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SENATE BILL 6550

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State of Washington                      53rd Legislature                      1994 Regular Session

By Senators Skratek, Winsley, Sheldon and M. Rasmussen

Read first time 01/26/94. Referred to Committee on Labor & Commerce.

1            AN ACT Relating to mobile home relocation assistance; adding new  
2 sections to chapter 59.21 RCW; and repealing RCW 59.21.010, 59.21.020,  
3 59.21.030, 59.21.040, 59.21.050, 59.21.080, 59.21.085, and 59.21.095.

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

5            NEW SECTION.        **Sec. 1.**        Unless the context clearly requires  
6 otherwise, the definitions in this section apply throughout this  
7 chapter.

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

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

12           (3) "Fund" means the mobile home park relocation fund established  
13 under section 5 of this act.

14           (4) "Low-income" means at or below eighty percent of median  
15 household income as defined by the United States department of housing  
16 and urban development, for the county or standard metropolitan  
17 statistical area where the park is located.

18           (5) "Mobile home park" or "park" means real property that is rented  
19 or held out for rent to others for the placement of two or more mobile

1 homes for the primary purpose of production of income, except where the  
2 real property is rented or held out for rent for seasonal recreational  
3 purpose only and is not intended for year-round occupancy.

4 (6) "Relocate" means to remove the mobile home from the mobile home  
5 park being closed.

6 (7) "Relocation assistance" means the monetary assistance provided  
7 under section 2 of this act.

8 NEW SECTION. **Sec. 2.** (1) If a mobile home park or any portion of  
9 a mobile home park is closed or converted to another use, all affected  
10 low-income park tenants owning a mobile home are entitled to relocation  
11 assistance in the form of reimbursement for actual expenses in  
12 connection with relocation up to: (a) Four thousand five hundred  
13 dollars for a single-wide mobile home; (b) seven thousand five hundred  
14 dollars for a double-wide or larger mobile home; and (c) two thousand  
15 dollars for a recreational vehicle used as a residence.

16 The maximum amounts set forth in this section shall be adjusted by  
17 rule annually in accordance with changes in the housing component of  
18 the consumer price index for Washington state.

19 (2) "Actual expenses" may include security, damage, and utility  
20 deposits, last month's rent, or other noncontinuing expenses required  
21 in connection with acquisition of replacement housing for the  
22 applicant.

23 (3) Relocation assistance grants payable under this chapter shall  
24 be paid from the mobile home park relocation fund created by section 5  
25 of this act.

26 (4) Application for relocation assistance shall be made to the  
27 department. The director, or designee, shall verify eligibility,  
28 review documentation of expenses, and approve all expenditures from the  
29 mobile home park relocation fund.

30 (5) A low-income park tenant who is entitled to relocation  
31 assistance under this chapter is entitled to payment only after  
32 submitting an application that includes: (a) A copy of the notice from  
33 the park owner that the tenancy is terminated due to closure or change  
34 of use of the park; (b) a copy of the rental agreement, if any,  
35 currently in force; and (c) a copy of the contract entered into for the  
36 purpose of relocating or removing the mobile home, which includes the  
37 date of relocation or removal.

1        NEW SECTION.    **Sec. 3.** Notice required by RCW 59.20.080 before park  
2 closure or conversion of the park, whether twelve months or longer,  
3 shall be given to the director and all tenants in writing, and posted  
4 at all park entrances. Notice must also include the tenant's right to  
5 relocation assistance, if applicable. Notice must also be recorded in  
6 the office of the county auditor for the county where the mobile home  
7 park is located.

8        NEW SECTION.    **Sec. 4.** A tenant is not entitled to relocation  
9 assistance under section 2 of this act if a person purchases a mobile  
10 home already situated in the park or moves a mobile home into the park  
11 after a closure or change of use notice has been given and the person  
12 has received actual prior notice of the change or closure.

13        NEW SECTION.    **Sec. 5.** (1) The mobile home park relocation fund is  
14 created in the custody of the state treasurer. All legislative  
15 appropriations for mobile home relocation assistance and receipts from  
16 fees collected under this chapter shall be deposited into the fund.  
17 Expenditures from the fund may be used only for relocation assistance  
18 under section 2 of this act, or transfer to the mobile home park  
19 purchase fund under subsection (2) of this section. Only the director  
20 of community, trade, and economic development or the director's  
21 designee may authorize expenditures from the fund. All relocation  
22 payments to low-income park tenants shall be made from the fund. The  
23 fund is subject to allotment procedures under chapter 43.88 RCW, but no  
24 appropriation is required for expenditures.

