

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1440

52nd Legislature
1991 Regular Session

Passed by the House April 27, 1991
Yeas 98 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 27, 1991
Yeas 41 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1440** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE HOUSE BILL 1440

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1991 Regular Session

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Housing (originally sponsored by Representatives Winsley, Franklin, Ballard, Nelson, Leonard, Ogden, Wineberry and Miller).

Read first time February 19, 1991.

1 AN ACT Relating to mobile home affairs; amending RCW 59.22.020,
2 59.22.050, 82.08.065, 82.45.090, 59.21.010, 59.21.020, 59.21.050,
3 59.21.060, and 59.21.110; adding new sections to chapter 59.22 RCW;
4 adding new sections to chapter 59.21 RCW; creating new sections;
5 repealing RCW 59.22.900; providing an effective date; and declaring an
6 emergency.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 59.22 RCW
9 to read as follows:

10 (1) There is hereby imposed a fee of fifteen dollars on every
11 transfer of title issued pursuant to chapter 46.12 RCW on a new or used
12 mobile home where ownership of the mobile home is changed and on each
13 application for the elimination of title under chapter 65.20 RCW. A
14 transfer of title does not include the addition or deletion of a spouse
15 co-owner or a secured interest. The department of licensing or its

1 agents shall collect the fee when processing the application for
2 transfer or elimination of title. The fee collected under this section
3 shall be forwarded to the state treasurer. The state treasurer shall
4 deposit each fee collected in the mobile home affairs account created
5 by RCW 59.22.070.

6 (2) The department of licensing and the state treasurer may enact
7 any rules necessary to carry out this section.

8 **Sec. 2.** RCW 59.22.020 and 1988 c 280 s 3 are each amended to read
9 as follows:

10 The following definitions shall apply throughout this chapter
11 unless the context clearly requires otherwise:

12 (1) "Account" means the mobile home affairs account created under
13 RCW 59.22.070.

14 (2) "Affordable" means that, where feasible, low-income residents
15 should not pay more than thirty percent of their monthly income for
16 housing costs.

17 ~~((+2))~~ (3) "Conversion costs" includes the cost of acquiring the
18 mobile home park, the costs of planning and processing the conversion,
19 the costs of any needed repairs or rehabilitation, and any expenditures
20 required by a government agency or lender for the project.

21 ~~((+3))~~ (4) "Department" means the department of community
22 development.

23 (5) "Fee" means the mobile home title transfer fee created under
24 RCW 59.21.060.

25 ~~((+4))~~ (6) "Fund" means the mobile home park purchase fund created
26 pursuant to RCW 59.22.030.

27 ~~((+5))~~ (7) "Housing costs" means the total cost of owning,
28 occupying, and maintaining a mobile home and a lot or space in a mobile
29 home park.

1 (~~(6)~~) (8) "Individual interest in a mobile home park" means any
2 interest which is fee ownership or a lesser interest which entitles the
3 holder to occupy a lot or space in a mobile home park for a period of
4 not less than either fifteen years or the life of the holder.
5 Individual interests in a mobile home park include, but are not limited
6 to, the following:

7 (a) Ownership of a lot or space in a mobile home park or
8 subdivision;

9 (b) A membership or shares in a stock cooperative, or a limited
10 equity housing cooperative; or

11 (c) Membership in a nonprofit mutual benefit corporation which
12 owns, operates, or owns and operates the mobile home park.

13 (~~(7)~~) (9) "Low-income resident" means an individual or household
14 who resided in the mobile home park prior to application for a loan
15 pursuant to this chapter and with an annual income at or below eighty
16 percent of the median income for the county of standard metropolitan
17 statistical area of residence. Net worth shall be considered in the
18 calculation of income with the exception of the resident's
19 mobile/manufactured home which is used as their primary residence.

20 (~~(8)~~) (10) "Low-income spaces" means those spaces in a mobile
21 home park operated by a resident organization which are occupied by
22 low-income residents.

23 (~~(9)~~) (11) "Mobile home park" means a mobile home park, as
24 defined in RCW 59.20.030(4), or a manufactured home park subdivision as
25 defined by RCW 59.20.030(6) created by the conversion to resident
26 ownership of a mobile home park.

