
HOUSE BILL 2421

State of Washington

68th Legislature

2024 Regular Session

By Representatives Gregerson, Klicker, Ramel, Duerr, and Pollet

Read first time 01/18/24. Referred to Committee on Housing.

1 AN ACT Relating to the sale or lease of manufactured/mobile home
2 communities and the property on which they sit; and amending RCW
3 59.20.030, 59.20.325, 59.20.330, 59.20.335, 59.21.030, and 59.21.040.

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

5 **Sec. 1.** RCW 59.20.030 and 2023 c 40 s 2 are each amended to read
6 as follows:

7 For purposes of this chapter:

8 (1) "Abandoned" as it relates to a mobile home, manufactured
9 home, or park model owned by a tenant in a mobile home park, mobile
10 home park cooperative, or mobile home park subdivision or tenancy in
11 a mobile home lot means the tenant has defaulted in rent and by
12 absence and by words or actions reasonably indicates the intention
13 not to continue tenancy;

14 (2) "Active duty" means service authorized by the president of
15 the United States, the secretary of defense, or the governor for a
16 period of more than (~~thirty~~) 30 consecutive days;

17 (3) "Community land trust" means a private, nonprofit, community-
18 governed, and/or membership corporation whose mission is to acquire,
19 hold, develop, lease, and steward land for making homes, farmland,
20 gardens, businesses, and other community assets permanently
21 affordable for current and future generations. A community land

1 trust's bylaws prescribe that the governing board is comprised of
2 individuals who reside in the community land trust's service area,
3 one-third of whom are currently, or could be, community land trust
4 leaseholders;

5 (4) "Eligible organization" includes community land trusts,
6 resident nonprofit cooperatives, local governments, local housing
7 authorities, nonprofit community or neighborhood-based organizations,
8 federally recognized Indian tribes in the state of Washington, and
9 regional or statewide nonprofit housing assistance organizations,
10 whose mission aligns with the long-term preservation of the
11 manufactured/mobile home community;

12 (5) "Housing and low-income assistance organization" means an
13 organization that provides tenants living in mobile home parks,
14 manufactured housing communities, and manufactured/mobile home
15 communities with information about their rights and other pertinent
16 information;

17 (6) "Housing authority" or "authority" means any of the public
18 body corporate and politic created in RCW 35.82.030;

19 (7) "Landlord" or "owner" means the owner of a mobile home park
20 and includes the agents of the owner;

21 (8) "Local government" means a town government, city government,
22 code city government, or county government in the state of
23 Washington;

24 (9) "Manufactured home" means a single-family dwelling built
25 according to the United States department of housing and urban
26 development manufactured home construction and safety standards act,
27 which is a national preemptive building code. A manufactured home
28 also: (a) Includes plumbing, heating, air conditioning, and
29 electrical systems; (b) is built on a permanent chassis; and (c) can
30 be transported in one or more sections with each section at least
31 eight feet wide and 40 feet long when transported, or when installed
32 on the site is three hundred twenty square feet or greater;

33 (10) "Manufactured/mobile home" means either a manufactured home
34 or a mobile home;

35 (11) "Mobile home" means a factory-built dwelling built prior to
36 June 15, 1976, to standards other than the United States department
37 of housing and urban development code, and acceptable under
38 applicable state codes in effect at the time of construction or
39 introduction of the home into the state. Mobile homes have not been
40 built since the introduction of the United States department of

1 housing and urban development manufactured home construction and
2 safety act;

3 (12) "Mobile home lot" means a portion of a mobile home park or
4 manufactured housing community designated as the location of one
5 mobile home, manufactured home, or park model and its accessory
6 buildings, and intended for the exclusive use as a primary residence
7 by the occupants of that mobile home, manufactured home, or park
8 model;

9 (13) "Mobile home park cooperative" or "manufactured housing
10 cooperative" means real property consisting of common areas and two
11 or more lots held out for placement of mobile homes, manufactured
12 homes, or park models in which both the individual lots and the
13 common areas are owned by an association of shareholders which leases
14 or otherwise extends the right to occupy individual lots to its own
15 members;

16 (14) "Mobile home park subdivision" or "manufactured housing
17 subdivision" means real property, whether it is called a subdivision,
18 condominium, or planned unit development, consisting of common areas
19 and two or more lots held for placement of mobile homes, manufactured
20 homes, or park models in which there is private ownership of the
21 individual lots and common, undivided ownership of the common areas
22 by owners of the individual lots;