25        (2) Unexpended and unencumbered moneys that remain in the fund at  
26 the end of the fiscal year do not revert to the state general fund but  
27 remain in the fund, separately accounted for, as a contingency reserve,  
28 or if the director determines at the end of any fiscal year beginning  
29 after December 31, 1995, that the fund contains a surplus over the  
30 projected amount needed for relocation during the upcoming year(s), any  
31 surplus may be transferred to the mobile home park purchase fund  
32 created by chapter 59.22 RCW. However, the director may cause any  
33 uncommitted funds in the mobile home park purchase fund that were  
34 transferred from the mobile home park relocation fund to be transferred  
35 back to the mobile home park relocation fund if that fund cannot  
36 otherwise meet its current obligations.

1 (3) The director may adopt rules for the administration of the  
2 fund.

3 NEW SECTION. **Sec. 6.** Each mobile home park owner shall pay an  
4 annual fee of five dollars for each occupied lot in the mobile home  
5 park. Lots that are occupied by mobile homes or recreational vehicles  
6 owned by the park owner are exempt from this fee requirement. The fee  
7 shall be due on October 1 of each year. The fee shall be remitted by  
8 the park owner to the department of revenue under rules as the  
9 department shall prescribe. The fee imposed under this section shall  
10 be forwarded by the department of revenue to the state treasurer for  
11 deposit into the mobile home park relocation fund. The provisions of  
12 chapter 82.32 RCW shall apply to the collection and enforcement of this  
13 fee.

14 NEW SECTION. **Sec. 7.** (1) No mobile home park may be closed or  
15 converted to another use unless no earlier than one hundred eighty days  
16 or later than ninety days prior to closure the park owner prepares and  
17 files as provided in this section a park closure impact statement. The  
18 purpose of this statement is to aid state and local government  
19 officials and the private housing assistance community to assess and  
20 marshal resources required to minimize adverse impacts on tenants  
21 created by the closure, including the prevention of homelessness. The  
22 impact statement shall include at least the following:

23 (a) Names and space number or other address of each tenant in the  
24 park at the time notice of closure was given;

25 (b) Names and space number or other address of each tenant that has  
26 left the park since the notice of closure was given;

27 (c) The names of tenants who in response to survey by the park  
28 owner indicate either:

29 (i) They have no current relocation plans or option other than to  
30 abandon their mobile home;

31 (ii) They have identified relocation options but have insufficient  
32 known resources to accomplish relocation;

33 (iii) They have identified relocation options that can only be  
34 accomplished by selling their mobile home; or

35 (iv) They anticipate being able to relocate without financial  
36 assistance.

1 (2) The department may adopt a rule requiring additional  
2 information.

3 (3) The park closure impact statement shall be filed with the  
4 office of mobile-manufactured housing, and the city or county where the  
5 park is located.

6 NEW SECTION. **Sec. 8.** The following acts or parts of acts are each  
7 repealed:

8 (1) RCW 59.21.010 and 1991 c 327 s 10, 1990 c 171 s 1, & 1989 c 201  
9 s 1;

10 (2) RCW 59.21.020 and 1991 c 327 s 11, 1990 c 171 s 2, & 1989 c 201  
11 s 2;

12 (3) RCW 59.21.030 and 1990 c 171 s 3 & 1989 c 201 s 3;

13 (4) RCW 59.21.040 and 1989 c 201 s 4;

14 (5) RCW 59.21.050 and 1991 sp.s. c 13 s 74, 1991 c 327 s 12, 1990  
15 c 171 s 5, & 1989 c 201 s 5;

16 (6) RCW 59.21.080 and 1990 c 171 s 9 & 1989 c 201 s 11;

17 (7) RCW 59.21.085 and 1991 c 327 s 15; and

18 (8) RCW 59.21.095 and 1991 c 327 s 9.

19 NEW SECTION. **Sec. 9.** Sections 1 through 7 of this act are each  
20 added to chapter 59.21 RCW.

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