27 (~~(10)~~) (12) "Resident organization" means a group of mobile home
28 park residents who have formed a nonprofit corporation, cooperative
29 corporation, or other entity or organization for the purpose of
30 acquiring the mobile home park in which they reside and converting the

1 mobile home park to resident ownership. The membership of a resident
2 organization shall include at least two-thirds of the households
3 residing in the mobile home park at the time of application for
4 assistance from the department.

5 ~~((11))~~ (13) "Resident ownership" means, depending on the context,
6 either the ownership, by a resident organization, as defined in this
7 section, of an interest in a mobile home park which entitles the
8 resident organization to control the operations of the mobile home park
9 for a term of no less than fifteen years. or the ownership of
10 individual interests in a mobile home park, or both.

11 ~~((12))~~ (14) "Landlord" shall have the same meaning as it does in
12 RCW 59.20.030.

13 ~~((13))~~ (15) "Manufactured housing" means residences constructed
14 on one or more chassis for transportation, and which bear an insignia
15 issued by a state or federal regulatory agency indication compliance
16 with all applicable construction standards of the United States
17 department of housing and urban development.

18 ~~((14))~~ (16) "Mobile home" shall have the same meaning as it does
19 in RCW 46.04.302.

20 ~~((15))~~ (17) "Mobile home lot" shall have the same meaning as it
21 does in RCW 59.20.030.

22 ~~((16))~~ (18) "Tenant" means a person who rents a mobile home lot
23 for a term of one month or longer and owns the mobile home on the lot.

24 **Sec. 3.** RCW 59.22.050 and 1989 c 294 s 1 are each amended to read
25 as follows:

26 (1) In order to provide general assistance to mobile home resident
27 organizations, park owners, and landlords and tenants, the department
28 shall establish an office of mobile home affairs which will serve as

1 the coordinating office within state government for matters relating to
2 mobile homes or manufactured housing.

3 This office will provide an ombudsman service to mobile home park
4 owners and mobile home tenants with respect to problems and disputes
5 between park owners and park residents and to provide technical
6 assistance to resident organizations or persons in the process of
7 forming a resident organization pursuant to chapter 59.22 RCW. The
8 office will keep records of its activities in this area.

9 ~~(2) ((In addition, the office shall work with the mobile home space
10 availability and affordability task force to develop recommendations to
11 (a) increase the availability of mobile home park spaces, (b) stabilize
12 rent levels through traditional market forces of supply and demand and
13 through incentives such as current use valuation of mobile home parks,
14 but not through artificial controls on rent, and (c) allow senior
15 citizens on fixed incomes to continue living in their mobile homes,
16 including the possibility of direct subsidies.~~

17 ~~The mobile home space availability and affordability task force
18 shall be comprised of four legislators, one from each caucus in the
19 house of representatives appointed by the speaker of the house and one
20 from each caucus in the senate appointed by the president of the
21 senate, two representatives of park owners, two representatives of
22 tenants, and two representatives of local governments. All
23 nonlegislative members shall be appointed by the director of the
24 department of community development. Staffing for the task force shall
25 be supplied by the department of community development, the house of
26 representatives housing committee, and the senate economic development
27 and labor committee.~~

28 ~~(3) In developing these recommendations the office and the task
29 force shall:~~

1 ~~(a) Review the ordinances of local government to assess their~~
2 ~~impact on the availability of mobile home rental spaces;~~

3 ~~(b) Consult with federal, state, and local agencies, senior citizen~~
4 ~~organizations, the real estate industry, and other groups as it~~
5 ~~considers necessary;~~

6 ~~(c) Use, to the fullest extent possible, the services, facilities,~~
7 ~~information, and advice of public and private agencies, organizations,~~
8 ~~and individuals in order to avoid duplication of effort and expense;~~
9 ~~and~~

10 ~~(d) Hold public hearings to allow public input and involvement))~~
11 The office shall perform all the consumer complaint and related
12 functions of the state administrative agency that are required for
13 purposes of complying with the regulations established by the federal
14 department of housing and urban development for manufactured housing,
15 including the preparation and submission of the state administrative
16 plan.

