
SUBSTITUTE SENATE BILL 5183

State of Washington

66th Legislature

2019 Regular Session

By Senate Housing Stability & Affordability (originally sponsored by Senators Kuderer, Pedersen, Wellman, Saldaña, Llias, and Wilson, C.)

READ FIRST TIME 02/21/19.

1 AN ACT Relating to relocation assistance for tenants of closed or
2 converted mobile home parks; amending RCW 59.21.005, 59.21.021,
3 59.21.025, 59.21.050, 46.17.155, and 59.30.050; and reenacting and
4 amending RCW 59.21.010.

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

6 **Sec. 1.** RCW 59.21.005 and 1995 c 122 s 2 are each amended to
7 read as follows:

8 The legislature recognizes that it is quite costly (~~to move a~~
9 ~~mobile home~~) for tenants who own homes in manufactured/mobile home
10 parks to relocate when the park in which they reside is closed or
11 converted to another use. Many (~~mobile home~~) such tenants need
12 financial assistance in order to (~~move their mobile homes from a~~)
13 relocate from a manufactured/mobile home park. The purpose of this
14 chapter is to provide a mechanism for assisting manufactured/mobile
15 home tenants to relocate their manufactured/mobile homes to suitable
16 alternative sites (~~when the mobile home park in which they reside is~~
17 ~~closed or converted to another use~~) or demolish and dispose of their
18 homes and secure housing.

19 **Sec. 2.** RCW 59.21.010 and 2009 c 565 s 47 are each reenacted and
20 amended to read as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

3 (1) "Assignee" means an individual or entity who has agreed to
4 advance allowable relocation assistance expenses in exchange for the
5 assignment and transfer of a right to reimbursement from the fund.

6 (2) "Department" means the department of commerce.

7 ~~((+2))~~ (3) "Director" means the director of the department of
8 commerce.

9 ~~((+3))~~ (4) "Fund" means the manufactured/mobile home park
10 relocation fund established under RCW 59.21.050.

11 ~~((+4))~~ (5) "Landlord" or "park-owner" means the owner of the
12 manufactured/mobile home park that is being closed at the time
13 relocation assistance is provided.

14 ~~((+5))~~ (6) "Low-income household" means a single person, family,
15 or unrelated persons living together whose adjusted income is less
16 than eighty percent of the median family income, adjusted for
17 household size, for the county where the manufactured/mobile home is
18 located.

19 (7) "Manufactured/mobile home park" or "park" means real property
20 that is rented or held out for rent to others for the placement of
21 two or more manufactured/mobile homes for the primary purpose of
22 production of income, except where the real property is rented or
23 held out for rent for seasonal recreational purpose only and is not
24 intended for year-round occupancy.

25 ~~((+6))~~ (8) "Relocate" means to do one of the following:

26 (a) Remove ((the)) a manufactured/mobile home from ((the)) a
27 manufactured/mobile home park being closed and ((to either))
28 reinstall it in another location ((or to)); or

29 (b) Remove a manufactured/mobile home from a manufactured/mobile
30 home park being closed and demolish and dispose of it ((and purchase
31 another mobile/manufactured home constructed to the standards set by
32 the department of housing and urban development)) and secure other
33 housing.

34 ~~((+7))~~ (9) "Relocation assistance" means the monetary assistance
35 provided under this chapter, including reimbursement for the costs of
36 relocation as well as cash assistance provided to allow the tenant to
37 secure new housing.

38 (10) "Tenant" means a person that owns a manufactured/mobile home
39 located on a rented lot in a manufactured/mobile home park.

1 **Sec. 3.** RCW 59.21.021 and 2005 c 399 s 5 are each amended to
2 read as follows:

3 (1) If a manufactured/mobile home park is closed or converted to
4 another use (~~((after December 31, 1995))~~), eligible tenants shall be
5 entitled to relocation assistance on a first-come, first-serve basis.
6 The department shall give priority for distribution of relocation
7 assistance to eligible tenants residing in parks that are closed as a
8 result of park-owner fraud or as a result of health and safety
9 concerns as determined by the local board of health. Payments shall
10 be made upon the department's verification of eligibility, subject to
11 the availability of remaining funds.