23 (15) "Mobile home park," "manufactured housing community," or
24 "manufactured/mobile home community" means any real property which is
25 rented or held out for rent to others for the placement of two or
26 more mobile homes, manufactured homes, or park models for the primary
27 purpose of production of income, except where such real property is
28 rented or held out for rent for seasonal recreational purpose only
29 and is not intended for year-round occupancy;

30 (16) "Notice of opportunity to compete to purchase" means a
31 notice required under RCW 59.20.325;

32 (17) "Notice of sale" means a notice required under RCW 59.20.300
33 to be delivered to all tenants of a manufactured/mobile home
34 community and other specified parties within 14 days after the date
35 on which any advertisement, listing, or public or private notice is
36 first made advertising that a manufactured/mobile home community or
37 the property on which it sits is for sale or lease. A delivered
38 notice of opportunity to compete to purchase acts as a notice of
39 sale;

1 (18) "Occupant" means any person, including a live-in care
2 provider, other than a tenant, who occupies a mobile home,
3 manufactured home, or park model and mobile home lot;

4 (19) "Orders" means written official military orders, or any
5 written notification, certification, or verification from the service
6 member's commanding officer, with respect to the service member's
7 current or future military status;

8 (20) "Park model" means a recreational vehicle intended for
9 permanent or semi-permanent installation and is used as a primary
10 residence;

11 (21) "Permanent change of station" means: (a) Transfer to a unit
12 located at another port or duty station; (b) change of a unit's home
13 port or permanent duty station; (c) call to active duty for a period
14 not less than 90 days; (d) separation; or (e) retirement;

15 (22) "Qualified sale of manufactured/mobile home community" means
16 the sale, as defined in RCW 82.45.010, of land and improvements
17 comprising a manufactured/mobile home community that is transferred
18 in a single purchase to a qualified tenant organization or to an
19 eligible organization for the purpose of preserving the property as a
20 manufactured/mobile home community;

21 (23) "Qualified tenant organization" means a formal organization
22 of tenants within a manufactured/mobile home community, with the only
23 requirement for membership consisting of being a tenant. If a
24 majority of the tenants, based on home sites within the manufactured/
25 mobile home community, agree that they want to preserve the
26 manufactured/mobile home community then they will appoint a
27 spokesperson to represent the wishes of the qualified tenant
28 organization to the landlord and the landlord's representative;

29 (24) "Recreational vehicle" means a travel trailer, motor home,
30 truck camper, or camping trailer that is primarily designed and used
31 as temporary living quarters, is either self-propelled or mounted on
32 or drawn by another vehicle, is transient, is not occupied as a
33 primary residence, and is not immobilized or permanently affixed to a
34 mobile home lot;

35 (25) "Resident nonprofit cooperative" means a nonprofit
36 cooperative corporation formed by a group of manufactured/mobile home
37 community residents for the purpose of acquiring the manufactured/
38 mobile home community in which they reside and converting the
39 manufactured/mobile home community to a mobile home park cooperative
40 or manufactured housing cooperative;

1 (26) "Service member" means an active member of the United States
2 armed forces, a member of a military reserve component, or a member
3 of the national guard who is either stationed in or a resident of
4 Washington state;

5 (27) "Tenant" means any person, except a transient, who rents a
6 mobile home lot;

7 (28) "Transient" means a person who rents a mobile home lot for a
8 period of less than one month for purposes other than as a primary
9 residence.

10 **Sec. 2.** RCW 59.20.325 and 2023 c 40 s 8 are each amended to read
11 as follows:

12 (1) An owner shall give written notice of an opportunity to
13 compete to purchase indicating the owner's interest in selling the
14 manufactured/mobile home community before the owner markets the
15 manufactured/mobile home community for sale or includes the sale of
16 the manufactured/mobile home community in a multiple listing, and
17 when the owner receives an offer to purchase that the owner intends
18 to consider unless that offer is received during the process under
19 RCW 59.20.330.

20 (2) The owner shall give the notice in subsection (1) of this
21 section by certified mail or personal delivery to:

22 (a) All tenants of the manufactured/mobile home community;

23 (b) A qualified tenant organization, if there is an existing
24 qualified tenant organization within the manufactured/mobile home
25 community;

26 (c) The department of commerce; and

27 (d) The Washington state housing finance commission.