17 (3) The office shall administer the mobile home relocation
18 assistance program established in chapter 59.21 RCW, including
19 verifying the eligibility of tenants for relocation assistance.

20 NEW SECTION. Sec. 4. A new section is added to chapter 59.22 RCW
21 to read as follows:

22 (1) A manufactured housing task force is established to study and
23 make recommendations concerning the structure state government should
24 use to regulate manufactured housing in this state. In conducting this
25 study, the task force shall review the structures used in other states,
26 including those states with a commission structure. The task force
27 shall consider the report prepared by the department of licensing, the
28 department of labor and industries, and the department of community
29 development on consolidating mobile home-related functions in

1 conducting its study. The task force may not consider any form of
2 mobile home rent control, but shall consider mobile home park siting
3 and density regulatory issues.

4 (2) The task force shall submit a final report containing its
5 findings and recommendations to the house of representatives housing
6 committee and the senate commerce and labor committee by December 1,
7 1992. The task force shall terminate on December 31, 1992.

8 (3) The task force shall consist of the following members:

9 (a) Two members of the house of representatives appointed by the
10 speaker of the house of representatives, from different political
11 caucuses;

12 (b) Two members of the senate appointed by the president of the
13 senate, from different political caucuses;

14 (c) Two members who represent mobile home park owners, appointed by
15 the governor;

16 (d) Two members who represent mobile home owners, appointed by the
17 governor;

18 (e) One member who represents mobile home manufacturers, appointed
19 by the governor;

20 (f) One member who represents mobile home dealers, appointed by the
21 governor;

22 (g) One member who represents mobile home transporters, appointed
23 by the governor;

24 (h) One member who represents local building officials, appointed
25 by the governor;

26 (i) One member who is either an elected or appointed government
27 official of a county with a population of one hundred thousand or more
28 persons, appointed by the governor;

1 (j) One member who is either an elected or appointed government
2 official of a county with a population of less than one hundred
3 thousand persons, appointed by the governor;

4 (k) One member who is either an elected or appointed government
5 official of a city with a population of thirty-five thousand persons,
6 appointed by the governor;

7 (l) One member who is either an elected or appointed government
8 official of a city with a population of less than thirty-five thousand
9 persons, appointed by the governor;

10 (m) One member who represents local health officials, appointed by
11 the governor; and

12 (n) The director, or the director's designee from the department of
13 community development, the department of licensing, the department of
14 labor and industries, and the attorney general's office. The designees
15 shall be nonvoting, ex officio members of the task force.

16 (4) The members of the task force shall select the chair or
17 co-chairs of the task force.

18 (5) Staff assistance for the task force will be provided by
19 legislative staff and staff from the agencies or offices listed in
20 subsection (3)(n) of this section.

21 **Sec. 5.** RCW 82.08.065 and 1990 c 171 s 8 are each amended to read
22 as follows:

23 In the collection of the sales tax on mobile homes (~~and the fee~~
24 ~~imposed in RCW 59.21.060(1))~~), the department of revenue may designate
25 the county auditors of the several counties of the state as its
26 collecting agents. Upon such designation, it shall be the duty of each
27 county auditor to collect the tax and the fee at the time the mobile
28 home dealer or selling agent applies for a new certificate of ownership
29 for such mobile home in the instance where transfer of ownership was

1 from a mobile home dealer or person deemed a selling agent under RCW
2 82.04.480, except where the applicant presents a written statement
3 signed by the department of revenue or its duly authorized agent
4 showing that no retail sales tax or use tax is legally due. The term
5 "mobile home" as used in this section means a mobile home as defined in
6 RCW 46.04.302. It shall be the duty of every mobile home dealer or
7 selling agent to declare upon the application for a new certificate of
8 ownership the selling price paid for the mobile home. Any person
9 willfully misrepresenting, or failing or refusing to declare upon the
10 application, such selling price shall be guilty of a gross misdemeanor.

11 Each county auditor who acts as agent of the department of revenue
12 shall at the time of remitting license fee receipts on motor vehicles
13 subject to the provisions of RCW 82.12.045 pay over and account to the
14 state treasurer for all sales tax revenue collected under this section,
15 after first deducting as his or her collection fee the sum of two
16 dollars for each mobile home upon which the tax has been collected.