12 (2) Eligibility for relocation assistance funds is limited to
13 low-income households. ((As used in this section, "low-income
14 household" means a single person, family, or unrelated persons living
15 together whose adjusted income is less than eighty percent of the
16 median family income, adjusted for household size, for the county
17 where the mobile or manufactured home is located.

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

21 (3) ~~((Persons))~~ (a) Eligible tenants who ~~((removed and disposed~~
22 ~~of their mobile home or maintained ownership of and relocated their~~
23 ~~mobile homes))~~ relocate are entitled to ~~((reimbursement of actual~~
24 ~~relocation expenses))~~ financial assistance from the fund, up to a
25 maximum of twelve thousand dollars for a ~~((double-wide))~~ multisection
26 home and up to a maximum of seven thousand five hundred dollars for a
27 single-~~((wide))~~ section home. The department shall distribute
28 relocation assistance for each eligible tenant as follows:

29 (i) Up to forty percent of the total assistance may be dispersed
30 in the form of cash assistance to help the tenant secure new housing;
31 and

32 (ii) The remainder of the total assistance shall be dispersed as
33 reimbursement for costs associated with relocation.

34 (b) To receive financial assistance as provided in (a)(i) of this
35 subsection, documentation must be provided to the department that
36 demonstrates the tenant:

37 (i) Has relocated the home;

38 (ii) Established a process to secure the relocation of the home
39 by having assigned the right to reimbursement of the relocation costs

1 and liability for such removal or demolition and disposal to another
2 entity; or

3 (iii) Has contracted to incur expenses associated with relocating
4 the home.

5 (c) If the tenant is requesting financial assistance under
6 (b)(ii) or (iii) of this subsection, the tenant, or the assignee on
7 the tenant's behalf, must submit as part of the application described
8 in RCW 59.21.050(2):

9 (i) Proof of the assignation; and

10 (ii) Evidence that the assignee is capable of fulfilling the
11 obligation itself or a contract or invoice for relocation of the home
12 executed with a vendor by the tenant or the assignee.

13 (4) Any individual or organization may apply to receive funds
14 from the ~~((mobile home park relocation))~~ fund, for use in combination
15 with funds from public or private sources, toward relocation of
16 tenants eligible under this section, with agreement from the tenant.
17 ~~((Funds received from the mobile home park relocation fund shall only
18 be used for relocation assistance expenses or other mobile/
19 manufactured home ownership expenses, that include down payment
20 assistance, if the owners are not planning to relocate their mobile
21 home as long as their original home is removed from the park.))~~

22 **Sec. 4.** RCW 59.21.025 and 1998 c 124 s 3 are each amended to
23 read as follows:

24 ~~((1))~~ If financial assistance for relocation is obtained from
25 sources other than the ~~((mobile home park relocation))~~ fund
26 ~~((established under this chapter))~~, then the relocation assistance
27 provided to any person ~~((under this chapter))~~ from the fund shall be
28 reduced as necessary to ensure that no person receives financial
29 assistance for relocation from all sources combined ~~((more than: (a)~~
30 ~~That person's actual cost of relocation; or (b) seven thousand~~
31 ~~dollars for a double-wide mobile home and three thousand five hundred~~
32 ~~dollars for a single-wide mobile home.~~

33 ~~(2) When a person receives financial assistance for relocation~~
34 ~~from a source other than the mobile home park relocation assistance~~
35 ~~fund, then the assistance received from the fund will be the~~
36 ~~difference between the maximum amount to which a person is entitled~~
37 ~~under RCW 59.21.021(3) and the amount of assistance received from the~~
38 ~~outside source.~~

1 ~~(3) If the amount of assistance received from an outside source~~
2 ~~exceeds the maximum amounts of assistance to which a person is~~
3 ~~entitled under RCW 59.21.021(3), then that person will not receive~~
4 ~~any assistance from the mobile home park relocation assistance fund)~~
5 in excess of that person's actual relocation expenses.

