
SUBSTITUTE HOUSE BILL 1100

State of Washington

67th Legislature

2021 Regular Session

By House Housing, Human Services & Veterans (originally sponsored by Representatives Duerr, Kloba, Bateman, Ramel, Ortiz-Self, Gregerson, Valdez, Macri, and Chopp)

READ FIRST TIME 01/26/21.

1 AN ACT Relating to the sale or lease of manufactured/mobile home
2 communities and the property on which they sit; amending RCW
3 59.20.300 and 59.20.305; reenacting and amending RCW 59.20.030;
4 adding new sections to chapter 59.20 RCW; creating a new section; and
5 prescribing penalties.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) It is the policy of this state to encourage affordable
9 housing ownership, including manufactured/mobile home community
10 living.

11 (b) Manufactured/mobile home communities provide a significant
12 source of homeownership opportunities for Washington residents.
13 However, the increasing closure and conversion of manufactured/mobile
14 home communities to other uses, combined with increasing
15 manufactured/mobile home lot rents, low vacancy rates in existing
16 manufactured/mobile home communities, and the extremely high cost of
17 moving homes when manufactured/mobile home communities close
18 increasingly make manufactured/mobile home community living insecure
19 for manufactured/mobile home tenants.

20 (c) Many tenants who reside in manufactured/mobile home
21 communities are part of low-income households and senior citizens and

1 are, therefore, those residents most in need of reasonable security
2 in the siting of their manufactured/mobile homes because such tenants
3 experience adverse impacts on their health, safety, and welfare when
4 forced to move due to closure, change of use, or discontinuance of
5 manufactured/mobile home communities.

6 (2) It is the intent of the legislature to encourage and
7 facilitate the preservation of existing manufactured/mobile home
8 communities in the event of voluntary sales of manufactured/mobile
9 home communities and, to the extent necessary and possible, involve
10 manufactured/mobile home community tenants or an eligible
11 organization, such as a nonprofit organization, housing authority,
12 community land trust, resident nonprofit cooperative, or local
13 government, in the preservation of manufactured/mobile home
14 communities.

15 **Sec. 2.** RCW 59.20.030 and 2019 c 342 s 1 and 2019 c 23 s 4 are
16 each reenacted and amended to read as follows:

17 For purposes of this chapter:

18 (1) "Abandoned" as it relates to a mobile home, manufactured
19 home, or park model owned by a tenant in a mobile home park, mobile
20 home park cooperative, or mobile home park subdivision or tenancy in
21 a mobile home lot means the tenant has defaulted in rent and by
22 absence and by words or actions reasonably indicates the intention
23 not to continue tenancy;

24 (2) "Active duty" means service authorized by the president of
25 the United States, the secretary of defense, or the governor for a
26 period of more than thirty consecutive days;

27 (3) "Eligible organization" includes community land trusts,
28 resident nonprofit cooperatives, local governments, local housing
29 authorities, nonprofit community or neighborhood-based organizations,
30 federally recognized Indian tribes in the state of Washington, and
31 regional or statewide nonprofit housing assistance organizations;

32 (4) "Housing and low-income assistance organization" means an
33 organization that provides tenants living in mobile home parks,
34 manufactured housing communities, and manufactured/mobile home
35 communities with information about their rights and other pertinent
36 information;

37 (5) "Housing authority" or "authority" means any of the public
38 body corporate and politic created in RCW 35.82.030;

