

HOUSE BILL REPORT

SB 5035

As Reported by House Committee On:
Judiciary

Title: An act relating to the manufactured/mobile home landlord-tenant act.

Brief Description: Requiring landlords to provide tenants with written receipts upon request under the manufactured/mobile home landlord-tenant act.

Sponsors: Senators Shin, Honeyford and Kohl-Welles.

Brief History:

Committee Activity:

Judiciary: 3/9/11, 3/17/11 [DPA].

**Brief Summary of Bill
(As Amended by House)**

- Requires manufactured/mobile home lot landlords to provide tenants with written receipts for cash payments, and requires landlords to provide written receipts for all other payment forms upon the request of a tenant.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended. Signed by 12 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Chandler, Eddy, Frockt, Kirby, Klippert, Nealey, Orwall and Roberts.

Staff: Kelly Pfundheller (786-7289).

Background:

The Manufactured/Mobile Home Landlord-Tenant Act governs the legal rights, remedies, and obligations arising from rental agreements for manufactured and mobile home lots, including specified amenities within mobile home parks, cooperatives, and subdivisions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Under the Residential Landlord Tenant Act, landlords of residential dwellings are required to provide written receipts for payments upon the request of a tenant. However, there is no similar requirement for landlords of manufactured/mobile home lots.

Summary of Amended Bill:

The landlords of manufactured/mobile home lots must provide written receipts to tenants for any payments in the form of cash, and landlords must provide written receipts to tenants for other types of payments upon their request.

Amended Bill Compared to Original Bill:

Landlords are required to provide written receipts for all payments made in the form of cash, and, if requested by the tenant, for other payment types (rather than only upon request for all payment types). The 15-day deadline for providing a receipt after a request is removed. The language specifying that tenants may request receipts for payments made within the previous year is also removed.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) The bill is a positive step forward regarding payment transactions between landlords and tenants. A tenant pays their rent in cash, but the tenant or landlord might later forget that the tenant already paid. The bill provides landlords and tenants with clarity because tenants can be provided with receipts. It is generally common courtesy to offer receipts for payments.

The companion bill, House Bill 1078, is a better form of this legislation and should move forward. The companion only requires receipts upon request for payments made in the form of cash or money order. Landlords should only be required to provide receipts upon request. If a landlord is required to generate a receipt automatically, some tenants will never pick them up, and they will just remain in the landlord's files.

(In support with concerns) The bill should be expanded to provide greater protections for tenants in these types of transactions. Rent payments are essential to a tenant's livelihood. Tenants are often denied receipts by landlords and are subsequently left without a remedy or method of enforcement. In other situations, when someone makes a payment to a business, they are provided with a receipt. This is ultimately a consumer protection issue.

(Opposed) None.

Persons Testifying: (In support) Senator Shin, prime sponsor; and Ken Spencer and Craig Hillis, Manufactured Housing Communities of Washington.

(In support with concerns) Pedro Bernal, Office of the Attorney General; and Bruce Neas, Columbia Legal Services.

Persons Signed In To Testify But Not Testifying: None.