

ESHB 1582 - S AMD TO WM COMM AMD (S-3906.1/19) 602  
By Senator Hunt

WITHDRAWN 04/17/2019

1 On page 20, after line 12, insert the following:

2 "NEW SECTION. **Sec. 14.** A new section is added to chapter 59.20  
3 RCW to read as follows:

4 (1) Owners, landlords, and property managers of mobile home  
5 parks, manufactured housing communities, and manufactured/mobile home  
6 communities, or a third party acting as agent for the owner,  
7 landlord, or property manager, that charge individual manufactured/  
8 mobile homes for water and sewer utilities must provide for the  
9 submetering or direct metering of each manufactured/mobile home on  
10 the property for the purpose of:

11 (a) Measuring the quantity of water consumed by the occupant or  
12 occupants of each manufactured/mobile home;

13 (b) Charging each manufactured/mobile home separately for water  
14 and wastewater services; and

15 (c) Allocating the charge based on the actual water use of the  
16 manufactured/mobile homes.

17 (2) Owners, landlords, and property managers submetering pursuant  
18 to this section must disclose the submetering to each manufactured/  
19 mobile home tenant and obtain from the tenant an acknowledgment of  
20 the submetering in the rental agreement or a separate written  
21 document. The notice of submetering must include the location of  
22 submeters, and access requirements for reading, repair, maintenance,  
23 inspection, or testing.

24 (3) As applied to submetering under this section, charges to a  
25 manufactured/mobile home must be based on the actual water use of the  
26 occupant or occupants. The landlord, owner, or property manager may  
27 not divide the total utility charges of the landlord, owner, or  
28 property manager by the number of manufactured/mobile homes for the  
29 purpose of allocating utility costs. Additionally, the total charges  
30 sent to all manufactured/mobile homes must not exceed the amount of  
31 the bill sent by the utility for the entire mobile home park,  
32 manufactured housing community, or manufactured/mobile home  
33 community, minus any late fees or other charges that the landlord,

1 owner, or property manager owes to the utility. Service charges, late  
2 payment charges, and insufficient funds check charges may be  
3 authorized as established by the utilities and transportation  
4 commission.

5 (4) Notices of billing under this section must include the:

6 (a) Name, business address, and telephone number of the landlord,  
7 owner, property manager, or third-party billing agent, whomever sends  
8 the bill to the tenant;

9 (b) Basis for each separate charge, including service charges and  
10 late fees, if any, as a line item, and the total amount of the bill;

11 (c) Current and previous meter readings, the current read date,  
12 and the amount consumed;

13 (d) Due date, the date upon which the bill becomes overdue, the  
14 amount of any late charges or penalties that may apply, and the date  
15 upon which such late charges or penalties may be imposed;

16 (e) Any past due dollar amounts;

17 (f) Name, mailing address, and telephone number for billing  
18 inquiries and disputes, and the business hours and days of  
19 availability; and

20 (g) Process used to resolve disputes related to bills.

21 (5) The utilities and transportation commission must adopt rules  
22 to provide safeguards for tenants as applied to submetering under  
23 this section.

24 (6) For the purposes of this section:

25 (a) "Direct metering" means the use of individual meters provided  
26 by the utility to each manufactured/mobile home for the purpose of  
27 charging the tenant of a manufactured/mobile home separately for  
28 water and wastewater usage.

29 (b) "Submetering" means the use of a metering device by a  
30 landlord, owner, or property manager who receives water and  
31 wastewater service from a public utility, which metering device  
32 measures water supplied to a manufactured/mobile home for the purpose  
33 of the landlord, owner, or property manager's charging the tenant of  
34 a manufactured/mobile home separately for water and wastewater usage.

35 **Sec. 15.** RCW 59.20.040 and 1999 c 359 s 3 are each amended to  
36 read as follows:

37 This chapter shall regulate and determine legal rights, remedies,  
38 and obligations arising from any rental agreement between a landlord  
39 and a tenant regarding a mobile home lot and including specified

1 amenities within the mobile home park, mobile home park cooperative,  
2 or mobile home park subdivision, where the tenant has no ownership  
3 interest in the property or in the association which owns the  
4 property, whose uses are referred to as a part of the rent structure  
5 paid by the tenant. All such rental agreements shall be unenforceable  
6 to the extent of any conflict with any provision of this chapter.  
7 Chapter 59.12 RCW shall be applicable only in implementation of the  
8 provisions of this chapter and not as an alternative remedy to this  
9 chapter which shall be exclusive where applicable: PROVIDED, That the  
10 provision of RCW 59.12.090, 59.12.100, and 59.12.170 shall not apply  
11 to any rental agreement included under the provisions of this  
12 chapter. RCW 59.18.055 and 59.18.370 through 59.18.410 shall be  
13 applicable to any action of forcible entry or detainer or unlawful  
14 detainer arising from a tenancy under the provisions of this chapter,  
15 except when a mobile home, manufactured home, or park model or a  
16 tenancy in a mobile home lot is abandoned. Rentals of mobile homes,  
17 manufactured homes, or park models themselves are governed by the  
18 residential landlord-tenant act, chapter 59.18 RCW. Section 14 of  
19 this act applies to the provision of water and sewer utilities for  
20 rental agreements under this chapter."

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21 On page 20, line 16, after "59.20.210," strike "and 59.21.030"  
22 and insert "59.21.030, and 59.20.040"

EFFECT: (1) Requires owners, landlords, and property managers or third-party billing entities of a mobile home park, manufactured housing community, or manufactured/mobile home community to provide submeters to measure water use by individual manufactured/mobile home.

(2) Prohibits the landlord, owner, or property manager from dividing the total utility charges by the number of manufactured/mobile homes for the purpose of allocating utility costs owed to the utility.

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