17 Any applicant who has paid sales tax to a county auditor under this
18 section may apply to the department of revenue for refund thereof if he
19 has reason to believe that such tax was not legally due and owing. No
20 refund is allowed unless application therefor is received by the
21 department of revenue within four years after payment of the tax. Upon
22 receipt of an application for refund the department of revenue shall
23 consider the same and issue its order either granting or denying it and
24 if refund is denied the taxpayer shall have the right of appeal as
25 provided in RCW 82.32.170, 82.32.180, and 82.32.190.

26 The provisions of this section shall be construed as cumulative of
27 other methods prescribed in chapters 82.04 to 82.32 RCW, inclusive, for
28 the collection of the tax imposed by this chapter. The department of
29 revenue shall have power to adopt such rules as may be necessary to
30 administer the provisions of this section. Any duties required by this

1 section to be performed by the county auditor may be performed by the
2 director of licensing but no collection fee shall be deductible by the
3 director of licensing in remitting sales tax revenue to the state
4 treasurer.

5 **Sec. 6.** RCW 82.45.090 and 1990 c 171 s 7 are each amended to read
6 as follows:

7 The tax imposed by this chapter (~~and the fee imposed in RCW~~
8 ~~59.21.060(1))~~) shall be paid to and collected by the treasurer of the
9 county within which is located the real property which was sold, said
10 treasurer acting as agent for the state. The county treasurer shall
11 cause a stamp evidencing satisfaction of the lien to be affixed to the
12 instrument of sale or conveyance prior to its recording or to the real
13 estate excise tax affidavit in the case of used mobile home sales and
14 used floating home sales. A receipt issued by the county treasurer for
15 the payment of the tax imposed under this chapter shall be evidence of
16 the satisfaction of the lien imposed hereunder and may be recorded in
17 the manner prescribed for recording satisfactions of mortgages. No
18 instrument of sale or conveyance evidencing a sale subject to the tax
19 shall be accepted by the county auditor for filing or recording until
20 the tax shall have been paid and the stamp affixed thereto; in case the
21 tax is not due on the transfer, the instrument shall not be so accepted
22 until suitable notation of such fact has been made on the instrument by
23 the treasurer.

24 NEW SECTION. **Sec. 7.** The fifteen-dollar fee imposed in
25 section 1 of this act on the transfer or elimination of mobile home
26 titles for deposit in the mobile home affairs account, shall supersede
27 the fifteen dollars collected in RCW 59.21.060 for deposit into the
28 mobile home affairs account on July 1, 1991.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 59.21 RCW
2 to read as follows:

3 The legislature recognizes that it is quite costly to move a mobile
4 home. Many mobile home tenants need financial assistance in order to
5 move their mobile homes from a mobile home park. The purpose of this
6 chapter is to provide a mechanism for assisting mobile home tenants to
7 relocate to suitable alternative sites when the mobile home park in
8 which they reside is closed or converted to another use.

9 NEW SECTION. **Sec. 9.** A new section is added to chapter 59.21 RCW
10 to read as follows:

11 Each mobile home park-owner shall pay an annual fee of five dollars
12 for each occupied lot in the mobile home park. Lots that are occupied
13 by mobile homes or recreational vehicles owned by the park-owner are
14 exempt from this fee requirement. The fee shall be due on October 1 of
15 each year. The fee shall be remitted by the park-owner to the
16 department of revenue under rules as the department shall prescribe.
17 The fee imposed under this section shall be forwarded by the department
18 of revenue to the state treasurer for deposit into the mobile home park
19 relocation fund. The provisions of chapter 82.32 RCW shall apply to
20 the collection and enforcement of this fee.

21 **Sec. 10.** RCW 59.21.010 and 1990 c 171 s 1 are each amended to read
22 as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout this chapter.

25 (1) "Director" means the director of the department of community
26 development.

27 (2) "Department" means the department of community development.

1 (3) "Fund" means the mobile home park relocation fund established
2 under RCW 59.21.050 consisting of (~~tenant and landlord contributions~~)
3 park-owner fee payments under section 9 of this act as well as park-
4 owner payments when there are insufficient moneys in its fund.

