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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1033

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State of Washington

66th Legislature

2019 Regular Session

**By** House Appropriations (originally sponsored by Representatives Ryu, Barkis, Dolan, Macri, Stanford, Kloba, Sells, Tharinger, Bergquist, Doglio, Robinson, Pollet, Santos, Reeves, and Leavitt)

READ FIRST TIME 02/18/19.

1 AN ACT Relating to eligibility for relocation assistance for  
2 tenants of closed or converted mobile home parks; amending RCW  
3 59.21.005, 59.21.021, 59.21.025, and 59.21.050; and reenacting and  
4 amending RCW 59.21.010.

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

6 **Sec. 1.** RCW 59.21.005 and 1995 c 122 s 2 are each amended to  
7 read as follows:

8 The legislature recognizes that it is quite costly (~~to move a~~  
9 ~~mobile home~~) for tenants who own homes in manufactured/mobile home  
10 parks to relocate when the park in which they reside is closed or  
11 converted to another use. Many (~~mobile home~~) such tenants need  
12 financial assistance in order to (~~move their mobile homes from a~~)  
13 relocate from a manufactured/mobile home park. The purpose of this  
14 chapter is to provide a mechanism for assisting manufactured/mobile  
15 home tenants to relocate their manufactured/mobile homes to suitable  
16 alternative sites (~~when the mobile home park in which they reside is~~  
17 ~~closed or converted to another use~~) or demolish and dispose of their  
18 homes and secure housing.

19 **Sec. 2.** RCW 59.21.010 and 2009 c 565 s 47 are each reenacted and  
20 amended to read as follows:

1 Unless the context clearly requires otherwise, the definitions in  
2 this section apply throughout this chapter.

3 (1) "Assignee" means an individual or entity who has agreed to  
4 advance allowable relocation assistance expenses in exchange for the  
5 assignment and transfer of a right to reimbursement from the fund.

6 (2) "Department" means the department of commerce.

7 ~~((+2))~~ (3) "Director" means the director of the department of  
8 commerce.

9 ~~((+3))~~ (4) "Fund" means the manufactured/mobile home park  
10 relocation fund established under RCW 59.21.050.

11 ~~((+4))~~ (5) "Landlord" or "park-owner" means the owner of the  
12 manufactured/mobile home park that is being closed at the time  
13 relocation assistance is provided.

14 ~~((+5))~~ (6) "Low-income household" means a single person, family,  
15 or unrelated persons living together whose adjusted income is less  
16 than eighty percent of the median family income, adjusted for  
17 household size, for the county where the manufactured/mobile home is  
18 located.

19 (7) "Manufactured/mobile home park" or "park" means real property  
20 that is rented or held out for rent to others for the placement of  
21 two or more manufactured/mobile homes for the primary purpose of  
22 production of income, except where the real property is rented or  
23 held out for rent for seasonal recreational purpose only and is not  
24 intended for year-round occupancy.

25 ~~((+6))~~ (8) "Relocate" means to do one of the following:

26 (a) Remove ((the)) a manufactured/mobile home from ((the)) a  
27 manufactured/mobile home park being closed and ((to either))  
28 reinstall it in another location ((or to)); or

29 (b) Remove a manufactured/mobile home from a manufactured/mobile  
30 home park being closed and demolish and dispose of it ((and purchase  
31 another mobile/manufactured home constructed to the standards set by  
32 the department of housing and urban development)) and secure other  
33 housing.

34 ~~((+7))~~ (9) "Relocation assistance" means the monetary assistance  
35 provided under this chapter, including reimbursement for the costs of  
36 relocation as well as cash assistance provided to allow the tenant to  
37 secure new housing.

38 (10) "Tenant" means a person that owns a manufactured/mobile home  
39 located on a rented lot in a manufactured/mobile home park.

1       **Sec. 3.** RCW 59.21.021 and 2005 c 399 s 5 are each amended to  
2 read as follows:

3       (1) If a manufactured/mobile home park is closed or converted to  
4 another use (~~((after December 31, 1995))~~), eligible tenants shall be  
5 entitled to relocation assistance on a first-come, first-serve basis.  
6 The department shall give priority for distribution of relocation  
7 assistance to eligible tenants residing in parks that are closed as a  
8 result of park-owner fraud or as a result of health and safety  
9 concerns as determined by the local board of health. Payments shall  
10 be made upon the department's verification of eligibility, subject to  
11 the availability of remaining funds.

12       (2) Eligibility for relocation assistance funds is limited to  
13 low-income households. ((As used in this section, "low-income  
14 household" means a single person, family, or unrelated persons living  
15 together whose adjusted income is less than eighty percent of the  
16 median family income, adjusted for household size, for the county  
17 where the mobile or manufactured home is located.

18       ~~(2) Assistance for closures occurring after December 31, 1995, is~~  
19 ~~limited to persons who maintain ownership of and relocate their~~  
20 ~~mobile home or who dispose of a home not relocatable to a new site.))~~

21       (3) ~~((Persons))~~ (a) Eligible tenants who ~~((removed and disposed~~  
22 ~~of their mobile home or maintained ownership of and relocated their~~  
23 ~~mobile homes))~~ relocate are entitled to ~~((reimbursement of actual~~  
24 ~~relocation expenses))~~ financial assistance from the fund, up to a  
25 maximum of twelve thousand dollars for a ~~((double-wide))~~ multisection  
26 home and up to a maximum of seven thousand five hundred dollars for a  
27 single-((wide)) section home. The department shall distribute  
28 relocation assistance for each eligible tenant as follows:

29       (i) Up to forty percent of the total assistance may be disbursed  
30 in the form of cash assistance to help the tenant secure new housing;  
31 and

32       (ii) The remainder of the total assistance shall be disbursed as  
33 reimbursement for costs associated with relocation.

