

HOUSE BILL REPORT

ESHB 1207

As Passed House:
March 13, 2019

Title: An act relating to manufactured housing communities.

Brief Description: Concerning manufactured housing communities.

Sponsors: House Committee on Housing, Community Development & Veterans (originally sponsored by Representatives Ryu, Jenkin, Dolan and Pollet).

Brief History:

Committee Activity:

Housing, Community Development & Veterans: 2/1/19, 2/5/19 [DPS].

Floor Activity:

Passed House: 3/13/19, 96-0.

Brief Summary of Engrossed Substitute Bill

- Provides that a city or town, code city, or county may not prohibit the siting of a manufactured/mobile home on an existing lot based solely on lack of compliance with existing separation and setback requirements that regulate the distance between homes.

HOUSE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT & VETERANS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Ryu, Chair; Morgan, Vice Chair; Gildon, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Corry, Entenman, Frame, Leavitt and Reeves.

Staff: Cassie Jones (786-7303).

Background:

A city or town, code city, or county may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the place or use of a home in such a manner that is equally applicable to all homes. Manufactured homes built to federal

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standards must be regulated for the purposes of siting in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard. However, a city or town, code city, or county, may require that:

- a manufactured home be a new manufactured home;
- the manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;
- the manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- the home is thermally equivalent to the state energy code; and
- the manufactured home otherwise meets all other requirements for a designated manufactured home.

A city or town, code city, or county may not adopt an ordinance that has the effect, directly or indirectly, of restricting the location of manufactured/mobile homes in manufactured/mobile home communities that were legally in existence before June 12, 2008, based exclusively on the age or dimensions of the manufactured/mobile home. However, a city or town, code city, or county may restrict the location of a manufactured/mobile home in manufactured/mobile home communities for any other reason including, but not limited to, failure to comply with fire, safety, or other local ordinances or state laws related to manufactured/mobile homes.

Summary of Engrossed Substitute Bill:

A city or town, code city, or county may not prohibit the siting of a manufactured/mobile home on an existing lot based solely on lack of compliance with existing separation and setback requirements that regulate the distance between homes.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The intent of this bill is to preserve affordable homeownership. Mobile home parks include residents with very limited income. They provide a niche between government subsidized housing and homeownership. Homes need to be allowed to be improved and rebuilt in order to preserve these communities, and local zoning may prevent improvements and replacements. Zoning laws sometimes deny the ability to replace homes that have reached the end of their useful life because it is hard to find a replacement home with the exact same footprint. Denying replacement homes reduces our state's stock of affordable housing. Stronger protections are needed for nonconforming parks. The manufactured homes industry needs this change to survive. Any opposition to this bill comes from a misplaced stigma against mobile homes.

(Opposed) None.

(Other) There may be some unintended consequences from the bill as it is currently written. The language should be limited to allowing replacement homes on lots that were recently in use.

Persons Testifying: Representative Ryu, prime sponsor; Patti Winnop; Christy Mays; and Craig Hillis, Manufactured Housing Communities of Washington.

(Other) Carl Schroeder, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.