundred  
25 dollars for a single-wide home.

26 (4) Any individual or organization may apply to receive funds from  
27 the mobile home park relocation fund, for use in combination with funds  
28 from public or private sources, toward relocation of tenants eligible  
29 under this section. Funds received from the mobile home park  
30 relocation fund shall only be used for relocation assistance expenses  
31 or other mobile/manufactured home ownership expenses, that include down  
32 payment assistance, if the owners are not planning to relocate their  
33 mobile home as long as their original home is removed from the park.

34 NEW SECTION. **Sec. 3.** A new section is added to chapter 59.21 RCW  
35 to read as follows:

36 (1) A fee is imposed upon the purchaser that is equal to one  
37 percent of the lesser of the sale price or the first fifty thousand

1 dollars of the sale price on every transfer of title issued under  
2 chapter 46.12 RCW on a mobile home five years old or more where (a) the  
3 ownership of the mobile home changes; and (b) the mobile home is  
4 located in a mobile home park. A transfer of title does not include  
5 the addition or deletion of a spouse co-owner or secured interest.

6 (2) Mobile homes with a sale price of less than one thousand  
7 dollars are not subject to the fee imposed in subsection (1) of this  
8 section.

9 (3) The department of licensing or its agents shall collect the fee  
10 when processing an application for transfer of title. The fee  
11 collected under this section shall be forwarded to the state treasurer  
12 for deposit into the mobile home park relocation fund created in this  
13 chapter. The department of licensing may deduct a percentage amount,  
14 not to exceed two percent of the fees collected, for the collection  
15 expenses incurred by the department of licensing.

16 (4) The department of licensing and the state treasurer may adopt  
17 rules necessary to carry out this section.

18 **Sec. 4.** RCW 59.21.050 and 1998 c 124 s 5 are each amended to read  
19 as follows:

20 (1) The existence of the mobile home park relocation fund in the  
21 custody of the state treasurer is affirmed. Expenditures from the fund  
22 may be used only for relocation assistance awarded under this chapter.  
23 Only the director or the director's designee may authorize expenditures  
24 from the fund. All relocation payments to tenants shall be made from  
25 the fund. The fund is subject to allotment procedures under chapter  
26 43.88 RCW, but no appropriation is required for expenditures.

27 (2) A park tenant is eligible for assistance under this chapter  
28 only after an application is submitted by that tenant or an  
29 organization acting on the tenant's account under RCW 59.21.021(4) on  
30 a form approved by the director which shall include:

31 (a) For those persons who maintained ownership of and relocated  
32 their homes or removed their homes from the park: (i) A copy of the  
33 notice from the park-owner, or other adequate proof, that the tenancy  
34 is terminated due to closure of the park or its conversion to another  
35 use; (ii) a copy of the rental agreement then in force, or other proof  
36 that the applicant was a tenant at the time of notice of closure; (iii)  
37 a copy of the contract for relocating the home which includes the date

1 of relocation, or other proof of actual relocation expenses incurred on  
2 a date certain; and (iv) a statement of any other available assistance;

3 (b) For those persons who sold their homes and incurred no  
4 relocation expenses: (i) A copy of the notice from the park-owner, or  
5 other adequate proof, that the tenancy is terminated due to closure of  
6 the park or its conversion to another use; (ii) a copy of the rental  
7 agreement then in force, or other proof that the applicant was a tenant  
8 at the time of notice of closure; and (iii) a copy of the record of  
9 title transfer issued by the department of licensing when the tenant  
10 sold the home rather than relocate it due to park closure or  
11 conversion.

12 (3) The department may deduct a percentage amount of the fee  
13 collected under section 3 of this act, not to exceed five percent of  
14 the fees received, for administration expenses incurred by the  
15 department.

16 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2003.

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