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

9 (5) "Mobile home park" or "park" means real property that is rented
10 or held out for rent to others for the placement of two or more mobile
11 homes for the primary purpose of production of income, except where the
12 real property is rented or held out for rent for seasonal recreational
13 purpose only and is not intended for year-round occupancy.

14 (6) "Landlord" or "park-owner" means the owner of the mobile home
15 park that is being closed at the time relocation assistance is
16 provided.

17 (7) "Relocate" means to remove the mobile home from the mobile home
18 park being closed.

19 (8) "Relocation assistance" means the monetary assistance provided
20 under RCW 59.21.020.

21 **Sec. 11.** RCW 59.21.020 and 1990 c 171 s 2 are each amended to read
22 as follows:

23 (1) If a mobile home park is closed or converted to another use,
24 all (~~affected~~) low-income park tenants owning a mobile home are
25 entitled to relocation assistance from the park-owner or the fund at
26 the time the tenant relocates as follows: (a) For a single-wide mobile
27 home, four thousand five hundred dollars; and (b) for a double-wide or
28 larger mobile home, seven thousand five hundred dollars. (~~No park~~
29 ~~tenant shall receive relocation assistance from the park owner or the~~

1 ~~fund for relocation of a recreational vehicle))~~ The park-owner shall
2 pay the actual relocation expenses, not to exceed two thousand dollars,
3 for the relocation of recreational vehicles used as residences. The
4 relocation assistance costs shall be adjusted annually by the housing
5 component of the consumer price index for the Washington state area.

6 (2) When a tenant is forced to relocate before July 1, 1991, the
7 payment of relocation assistance as provided by this section shall be
8 paid by the park-owner. However, if the tenant has been given notice
9 to vacate prior to April 1, 1989, and the tenant has not yet relocated
10 as of April 28, 1989, the payment of relocation assistance by the park-
11 owner shall be required only if the tenant is low income.

12 (3) When a tenant is forced to relocate after June 30, 1991, the
13 payment of relocation assistance to low-income park tenants as provided
14 in this section shall be ~~((shared as follows: The landlord or park-~~
15 ~~owner shall provide one third and the fund shall provide two thirds.~~

16 ~~(4) After July 1, 1992, (a) if twenty four months' notice of~~
17 ~~closure is given, the landlord or park owner shall provide five hundred~~
18 ~~dollars for a single wide home or one thousand dollars for a double-~~
19 ~~wide or larger home and the fund shall provide the balance of the~~
20 ~~relocation assistance to low income park tenants; (b) if the park owner~~
21 ~~gives less than twenty four months' notice the park owner shall provide~~
22 ~~one third and the fund shall provide two thirds of the relocation~~
23 ~~assistance to low income park tenants.~~

24 ~~(5))~~ made from the mobile home park relocation fund unless there
25 are insufficient moneys in the fund.

26 (4) The park-owner shall be responsible for paying up to the full
27 amount of relocation assistance to low-income park tenants if there are
28 insufficient moneys in the fund until July 1, 1992. The department
29 shall adopt rules governing disbursements of assistance from the fund and

1 park-owner payments when there are insufficient moneys to meet the
2 demand for relocation assistance.

3 (5) The tenant may recover court costs and a reasonable attorney's
4 fee in any action brought to require the park-owner to pay relocation
5 assistance in which the tenant prevails.

6 (6) If the park-owner does not pay his or her portion of the
7 relocation assistance when required by this chapter, the department
8 shall have a lien on the real property on which the park is located.
9 Such lien shall be collected as delinquent general property taxes and
10 shall be forwarded to the department by the county treasurer.

11 (7) All tenants eligible for relocation assistance shall apply for
12 verification of eligibility to the department. The department shall
13 issue a document to each tenant signifying the tenant's low-income
14 status, or status other than low income to be given to the park-owner
15 by the tenant.