- 1 (6) "Landlord" means the owner of a mobile home park and includes
2 the agents of a landlord;
- 3 (7) "Local government" means a town government, city government,
4 code city government, or county government in the state of
5 Washington;
- 6 (8) "Manufactured home" means a single-family dwelling built
7 according to the United States department of housing and urban
8 development manufactured home construction and safety standards act,
9 which is a national preemptive building code. A manufactured home
10 also: (a) Includes plumbing, heating, air conditioning, and
11 electrical systems; (b) is built on a permanent chassis; and (c) can
12 be transported in one or more sections with each section at least
13 eight feet wide and forty feet long when transported, or when
14 installed on the site is three hundred twenty square feet or greater;
- 15 (9) "Manufactured/mobile home" means either a manufactured home
16 or a mobile home;
- 17 (10) "Mobile home" means a factory-built dwelling built prior to
18 June 15, 1976, to standards other than the United States department
19 of housing and urban development code, and acceptable under
20 applicable state codes in effect at the time of construction or
21 introduction of the home into the state. Mobile homes have not been
22 built since the introduction of the United States department of
23 housing and urban development manufactured home construction and
24 safety act;
- 25 (11) "Mobile home lot" means a portion of a mobile home park or
26 manufactured housing community designated as the location of one
27 mobile home, manufactured home, or park model and its accessory
28 buildings, and intended for the exclusive use as a primary residence
29 by the occupants of that mobile home, manufactured home, or park
30 model;
- 31 (12) "Mobile home park cooperative" or "manufactured housing
32 cooperative" means real property consisting of common areas and two
33 or more lots held out for placement of mobile homes, manufactured
34 homes, or park models in which both the individual lots and the
35 common areas are owned by an association of shareholders which leases
36 or otherwise extends the right to occupy individual lots to its own
37 members;
- 38 (13) "Mobile home park subdivision" or "manufactured housing
39 subdivision" means real property, whether it is called a subdivision,
40 condominium, or planned unit development, consisting of common areas

1 and two or more lots held for placement of mobile homes, manufactured
2 homes, or park models in which there is private ownership of the
3 individual lots and common, undivided ownership of the common areas
4 by owners of the individual lots;

5 (14) "Mobile home park," "manufactured housing community," or
6 "manufactured/mobile home community" means any real property which is
7 rented or held out for rent to others for the placement of two or
8 more mobile homes, manufactured homes, or park models for the primary
9 purpose of production of income, except where such real property is
10 rented or held out for rent for seasonal recreational purpose only
11 and is not intended for year-round occupancy;

12 (15) "Notice of opportunity to purchase" means a notice required
13 under section 4 of this act;

14 (16) "Notice of sale" means a notice required under RCW 59.20.300
15 to be delivered to all tenants of a manufactured/mobile home
16 community and other specified parties within fourteen days after the
17 date on which any advertisement, (~~multiple~~) listing, or public
18 notice (~~advertises~~) is first made advertising that a manufactured/
19 mobile home community or the property on which it sits is for sale or
20 lease;

21 (~~(16)~~) (17) "Occupant" means any person, including a live-in
22 care provider, other than a tenant, who occupies a mobile home,
23 manufactured home, or park model and mobile home lot;

24 (~~(17)~~) (18) "Orders" means written official military orders, or
25 any written notification, certification, or verification from the
26 service member's commanding officer, with respect to the service
27 member's current or future military status;

28 (~~(18)~~) (19) "Park model" means a recreational vehicle intended
29 for permanent or semi-permanent installation and is used as a primary
30 residence;

31 (~~(19)~~) (20) "Permanent change of station" means: (a) Transfer
32 to a unit located at another port or duty station; (b) change of a
33 unit's home port or permanent duty station; (c) call to active duty
34 for a period not less than ninety days; (d) separation; or (e)
35 retirement;

36 (~~(20)~~) (21) "Qualified sale of manufactured/mobile home
37 community" means the sale, as defined in RCW 82.45.010, of land and
38 improvements comprising a manufactured/mobile home community that is
39 transferred in a single purchase to a qualified tenant organization

1 or to an eligible organization for the purpose of preserving the
2 property as a manufactured/mobile home community;

3 ~~((21))~~ (22) "Qualified tenant organization" means a formal
4 organization of tenants within a manufactured/mobile home community,
5 with the only requirement for membership consisting of being a
6 tenant;

