

# HOUSE BILL REPORT

## HB 1148

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### As Reported by House Committee On: Housing

**Title:** An act relating to prohibiting certain restrictions on the location of mobile homes or manufactured homes.

**Brief Description:** Prohibiting restrictions on the location of mobile homes or manufactured homes based exclusively on age and dimensions.

**Sponsors:** Representatives Simpson, Dunn, Orcutt, McCune, Chase, Wallace, Ormsby and Springer.

#### **Brief History:**

##### **Committee Activity:**

Housing: 1/24/07, 2/14/07 [DPS].

#### **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. However, this prohibition applies only in mobile home parks and manufactured housing communities in existence before the enactment date of this act.

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### HOUSE COMMITTEE ON HOUSING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Miloscia, Chair; Springer, Vice Chair; Dunn, Ranking Minority Member; Kelley, 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).

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*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.

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### **Summary of Substitute 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.

### **Substitute Bill Compared to Original Bill:**

The ability of a city, town, code city, or county to adopt ordinances that restrict the placement of manufactured or mobile homes in manufactured home communities and mobile home parks based exclusively on the age or dimensions of the home is restricted only to new parks and communities created after the enactment of this act. Cities, towns, code cities, and counties may not adopt such ordinances to affect parks and communities in existence before this act. A city, town, code city, or county may restrict the location of such homes for other reasons including failure to comply with fire, safety, or other local ordinances.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

### **Staff Summary of Public Testimony:**

(In support of original bill) Manufactured housing communities cannot prevent the entry of a manufactured or mobile home solely based on the home's age. However, because of a loophole in the law, a local jurisdiction can effectively keep certain homes out of a

community. Manufactured/mobile home communities need to be able to replace single-wide homes that move out with new single-wide homes as the spaces are only large enough to accommodate that size of unit. Parks can't survive if they can't fill those spaces. As parks close across the state, manufactured/mobile homeowners need places to move their homes, which are often older single-wide units. Local jurisdictions can prevent the entry of homes based on other criteria, such as health and safety. The Department of Licensing must inspect older homes before they are moved to make sure they meet certain standards.

(Opposed to original bill) Local jurisdictions should have the authority to place restrictions on homes throughout their communities. Cities don't inspect manufactured/mobile homes for health and safety concerns when it comes to older mobile homes that might not comply with current codes and acceptable building standards.

**Persons Testifying:** (In support of original bill) John Woodring and Ken Spencer, Manufactured Housing Communities of Washington.

(Opposed to original bill) Dave Williams, Association of Washington Cities; and Phil Watkins, City of Kennewick.

**Persons Signed In To Testify But Not Testifying:** None.