16 ~~((6) The park owner shall be responsible for paying up to the full~~
17 ~~amount of relocation assistance to low income park tenants if there are~~
18 ~~insufficient moneys in the fund. The department shall adopt rules~~
19 ~~governing disbursements of assistance from the fund and park owner~~
20 ~~payments when there are insufficient moneys to meet the demand for~~
21 ~~relocation assistance.~~

22 ~~(7) The park owner shall pay park tenants who do not qualify as~~
23 ~~low income tenants the same amount of relocation assistance that low~~
24 ~~income park tenants are entitled to from the park owners under this~~
25 ~~section. The landlord shall pay the relocation assistance directly to~~
26 ~~the tenant if the tenant submits to the landlord a copy of the contract~~
27 ~~entered into for the purpose of relocating the mobile home, which~~
28 ~~includes the date of relocation. The tenant may recover court costs~~
29 ~~and a reasonable attorney's fee in any action brought to require the~~

1 ~~landlord to pay relocation assistance under this subsection in which~~
2 ~~the tenant prevails.~~

3 ~~(8) The park owner shall make any payment to the department~~
4 ~~required by this chapter when demanded by the department; however, the~~
5 ~~department shall not demand such payment earlier than thirty days prior~~
6 ~~to the expected relocation date of the tenant. If the landlord does~~
7 ~~not pay his or her portion of the relocation assistance to the~~
8 ~~department when required by this chapter, the department shall have a~~
9 ~~lien on the real property on which the park is located. Such lien~~
10 ~~shall be collected as delinquent general property taxes and shall be~~
11 ~~forwarded to the department by the county treasurer.~~

12 ~~(9))~~ (8) The director or his or her designee shall approve all
13 expenditures from the fund.

14 ~~((10))~~ (9) Relocation assistance contributions required from
15 landlords or park-owners by this section shall be reduced by the amount
16 paid or required to be paid under any other law for the same mobile
17 home park tenant for the same relocation.

18 ~~((11))~~ (10) Notwithstanding RCW 59.21.100, it is a violation of
19 this chapter to request or require as a condition of initiating or
20 renewing a tenancy in a mobile home park, a waiver of relocation
21 assistance under this section or any other law or ordinance. Any such
22 waiver, regardless of the date of its execution, is void and
23 unenforceable as contrary to public policy.

24 ~~((12))~~ (11) Any park-owner coercing or attempting to coerce a
25 tenant into terminating a tenancy for the purpose of avoiding the
26 payment of relocation assistance shall give rise to a civil cause of
27 action for damages or equitable relief by a tenant injured by such act.

28 **Sec. 12.** RCW 59.21.050 and 1990 c 171 s 5 are each amended to read
29 as follows:

1 (1) The mobile home park relocation fund is created in the custody
2 of the state treasurer. All legislative appropriations for mobile home
3 relocation assistance, receipts from fees collected under this chapter,
4 and amounts required to be paid by park-owners to low-income park
5 tenants when there are insufficient moneys in the fund shall be
6 deposited into the fund. Expenditures from the fund may be used only
7 for relocation assistance under RCW 59.21.020, or transfer to the
8 mobile home park purchase fund under subsection (2) of this section.
9 Only the director of community development or the director's designee
10 may authorize expenditures from the fund. All relocation payments to
11 low-income park tenants, including those due from the park-owner shall
12 be made from the fund. The fund is subject to allotment procedures
13 under chapter 43.88 RCW, but no appropriation is required for
14 expenditures.

15 (2) The state treasurer shall maintain the fund and shall invest
16 the fund moneys. Moneys earned on these investments shall be deposited
17 in the fund and shall be used for the same purposes as other fund
18 moneys. Unexpended and unencumbered moneys that remain in the fund at
19 the end of the fiscal year do not revert to the state general fund but
20 remain in the fund, separately accounted for, as a contingency reserve,
21 or if the director determines at the end of any fiscal year beginning
22 after December 31, 1991, that the fund contains a surplus over the
23 projected amount needed for relocation during the upcoming year(s), any
24 surplus may be transferred to the mobile home park purchase fund
25 created by chapter 59.22 RCW. However, the director may cause any
26 uncommitted funds in the mobile home park purchase fund which were
27 transferred from the mobile home park relocation fund to be transferred
28 back to the mobile home park relocation fund if that fund cannot
29 otherwise meet its current obligations.