7 ~~((22))~~ (23) "Recreational vehicle" means a travel trailer,
8 motor home, truck camper, or camping trailer that is primarily
9 designed and used as temporary living quarters, is either self-
10 propelled or mounted on or drawn by another vehicle, is transient, is
11 not occupied as a primary residence, and is not immobilized or
12 permanently affixed to a mobile home lot;

13 ~~((23))~~ (24) "Resident nonprofit cooperative" means a nonprofit
14 cooperative corporation formed by a group of manufactured/mobile home
15 community residents for the purpose of acquiring the manufactured/
16 mobile home community in which they reside and converting the
17 manufactured/mobile home community to a mobile home park cooperative
18 or manufactured housing cooperative;

19 (25) "Service member" means an active member of the United States
20 armed forces, a member of a military reserve component, or a member
21 of the national guard who is either stationed in or a resident of
22 Washington state;

23 ~~((24))~~ (26) "Tenant" means any person, except a transient, who
24 rents a mobile home lot;

25 ~~((25))~~ (27) "Transient" means a person who rents a mobile home
26 lot for a period of less than one month for purposes other than as a
27 primary residence.

28 **Sec. 3.** RCW 59.20.300 and 2011 c 158 s 5 are each amended to
29 read as follows:

30 (1) A landlord must provide a written notice of sale of a
31 manufactured/mobile home community by certified mail or personal
32 delivery to:

- 33 (a) Each tenant of the manufactured/mobile home community;
34 (b) The officers of any known qualified tenant organization;
35 (c) The office of mobile/manufactured home relocation assistance;
36 (d) The local government within whose jurisdiction all or part of
37 the manufactured/mobile home community exists;
38 (e) The housing authority within whose jurisdiction all or part
39 of the manufactured/mobile home community exists; and

1 (f) The Washington state housing finance commission.

2 (2) A notice of sale must include:

3 (a) A statement that the landlord intends to sell or lease the
4 manufactured/mobile home community or the property on which it sits;
5 and

6 (b) The contact information of the landlord or landlord's agent
7 who is responsible for communicating with the qualified tenant
8 organization, tenants, or eligible organization regarding the sale of
9 the property.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 59.20
11 RCW to read as follows:

12 (1) Except as provided in subsection (5) of this section, a
13 landlord must provide a written notice of opportunity to purchase a
14 manufactured/mobile home community by certified mail or personal
15 delivery to each tenant and to the department of commerce and the
16 housing finance commission within 14 days after the date on which any
17 advertisement, listing, or public notice is first made that the
18 manufactured/mobile home community, or property on which it sits, is
19 for sale or lease.

20 (2) The notice of opportunity to purchase required under this
21 section is in addition to the notice of sale required pursuant to RCW
22 59.20.300.

23 (3) Notice by certified mail postmarked within the requisite
24 number of days is deemed to comply with the requirements of this
25 section.

26 (4) A notice of opportunity to purchase must include:

27 (a) A statement that the landlord intends to sell or lease the
28 manufactured/mobile home community or the property on which it sits;

29 (b) A statement that:

30 (i) Qualified tenant organizations and eligible organizations
31 have 45 days from the date on which the notice of opportunity to
32 purchase was personally delivered or postmarked to provide the
33 landlord with notice of intent to consider purchasing or leasing the
34 manufactured/mobile home park, during which time the landlord shall
35 not make a final acceptance of an offer to purchase or lease the
36 park; and

37 (ii) If such notice of intent is provided to the landlord within
38 45 days, the landlord shall not make a final unconditional acceptance
39 of an offer to purchase or lease the park from a person or entity

1 other than a qualified tenant organization or eligible organization
2 for an additional 90 days;

3 (c) A signed affidavit that discloses the advertised or listed
4 selling price; and

5 (d) The contact information for the landlord or landlord's agent
6 who is responsible for communicating with the tenants, qualified
7 tenant organization, or eligible organization regarding an
8 opportunity to make an offer for the sale of the property.