34       (b) To receive financial assistance as provided in (a)(i) of this  
35 subsection, documentation must be provided to the department that  
36 demonstrates the tenant:

37       (i) Has relocated the home;

38       (ii) Has established a process to secure the relocation of the  
39 home by having assigned the right to reimbursement of the relocation

1 costs and liability for such removal or demolition and disposal to  
2 another entity; or

3 (iii) Has contracted to incur expenses associated with relocating  
4 the home.

5 (c) If the tenant is requesting financial assistance under  
6 (b)(ii) or (iii) of this subsection, the tenant, or the assignee on  
7 the tenant's behalf, must submit as part of the application described  
8 in RCW 59.21.050(2):

9 (i) Proof of the assignation; and

10 (ii) Evidence that the assignee is capable of fulfilling the  
11 obligation itself or a contract or invoice for relocation of the home  
12 executed with a vendor by the tenant or the assignee.

13 (4) Any individual or organization may apply to receive funds  
14 from the ~~((mobile home park relocation))~~ fund, for use in combination  
15 with funds from public or private sources, toward relocation of  
16 tenants eligible under this section, with agreement from the tenant.  
17 ~~((Funds received from the mobile home park relocation fund shall only  
18 be used for relocation assistance expenses or other mobile/  
19 manufactured home ownership expenses, that include down payment  
20 assistance, if the owners are not planning to relocate their mobile  
21 home as long as their original home is removed from the park.))~~

22 (5) The legislature intends the cash assistance provided under  
23 subsection (3)(a)(i) of this section to be considered a one-time  
24 direct grant payment that shall be excluded from household income  
25 calculations for purposes of determining the eligibility of the  
26 recipient for benefits or assistance under any state program financed  
27 in whole or in part with state funds.

28 **Sec. 4.** RCW 59.21.025 and 1998 c 124 s 3 are each amended to  
29 read as follows:

30 ~~((1))~~ If financial assistance for relocation is obtained from  
31 sources other than the ~~((mobile home park relocation))~~ fund  
32 ~~((established under this chapter))~~, then the relocation assistance  
33 provided to any person ~~((under this chapter))~~ from the fund shall be  
34 reduced as necessary to ensure that no person receives financial  
35 assistance for relocation from all sources combined ~~((more than: (a)~~  
36 ~~That person's actual cost of relocation; or (b) seven thousand~~  
37 ~~dollars for a double-wide mobile home and three thousand five hundred~~  
38 ~~dollars for a single-wide mobile home.~~

1       ~~(2) When a person receives financial assistance for relocation~~  
2 ~~from a source other than the mobile home park relocation assistance~~  
3 ~~fund, then the assistance received from the fund will be the~~  
4 ~~difference between the maximum amount to which a person is entitled~~  
5 ~~under RCW 59.21.021(3) and the amount of assistance received from the~~  
6 ~~outside source.~~

7       ~~(3) If the amount of assistance received from an outside source~~  
8 ~~exceeds the maximum amounts of assistance to which a person is~~  
9 ~~entitled under RCW 59.21.021(3), then that person will not receive~~  
10 ~~any assistance from the mobile home park relocation assistance fund))~~  
11 in excess of that person's actual relocation expenses.

12       **Sec. 5.** RCW 59.21.050 and 2011 c 158 s 7 are each amended to  
13 read as follows:

14       (1) The existence of the manufactured/mobile home park relocation  
15 fund in the custody of the state treasurer is affirmed. Expenditures  
16 from the fund may be used only for relocation assistance awarded  
17 under this chapter and the department's costs as provided in  
18 subsection (3) of this section. Only the director or the director's  
19 designee may authorize expenditures from the fund. All relocation  
20 assistance payments to tenants under this chapter shall be made from  
21 the fund. The fund is subject to allotment procedures under chapter  
22 43.88 RCW, but no appropriation is required for expenditures.

23       (2) A ((~~park~~)) tenant is eligible for relocation assistance under  
24 this chapter only after an application is submitted by that tenant or  
25 an organization acting on the tenant's account under RCW 59.21.021(4)  
26 on a form approved by the director ((~~which~~)). The application shall  
27 include: (a) ((~~For those persons who maintained ownership of and~~  
28 ~~relocated their homes or removed their homes from the park: (i))~~) A  
29 copy of the notice from the park-owner, or other adequate proof, that  
30 the tenancy is terminated due to closure of the park or its  
31 conversion to another use; ((~~(ii)~~)) (b) a copy of the rental  
32 agreement then in force, or other proof that the applicant was a  
33 tenant at the time of notice of closure; ((~~(iii) a copy of the~~  
34 ~~contract for relocating the home which includes the date of~~  
35 ~~relocation, or other proof of actual)~~) (c) a statement of relocation  
36 expenses expected to be incurred ((on a date certain)); ((and (iv))  
37 (d) proof of ownership of the home at the time of notice of closure;  
38 and (e) a statement of any other available assistance((~~+~~)) received.

1        (~~(b) For those persons who sold their homes and incurred no~~  
2 ~~relocation expenses: (i) A copy of the notice from the park owner, or~~  
3 ~~other adequate proof, that the tenancy is terminated due to closure~~  
4 ~~of the park or its conversion to another use; (ii) a copy of the~~  
5 ~~rental agreement then in force, or other proof that the applicant was~~  
6 ~~a tenant at the time of notice of closure; and (iii) a copy of the~~  
7 ~~record of title transfer issued by the department of licensing when~~  
8 ~~the tenant sold the home rather than relocate it due to park closure~~  
9 ~~or conversion.)~~)

10        (3) The department may deduct a percentage amount of the fee  
11 collected under RCW 46.17.155 for administration expenses incurred by  
12 the department.

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