1 (3) A low-income park tenant who is entitled to relocation
2 assistance under this chapter is entitled to payment only after
3 submitting an application which includes: (a) A copy of the notice
4 from the park-owner that the tenancy is terminated due to closure of
5 the park; (b) a copy of the rental agreement currently in force; and
6 (c) a copy of the contract entered into for the purpose of relocating
7 the mobile home, which includes the date of relocation.

8 (4) The director may adopt rules for the administration of the
9 fund.

10 **Sec. 13.** RCW 59.21.060 and 1990 c 171 s 6 are each amended to read
11 as follows:

12 (1) There is hereby imposed a fee of sixty-five dollars on every
13 transfer of title issued pursuant to chapter 46.12 RCW on new or used
14 mobile homes where ownership of the mobile home is changed (~~by any~~
15 ~~transaction including but not limited to sales and gift transactions~~
16 ~~and transfers of ownership which involve~~) and on each application for
17 the elimination of title under chapter 65.20 (~~{RCW}~~) RCW. The
18 (~~county auditor or county treasurer~~) department of licensing or its
19 agents shall collect the fee (~~as provided in chapter 82.08 or 82.45~~
20 ~~RCW~~) when processing the application for transfer or elimination of
21 title. The fee collected under this section shall be forwarded to the
22 state treasurer. The state treasurer shall deposit fifty dollars of
23 each fee collected in the mobile home park relocation fund created
24 under RCW 59.21.050 and the remaining fifteen dollars of each fee
25 collected in the mobile home affairs account created by RCW 59.22.070.

26 (2) The (~~department of revenue, the~~) department of licensing(~~(7)~~)
27 and the state treasurer may enact any rules necessary to carry out this
28 section.

29 (3) This section shall expire July 1, 1992.

1 **Sec. 14.** RCW 59.21.110 and 1989 c 201 s 15 are each amended to
2 read as follows:

3 Any person who intentionally violates, intentionally attempts to
4 evade, or intentionally evades the provisions of this ((act)) chapter
5 is guilty of a misdemeanor.

6 NEW SECTION. **Sec. 15.** A new section is added to chapter 59.21 RCW
7 to read as follows:

8 The department shall waive the requirement for a park-owner to pay
9 relocation assistance under this chapter when the mobile home park is
10 involuntarily closed. A park-owner may not avoid the responsibility to
11 pay relocation assistance by failing to provide necessary maintenance
12 to the park. The department shall adopt rules for the granting of
13 waivers under this section.

14 NEW SECTION. **Sec. 16.** A new section is added to chapter 59.21 RCW
15 to read as follows:

16 (1) The legislature finds that existing older mobile homes provide
17 affordable housing to many persons of low income, and that requiring
18 these homes that are legally located in mobile home parks to meet new
19 fire, safety, and construction codes because they are relocating due to
20 the closure or conversion of the mobile home park, compounds the
21 economic burden facing these tenants.

22 (2) Mobile homes that are relocated due to either the closure or
23 conversion of a mobile home park, may not be required by any city or
24 county to comply with the requirements of any applicable fire, safety,
25 or construction code for the sole reason of its relocation. This
26 section shall only apply if the original occupancy classification of
27 the building is not changed as a result of the move.

1 (3) This section shall not apply to mobile homes that are
2 substantially remodeled or rehabilitated, nor to any work performed in
3 compliance with installation requirements. For the purpose of
4 determining whether a moved mobile home has been substantially
5 remodeled or rebuilt, any cost relating to preparation for relocation
6 or installation shall not be considered.

7 NEW SECTION. **Sec. 17.** This act shall not be construed as
8 affecting any existing right acquired or liability or obligation
9 incurred under the sections amended or repealed in this act or under
10 any rule or order adopted under those sections, nor as affecting any
11 proceeding instituted under those sections.

12 NEW SECTION. **Sec. 18.** RCW 59.22.900 and 1987 c 482 s 12 are
13 each repealed.

14 NEW SECTION. **Sec. 19.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.

18 NEW SECTION. **Sec. 20.** This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of the
20 state government and its existing public institutions, and shall take
21 effect July 1, 1991.