6 **Sec. 5.** RCW 59.21.050 and 2011 c 158 s 7 are each amended to
7 read as follows:

8 (1) The existence of the manufactured/mobile home park relocation
9 fund in the custody of the state treasurer is affirmed. Expenditures
10 from the fund may be used only for relocation assistance awarded
11 under this chapter and the department's costs as provided in
12 subsection (3) of this section. Only the director or the director's
13 designee may authorize expenditures from the fund. All relocation
14 assistance payments to tenants under this chapter shall be made from
15 the fund. The fund is subject to allotment procedures under chapter
16 43.88 RCW, but no appropriation is required for expenditures.

17 (2) A (~~park~~) tenant is eligible for relocation assistance under
18 this chapter only after an application is submitted by that tenant or
19 an organization acting on the tenant's account under RCW 59.21.021(4)
20 on a form approved by the director (~~which~~). The application shall
21 include: (a) (~~For those persons who maintained ownership of and~~
22 ~~relocated their homes or removed their homes from the park: (i)~~) A
23 copy of the notice from the park-owner, or other adequate proof, that
24 the tenancy is terminated due to closure of the park or its
25 conversion to another use; (~~(ii)~~) (b) a copy of the rental
26 agreement then in force, or other proof that the applicant was a
27 tenant at the time of notice of closure; (~~(iii) a copy of the~~
28 ~~contract for relocating the home which includes the date of~~
29 ~~relocation, or other proof of actual)~~) (c) a statement of relocation
30 expenses expected to be incurred (on a date certain); (~~and (iv)~~)
31 (d) proof of ownership of the home at the time of notice of closure;
32 and (e) a statement of any other available assistance(†) received.

33 (~~(b) For those persons who sold their homes and incurred no~~
34 ~~relocation expenses: (i) A copy of the notice from the park-owner, or~~
35 ~~other adequate proof, that the tenancy is terminated due to closure~~
36 ~~of the park or its conversion to another use; (ii) a copy of the~~
37 ~~rental agreement then in force, or other proof that the applicant was~~
38 ~~a tenant at the time of notice of closure; and (iii) a copy of the~~
39 ~~record of title transfer issued by the department of licensing when~~

1 ~~the tenant sold the home rather than relocate it due to park closure~~
2 ~~or conversion.)~~)

3 (3) The department may deduct a percentage amount of the fee
4 collected under RCW 46.17.155 for administration expenses incurred by
5 the department.

6 **Sec. 6.** RCW 46.17.155 and 2010 c 161 s 511 are each amended to
7 read as follows:

8 (1) Before accepting an application for a certificate of title
9 for an original or transfer manufactured home transaction as required
10 in this title or chapter 65.20 RCW, the department, county auditor or
11 other agent, or subagent appointed by the director shall require the
12 applicant to pay a ~~((one hundred dollar))~~ fee, in accordance with
13 subsection (4) of this section, in addition to any other fees and
14 taxes required by law if the manufactured home:

15 (a) Is located in a mobile home park;

16 (b) Is one year old or older; and

17 (c) Is new or ownership changes, excluding changes that involve
18 adding or deleting spouse or domestic partner coregistered owners or
19 legal owners ~~((; and~~

20 ~~(d) Sales price is five thousand dollars or more))~~.

21 (2) The ~~((one hundred dollar))~~ fee amount established in
22 subsection (4) of this section must be forwarded to the state
23 treasurer, who shall deposit the fee in the mobile home park
24 relocation fund created in RCW 59.21.050.

25 (3) The department and the state treasurer may adopt rules
26 necessary to carry out this section.

27 (4) The amount of the fee that the department must collect must
28 be 0.25 percent of the sale price of the manufactured home, but in no
29 case may the fee be less than one hundred dollars or greater than
30 five hundred dollars.