28 (3) The notice required in subsection (1) of this section must
29 include:

30 (a) The date that the notice was mailed by certified mail or
31 personally delivered to all recipients set forth in subsection (2) of
32 this section;

33 (b) A statement that the owner is considering selling the
34 manufactured/mobile home community or the property on which it sits;

35 ((~~b~~)) (c) A statement that the tenants, through a qualified
36 tenant organization representing a majority of the tenants in the
37 community, based on home sites, or an eligible organization, have an
38 opportunity to compete to purchase the manufactured/mobile home
39 community;

1 (~~(e)~~) (d) A statement that in order to compete to purchase the
2 manufactured/mobile home community, within 70 days after (~~(delivery)~~)
3 the certified mailing or personal delivery date stated in accordance
4 with (a) of this subsection of the notice of the owner's interest in
5 selling the manufactured/mobile home community, the tenants must form
6 or identify a single qualified tenant organization for the purpose of
7 purchasing the manufactured/mobile home community and notify the
8 owner in writing of:

9 (i) The tenants' interest in competing to purchase the
10 manufactured/mobile home community; and

11 (ii) The name and contact information of the representative or
12 representatives of the qualified tenant organization with whom the
13 owner may communicate about the purchase; and

14 (~~(d)~~) (e) A statement that information about purchasing a
15 manufactured/mobile home community is available from the department
16 of commerce.

17 (4) The representative or representatives of the tenants
18 committee will be able to request park operating expenses described
19 in RCW 59.20.330 from the owner within a (~~(15-day)~~) 20-day
20 information period following delivery of the qualified tenant
21 organization's notice to the owner indicating interest in competing
22 to purchase the manufactured/mobile home community.

23 (5) An eligible organization may also compete to purchase and is
24 subject to the same time constraints and applicable conditions as a
25 qualified tenant organization.

26 **Sec. 3.** RCW 59.20.330 and 2023 c 40 s 9 are each amended to read
27 as follows:

28 (1) Within 70 days after (~~(delivery of)~~) the certified mailing or
29 personal delivery date stated in the notice of the opportunity to
30 compete to purchase the manufactured/mobile home community described
31 in RCW 59.20.325, if the tenants choose to compete to purchase the
32 manufactured/mobile home community in which the tenants reside, the
33 tenants must notify the owner in writing of:

34 (a) The tenants' interest in competing to purchase the
35 manufactured/mobile home community;

36 (b) Their formation or identification of a single qualified
37 tenant organization made up of a majority of the tenants in the
38 community, based on home sites, formed for the purpose of purchasing
39 the manufactured/mobile home community; and

1 (c) The name and contact information of the representative or
2 representatives of the qualified tenant organization with whom the
3 owner may communicate about the purchase.

4 (2) The tenants may only have one qualified tenant organization
5 for the purpose of purchasing the manufactured/mobile home community,
6 but they may partner with a nonprofit or a housing authority to act
7 with or for them subject to the same timelines, duties, and
8 obligations that would apply to tenants and qualified tenant
9 organizations under chapter 40, Laws of 2023.

10 (3) Within (~~(15)~~) 20 days following delivery of the notice in
11 subsection (1) of this section from the tenants to the owner:

12 (a) The designated representative or representatives of the
13 qualified tenant organization may make a written request to the owner
14 for:

15 (i) The asking price for the manufactured/mobile home community,
16 if any; (~~and~~) or

17 (ii) Financial information relating to the operating expenses of
18 the manufactured/mobile home community in order to assist them in
19 making an offer to purchase the park;

20 (b) The owner may make a written request to the designated
21 representative or representatives of the qualified tenant
22 organization for proof of intent to fund a sale;

23 (c) All written requests made pursuant to this subsection must be
24 fulfilled within 21 days from receipt unless otherwise agreed by the
25 qualified tenant organization and the owner;

26 (d) Unless waived by the provider, information provided pursuant
27 to this subsection shall be kept confidential, and a list must be
28 created of persons with whom the tenants may share information who
29 will also keep provided information confidential, including any of
30 the following persons that are either seeking to purchase the
31 manufactured/mobile home community on behalf of the tenants or
32 assisting the qualified tenant organization in evaluating or
33 purchasing the manufactured/mobile home community:

34 (i) A nonprofit organization or a housing authority;

35 (ii) An attorney or other licensed professional or adviser; and

36 (iii) A financial institution.

