

HOUSE BILL REPORT

HB 2327

*As Reported By House Committee on:
Housing*

Title: An act relating to mobile home rental parks.

Brief Description: Maintaining mobile home parks.

Sponsor(s): Representatives Winsley, Nelson, Mitchell, Ogden, Franklin, Brough, Paris and Miller.

Brief History:

Reported by House Committee on:
Housing, January 31, 1992, DPS.

**HOUSE COMMITTEE ON
HOUSING**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 8 members: Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Staff: Bill Lynch (786-7092).

Background: Some mobile home park owners have transferred the responsibility for the maintenance and care of permanent structures in the mobile home park to the park tenants. Some park tenants have expressed concern that they are unable to obtain insurance on these structures because they don't own them, they may be injured while trying to repair the structures, and they don't have the resources to maintain the structures.

Summary of Substitute Bill: A mobile home park owner is prohibited from transferring the responsibility for the maintenance or care of permanent structures in the park to the park tenants. A park owner may transfer such responsibility to a tenant or tenant association when requested by the tenant or tenant association.

"Permanent structures" include the clubhouse, carports, storage sheds, or any other permanent structures that were provided as amenities to the park tenants. Structures built

or affixed by the park tenants are not considered permanent structures.

Any provision in a rental agreement or other document transferring responsibility for the maintenance or care of permanent structures in the park to the park tenants is void.

Substitute Bill Compared to Original Bill: "Permanent structure" is defined to apply to only those structures that were offered as amenities to the tenants. Structures built or affixed by the tenants are excluded from the definition.

Fiscal Note: Not Requested.

Effective Date of Substitute Bill: The bill declares an emergency and takes effect immediately. The bill applies to all rental agreements or other documents entered into after September 1, 1991.

Testimony For: These structures are not the property of the tenants. They can't take the structures with them when they leave the park. Senior citizens could be injured by trying to maintain or fix these structures. Rents are being raised already; the cost for maintaining these structures should come out of these increases. Tenants can't get insurance on these structures. This is not a problem with only one park.

Testimony Against: This is a problem primarily with one park. This can be worked out without legislation. Costs of repairs and maintenance will just be passed along to the park tenants. If structures are in good repair at the time the responsibility to maintain them is transferred, this should not create any problems.

Witnesses: Representative Winsley (supports); Doris McAtee, park tenant (supports); Bob Wilson, park tenant (supports); Grace Seabrook, park tenant (supports); John Woodring, Mobile Home Park Owners Association (opposes); Arnold Livingston, Senior Lobby (supports); Barbara Soncrev, Mobile Home Owners Association (supports); and Mike Ryherd, Housing Authorities (supports with amendments).