31 **Sec. 7.** RCW 59.30.050 and 2013 c 144 s 42 are each amended to
32 read as follows:

33 (1) The department must register all manufactured/mobile home
34 communities, which registration must be renewed annually. Each
35 community must be registered separately. The department must mail
36 registration notifications to all known manufactured/mobile home
37 community landlords. Registration information packets must include:

38 (a) Registration forms; and

1 (b) Registration assessment information, including registration
2 due dates and late fees, and the collections procedures, liens, and
3 charging costs to tenants.

4 (2) To apply for registration or registration renewal, the
5 landlord of a manufactured/mobile home community must file with the
6 department an application for registration or registration renewal on
7 a form provided by the department and must pay a registration fee as
8 described in subsection (3) of this section. The department may
9 require the submission of information necessary to assist in
10 identifying and locating a manufactured/mobile home community and
11 other information that may be useful to the state, which must
12 include, at a minimum:

13 (a) The names and addresses of the owners of the manufactured/
14 mobile home community;

15 (b) The name and address of the manufactured/mobile home
16 community;

17 (c) The name and address of the landlord and manager of the
18 manufactured/mobile home community;

19 (d) The number of lots within the manufactured/mobile home
20 community that are subject to chapter 59.20 RCW; and

21 (e) The addresses of each manufactured/mobile home lot within the
22 manufactured/mobile home community that is subject to chapter 59.20
23 RCW.

24 (3) Each manufactured/mobile home community landlord must pay to
25 the department:

26 (a) A one-time business license application fee for the first
27 year of registration and, in subsequent years, an annual renewal
28 application fee, as provided in RCW 19.02.075; and

29 (b) An annual registration assessment of (~~ten~~) fifteen dollars
30 for each manufactured/mobile home that is subject to chapter 59.20
31 RCW within a manufactured/mobile home community. Manufactured/mobile
32 home community landlords may charge a maximum of five dollars of this
33 assessment to tenants. Nine dollars of the registration assessment
34 for each manufactured/mobile home must be deposited into the
35 manufactured/mobile home dispute resolution program account created
36 in RCW 59.30.070 to fund the costs associated with the manufactured/
37 mobile home dispute resolution program. (~~The remaining~~) One dollar
38 of the registration assessment must be deposited into the business
39 license account created in RCW 19.02.210. The remaining five dollars
40 of the registration assessment must be deposited into the mobile home

1 park relocation fund created in RCW 59.21.050. The annual
2 registration assessment must be reviewed once each biennium by the
3 department and the attorney general and may be adjusted to reasonably
4 relate to the cost of administering this chapter. The registration
5 assessment may not exceed (~~ten~~) fifteen dollars, but if the
6 assessment is reduced, the portion allocated to the manufactured/
7 mobile home dispute resolution program account (~~and~~), the business
8 license account, and the mobile home park relocation fund must be
9 adjusted proportionately.

10 (4) Initial registrations of manufactured/mobile home communities
11 must be filed before November 1, 2007, or within three months of the
12 availability of mobile home lots for rent within the community. The
13 manufactured/mobile home community is subject to a delinquency fee of
14 two hundred fifty dollars for late initial registrations. The
15 delinquency fee must be deposited in the business license account.
16 Renewal registrations that are not renewed by the expiration date as
17 assigned by the department are subject to delinquency fees under RCW
18 19.02.085.

19 (5) Thirty days after sending late fee notices to a noncomplying
20 landlord, the department may issue a warrant under RCW 59.30.090 for
21 the unpaid registration assessment and delinquency fee. If a warrant
22 is issued by the department under RCW 59.30.090, the department must
23 add a penalty of ten percent of the amount of the unpaid registration
24 assessment and delinquency fee, but not less than ten dollars. The
25 warrant penalty must be deposited into the business license account
26 created in RCW 19.02.210. Chapter 82.32 RCW applies to the collection
27 of warrants issued under RCW 59.30.090.

28 (6) Registration is effective on the date determined by the
29 department, and the department must issue a registration number to
30 each registered manufactured/mobile home community. The department
31 must provide an expiration date, assigned by the department, to each
32 manufactured/mobile home community who registers.

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