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**HOUSE BILL 1207**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Ryu, Jenkin, Dolan, and Pollet

AN ACT Relating to manufactured housing communities; amending RCW 59.20.050; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that manufactured housing communities provide significant opportunity for affordable housing, but at the same time, vacancy rates in established communities are very low. Siting a replacement manufactured home on a manufactured housing community lot is basic to a landlord's right to continue in business and to provide opportunity for housing that is needed. From the time of establishment of a manufactured housing community, the lot sizes and setback and separation distances within should remain intact for any subsequent replacement of manufactured homes on particular lots. Imposing undue burdens and new restrictions for the siting of replacement manufactured homes may deem lots unusable as home sites thus, exacerbating the low vacancy rates and reducing affordable housing opportunities. The legislature intends to provide protection for manufactured housing communities by authorizing the siting of replacement homes on existing lots within established manufactured housing communities abiding by those lot sizes, setback and separation distances, and other requirements that were in place at the time the manufactured housing communities were established.

**Sec.**  RCW 59.20.050 and 1999 c 359 s 4 are each amended to read as follows:

(1) No landlord may offer a mobile home lot for rent to anyone without offering a written rental agreement for a term of one year or more. No landlord may offer to anyone any rental agreement for a term of one year or more for which the monthly rental is greater, or the terms of payment or other material conditions more burdensome to the tenant, than any month-to-month rental agreement also offered to such tenant or prospective tenant. Anyone who desires to occupy a mobile home lot for other than a term of one year or more may have the option to be on a month-to-month basis but must waive, in writing, the right to such one year or more term: PROVIDED, That annually, at any anniversary date of the tenancy the tenant may require that the landlord provide a written rental agreement for a term of one year. No landlord shall allow a mobile home, manufactured home, or park model to be moved into a mobile home park in this state until a written rental agreement has been signed by and is in the possession of the parties: PROVIDED, That if the landlord allows the tenant to move a mobile home, manufactured home, or park model into a mobile home park without obtaining a written rental agreement for a term of one year or more, or a written waiver of the right to a one-year term or more, the term of the tenancy shall be deemed to be for one year from the date of occupancy of the mobile home lot;

(2) The requirements of subsection (1) of this section shall not apply if:

(a) The mobile home park or part thereof has been acquired or is under imminent threat of condemnation for a public works project, or

(b) An employer-employee relationship exists between a landlord and tenant;

(3) The provisions of this section shall apply to any tenancy upon expiration of the term of any oral or written rental agreement governing such tenancy.

(4) Except as expressly preempted by the requirements of any state agency relating to the siting of manufactured homes, a tenant or prospective tenant or the landlord is authorized to site any size new or used manufactured/mobile home or park model and appurtenances on a mobile home lot in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the approval of the manufactured/mobile home park. However, if lot sizes, separation and setback distances, or other requirements were nonexistent at the time the manufactured/mobile home park was established, reasonable requirements may be imposed by authorities with jurisdiction to meet health and safety standards. Authorities must act in good faith to avoid the elimination of a viable lot for the siting of a home.

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