37 (4) Within 21 days after delivery of the information described in
38 subsection (3)(a) of this section, if the tenants choose to continue
39 competing to purchase the manufactured/mobile home community, the
40 tenants must:

1 (a) Form a resident nonprofit cooperative that is legally capable
2 of purchasing real property or associate with a nonprofit corporation
3 or housing authority that is legally capable of purchasing the
4 manufactured/mobile home community in which the tenants reside; and

5 (b) Submit to the owner a written offer to purchase the
6 manufactured/mobile home community, in the form of a proposed
7 purchase and sale agreement, and either a copy of the articles of
8 incorporation of the corporate entity or other evidence of the legal
9 capacity of the formed or associated corporate entity, nonprofit
10 corporation, or housing authority to purchase real property and the
11 manufactured/mobile home community.

12 (5) (a) Within 10 days of receiving the tenants' purchase and sale
13 agreement, the owner may accept the offer, reject the offer, or
14 submit a counteroffer.

15 (b) If the parties reach agreement on the purchase, the purchase
16 and sale agreement must specify the price, due diligence duties,
17 schedules, timelines, conditions, and any extensions.

18 (c) If the offer is rejected, then the owner must provide a
19 written explanation of why the offer is being rejected and what terms
20 and conditions might be included in a subsequent offer for the
21 landlord to potentially accept it, if any. The price, terms, and
22 conditions of an acceptable offer stated in the response must be
23 universal and applicable to all potential buyers and must not be
24 specific to and prohibitive of a qualified tenant organization or
25 eligible organization making a successful offer to purchase the park.

26 (d) If the tenants do not: (i) Act as required within the time
27 periods described in chapter 40, Laws of 2023; (ii) violate the
28 confidentiality agreement described in this section; or (iii) reach
29 agreement on a purchase with the owner, the owner is not obligated to
30 take additional action under chapter 40, Laws of 2023 and may record
31 an affidavit pursuant to RCW 59.20.345.

32 (6) An eligible organization acting on its own behalf is also
33 subject to the same requirements and applicable conditions as those
34 set out in this section. If an eligible organization does not intend
35 to make an offer on its own or on behalf of tenants, the eligible
36 organization shall notify the owner, any qualified tenant
37 organization from the park, and the department of commerce. This
38 notification does not prevent other eligible organizations from
39 competing for purchase.

1 **Sec. 4.** RCW 59.20.335 and 2023 c 40 s 10 are each amended to
2 read as follows:

3 (1) During the process described in RCW 59.20.325 and 59.20.330,
4 the parties shall act in good faith and in a commercially reasonable
5 manner, which includes a duty for the tenants to notify the owner
6 promptly if there is no intent to purchase the manufactured/mobile
7 home community or the property on which it sits. The parties have an
8 overall duty to act in good faith. With respect to negotiation, this
9 overall duty of good faith requirement means that the owner must
10 allow the tenants to develop an offer, must give their offer
11 reasonable consideration, ~~((and))~~ must inform the tenants if a higher
12 offer is submitted, and must share with all eligible organizations
13 and competing potential buyers participating in negotiations any
14 offer, terms, or revised offer or terms shared with other competing
15 potential buyers. Furthermore, the owner may not deny residents the
16 same access to the community and to information, such as operating
17 expenses and rent rolls, that the landowner would give to a
18 commercial buyer. With respect to financial information, all parties
19 shall agree to keep this information confidential.

20 (2) Except as provided in RCW 59.20.340(1), before selling a
21 manufactured/mobile home community to an entity that is not formed by
22 or associated with the tenants, or to an eligible organization, the
23 owner of the manufactured/mobile home community must give the notice
24 required by RCW 59.20.325 and comply with the requirements of RCW
25 59.20.330.

26 (3) A minor error in providing the notice required by RCW
27 59.20.325 or in providing operating expenses information required by
28 RCW 59.20.330 does not prevent the owner from selling the
29 manufactured/mobile home community to an entity that is not formed by
30 or associated with the tenants and does not cause the owner to be
31 liable to the tenants for damages or a penalty.

32 (4) During the process described in RCW 59.20.325 and 59.20.330,
33 the owner may seek, negotiate with, or enter into a contract subject
34 to the rights of the tenants in chapter 40, Laws of 2023 with
35 potential purchasers other than the tenants or an entity formed by or
36 associated with the tenants or another eligible organization.

37 (5) If the owner does not comply with the requirements of chapter
38 40, Laws of 2023 in a substantial way that prevents the tenants or an
39 eligible organization from competing to purchase the manufactured/
40 mobile home community, the tenants or eligible organization may:

1 (a) Obtain injunctive relief to prevent a sale or transfer to an
2 entity that is not formed by or associated with the tenants; and

3 (b) Recover actual damages not to exceed twice the monthly rent
4 from the owner for each tenant.