9 (5) A notice of opportunity to purchase is not required with
10 respect to a sale, transfer, conveyance, or lease of the
11 manufactured/mobile home community or the property on which it sits
12 if the transaction is:

13 (a) Due to foreclosure;

14 (b) Incidental to financing the park;

15 (c) Pursuant to eminent domain;

16 (d) Pursuant to a tax sale;

17 (e) Between joint tenants or tenants in common;

18 (f) Among the partners or shareholders who own the manufactured/
19 mobile home community; or

20 (g) To a member of the owner's family or to a trust for the sole
21 benefit of members of the owner's family.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 59.20
23 RCW to read as follows:

24 (1) If, within 45 days after the date on which a notice of
25 opportunity to purchase was personally delivered or postmarked, the
26 landlord receives notice from a qualified tenant organization or
27 eligible organization expressing an intent to consider purchasing or
28 leasing the manufactured/mobile home community, the landlord shall
29 not make a final unconditional acceptance of an offer to purchase or
30 lease the park from a person or entity other than a qualified tenant
31 organization or eligible organization for an additional 90 days.

32 (2)(a) A qualified tenant organization or eligible organization
33 must provide a written notice of intent to the landlord when
34 considering purchasing or leasing the manufactured/mobile home
35 community.

36 (b) The notice of intent must identify two people representing
37 the tenant organization or eligible organization and provide the
38 following contact information:

39 (i) Name;

1 (ii) Mailing address; and

2 (iii) Telephone number.

3 (c) The interested organization may also request on the notice
4 certain property documents to determine the purchase offer price.

5 (3) If no qualified tenant organization or eligible organization
6 provides notice expressing an intent to consider the purchase or
7 lease within 45 days after the date on which a notice of opportunity
8 to purchase was personally delivered or postmarked, the landlord is
9 not subject to the restrictions of subsection (1) of this section.

10 **Sec. 6.** RCW 59.20.305 and 2008 c 116 s 5 are each amended to
11 read as follows:

12 A landlord intending to sell or lease a manufactured/mobile home
13 community or the property on which it sits is ((encouraged)) required
14 to negotiate in good faith with qualified tenant organizations and
15 eligible organizations. Any qualified tenant organization or eligible
16 organization that submits a notice of intent to purchase or lease a
17 manufactured/mobile home community or the property on which it sits
18 pursuant to section 5 of this act is required to negotiate in good
19 faith with the landlord intending to sell or lease the manufactured/
20 mobile home community or property on which it sits.

21 NEW SECTION. **Sec. 7.** A new section is added to chapter 59.20
22 RCW to read as follows:

23 (1) The department of commerce must maintain a registry of all
24 eligible organizations that submit to the department of commerce a
25 written request to receive notices of opportunity to purchase or
26 lease manufactured/mobile home communities pursuant to section 5 of
27 this act. The department of commerce must provide registered eligible
28 organizations with notices of opportunity to purchase once it
29 receives such a notice pursuant to section 4(1) of this act. The
30 registry must include the following information:

31 (a) The name and mailing address of the eligible organization;
32 and

33 (b) A statement that the eligible organization wishes to purchase
34 or lease a manufactured/mobile home community.

35 (2) The department of commerce must provide a copy of the
36 registry required to be maintained under this section to any person
37 upon request.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 59.20
2 RCW to read as follows:

3 (1) A landlord who sells or transfers a manufactured/mobile home
4 community and willfully fails to comply with section 4 or 5 of this
5 act or RCW 59.20.305 is liable to the state of Washington for a civil
6 penalty in the amount of \$10,000. This penalty is the exclusive
7 remedy for a violation of section 4 or 5 of this act or RCW
8 59.20.305.

9 (2) The attorney general may bring a civil action in superior
10 court in the name of the state against a landlord under this section.

11 NEW SECTION. **Sec. 9.** If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected.

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