

HB 1640-S.E - DIGEST

(DIGEST AS ENACTED)

Finds that taking legal action against a park owner for violations of the manufactured/mobile home landlord-tenant act can be a costly and lengthy process, and that many people cannot afford to pursue a court process to vindicate statutory rights. Park owners similarly are benefited by having access to a process that resolves disputes quickly and efficiently.

Declares an intent to authorize the department of community, trade, and economic development to: (1) Register mobile home parks or manufactured housing communities and report upon data to the appropriate committees of the legislature by December 31, 2005;

(2) Expand its current ombudsman program by hiring or contracting with additional persons to conduct a greater number of investigations of alleged violations of the manufactured/mobile home landlord-tenant act; and

(3) Collect and report upon data related to conflicts and violations to the appropriate committees of the legislature by December 31, 2005.

Declares that, if after receiving the reports under this act, the legislature finds that the provisions of this act authorizing the department to register mobile/manufactured home communities, investigate complaints, clarify existing law, and work to resolve disputes in good faith voluntarily prove insufficient to adequately protect the rights and responsibilities of mobile home park tenants and owners, it is the intent of the legislature to find other methods for resolution in the future.

Provides that, by December 31, 2005, the department shall submit a summary report of its activities under this act during the period after the effective date of this act, through December 31, 2005, to the house of representatives housing committee and the senate committee on financial institutions, housing and consumer protection, including: (1) The number of complaints received;

(2) The nature and extent of the complaints received;

(3) The actions taken on each complaint by the department;

(4) Recommendations on what further changes in law are necessary to resolve disputes;

(5) Recommendations on changes to the department's ombudsman and investigative programs;

(6) Recommendations on resources necessary to retain or improve the program; and

(7) Recommendations on whether a formal mobile/manufactured home landlord-tenant act enforcement and administrative hearing process should be adopted and how such a process should be structured.

Provides that the department must: (1) Compile the most accurate list possible of all the mobile home parks or manufactured housing communities in the state, the number of lots subject to chapter 59.20 RCW located in each mobile home park or manufactured housing community, and the names and addresses of the owners of these parks. The department shall present this list to the house

of representatives housing committee and the senate committee on financial institutions, housing and consumer protection by December 31, 2005. The department is encouraged to work with groups including, but not limited to: The office of community development, mobile homeowners' associations, tenant advocacy groups, park owners' associations, and county assessors to generate the list;

(2) Send out notifications to all known mobile home park owners or manufactured housing community owners regarding the due date of the assessment pursuant to this act. These notifications must include information about late fees, liens, and passing costs on to tenants; and

(3) Collect the registration assessment due from all mobile home park owners or manufactured housing community owners, and allow ninety days to pass before late fees and lien notices are sent to noncomplying owners as provided in this act.

Requires the owner of each mobile home park or manufactured housing community to pay to the department a registration assessment of five dollars for each mobile home or manufactured home that is subject to chapter 59.20 RCW within a park or community to fund the costs associated with administering this act. Manufactured housing community owners or mobile home park owners may pass on no more than two dollars and fifty cents of this assessment to tenants.

Provides that, in January 2006, the state treasurer shall transfer any funds remaining in the manufactured/mobile home investigations account under this act to the mobile home affairs account under RCW 59.22.070 for the purposes under RCW 59.22.050.