

HOUSE BILL REPORT

SSB 5524

As Reported by House Committee On:
Housing

Title: An act relating to the restriction of mobile home or manufactured home locations in mobile home parks or manufactured housing communities.

Brief Description: Addressing the restriction of mobile home or manufactured home locations.

Sponsors: Senate Committee on Consumer Protection & Housing (originally sponsored by Senators Berkey, Schoesler, Fairley and Roach).

Brief History:

Committee Activity:

Housing: 2/21/08 [DP].

Brief Summary of Substitute Bill

- Prohibits cities, code cities, towns, and counties from restricting the location of mobile and manufactured homes based exclusively on age and dimension criteria.
- Applies only in mobile home parks and manufactured housing communities in existence before the enactment date of this act.

HOUSE COMMITTEE ON HOUSING

Majority Report: Do pass. Signed by 7 members: Representatives Miloscia, Chair; Springer, Vice Chair; Armstrong, Ranking Minority Member; Lias, McCune, Ormsby and Schindler.

Staff: Robyn Dupuis (786-7166).

Background:

Under the Manufactured/Mobile Home Landlord-Tenant Act, owners of manufactured and mobile home communities are prohibited from preventing the entry of a manufactured or mobile home for the sole reason that the home has reached a certain age (RCW 59.20.070).

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.

Homes may be excluded or expelled for other reasons including failure to comply with fire, safety, and other provisions of local ordinances and state laws.

Current statutes (RCW 35.21.684, 35A.21.312 and 36.01.225) state that beginning July 1, 2005, a city, town, code city, or county, respectively, may not enact any statute or ordinance that has the effect of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. However, the law also allows municipalities to require that manufactured homes be new and that the homes comply with all local design standards applicable to all other homes in the neighborhood within which the home is to be located.

Summary of Bill:

Local governments are prohibited from restricting the location of mobile or manufactured homes based exclusively on the age or dimensions of the mobile or manufactured home. However, this prohibition applies only in mobile home parks or manufactured housing communities which were legally in existence before the effective date of this act.

Current statutes (RCW 25.21.684, 35A.21.312 and 36.01.225), which allow jurisdictions to place age and design criteria on manufactured housing, apply only to housing to be sited in new mobile home parks or manufactured housing communities, or to be sited outside of mobile home parks and manufactured home communities.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill corrects unintended consequences that were the result of Senate Bill 6593 passed in 2005, which was intended to allow local jurisdictions to impose criteria on manufactured/mobile homes to be sited outside manufactured/mobile home parks in traditional neighborhoods or independent plots of land. Some local jurisdictions have used the authority to impose minimum criteria, including specific age and size criteria, on homes seeking to enter manufactured/mobile home parks, thus effectively preventing the ability of park owners, particularly those who own older parks, to re-fill empty single-wide spots that cannot accommodate larger double or triple-wide homes. Parks, particularly older parks, need to be able to fill their single-wide lots and owners of single-wide homes need a place to site their homes. Through this bill, cities may still impose regulations such as fire, and health and safety, they simply may not exclusively restrict siting based on age and size. The public should recognize that the term dimension applies not only to the width of homes, such as a

"single-wide" or "double-wide," but also applies to the height of a home. A new type of home is being utilized that is characterized as "double-tall" or "double-high" and under this bill such homes could also not be restricted based exclusively on their height dimensions.

(Opposed) None.

Persons Testifying: Ken Spencer, John Woodring, and Paul Lombardi, Manufactured Housing Communities of Washington; Ray Munson, Manufactured Home Owners of America; and Debra Goethals.

Persons Signed In To Testify But Not Testifying: None.