5 (6) If a party misuses or discloses, in a substantial way,
6 confidential information in violation of RCW 59.20.330, that party
7 may recover actual damages from the other party.

8 (7) The department of commerce shall prepare and make available
9 information for tenants about purchasing a manufactured dwelling or
10 manufactured/mobile home community.

11 **Sec. 5.** RCW 59.21.030 and 2019 c 342 s 10 are each amended to
12 read as follows:

13 (1) The closure notice required by RCW 59.20.080 before park
14 closure or conversion of the park shall be given to the director or
15 the director's designee and all tenants in writing, and conspicuously
16 posted at all park entrances.

17 (2) The closure notice required under RCW 59.20.080 must be in
18 substantially the following form:

19 "CLOSURE NOTICE TO TENANTS

20 NOTICE IS HEREBY GIVEN on the day of,, of
21 a conversion of this mobile home park or manufactured housing
22 community to a use other than for mobile homes, manufactured homes,
23 or park models, or of a conversion of the mobile home park or
24 manufactured housing community to a mobile home park cooperative or a
25 mobile home park subdivision. This change of use becomes effective on
26 the day of,, which is the date twelve months
27 after the date this closure notice is given.

28 PARK OR COMMUNITY MANAGEMENT OR OWNERSHIP INFORMATION:

29 For information during the period preceding the effective change
30 of use of this mobile home park or manufactured housing community on
31 the day of,, contact:

32 Name:

33 Address:

34 Telephone:

35 PURCHASER INFORMATION, if applicable:

36 Contact information for the purchaser of the mobile home park or
37 manufactured housing community property consists of the following:

38 Name:

39 Address:

1 Telephone:

2 PARK PURCHASE BY TENANT ORGANIZATIONS, if applicable:

3 The owner of this mobile home park or manufactured housing
4 community may be willing to entertain an offer of purchase by an
5 organization or group consisting of park or community tenants or a
6 not-for-profit agency designated by the tenants. Tenants should
7 contact the park owner or park management with such an offer. Any
8 such offer must be made and accepted prior to closure, and the
9 timeline for closure remains unaffected by an offer. Acceptance of
10 any offer is at the discretion of the owner and is not a first right
11 of refusal.

12 RELOCATION ASSISTANCE RESOURCES:

13 For information about the availability of relocation assistance,
14 contact the Office of Mobile/Manufactured Home Relocation Assistance
15 within the Department of Commerce."

16 (3) The closure notice required by RCW 59.20.080 must also meet
17 the following requirements:

18 (a) A copy of the closure notice must be provided with all rental
19 agreements signed after the original park closure notice date as
20 required under RCW 59.20.060;

21 (b) Notice to the director must include: (i) A good faith
22 estimate of the timetable for removal of the mobile homes; (ii) the
23 reason for closure; and (iii) a list of the names and mailing
24 addresses of the current registered park tenants. Notice required
25 under this subsection must be sent to the director within (~~ten~~) 10
26 business days of the date notice was given to all tenants as required
27 by RCW 59.20.080; and

28 (c) Notice must be recorded in the office of the county auditor
29 for the county where the mobile home park is located.

30 (4) The department must mail every tenant an application and
31 information on relocation assistance within (~~ten~~) 10 business days
32 of receipt of the notice required in subsection (1) of this section.

33 **Sec. 6.** RCW 59.21.040 and 2023 c 259 s 3 are each amended to
34 read as follows:

35 A tenant is not entitled to relocation assistance under this
36 chapter if: (1) The tenant has given notice to the landlord of his or
37 her intent to vacate the park and terminate the tenancy before any
38 written notice of closure pursuant to RCW 59.20.080(1)(e) has been
39 given; or (2) the tenant purchased a mobile home already situated in

1 the park or moved a mobile home into the park after a written notice
2 of closure pursuant to RCW 59.20.090 has been given and the person
3 received actual prior notice of the change or closure(~~(; or (3) the~~
4 ~~tenant receives assistance from an outside source that exceeds the~~
5 ~~maximum amounts of assistance to which a person is entitled under RCW~~
6 ~~59.21.021(3), except that a tenant receiving relocation assistance~~
7 ~~from a landlord pursuant to RCW 59.20.080 remains eligible for the~~
8 ~~maximum amounts of assistance under this chapter)). However, no~~
9 tenant may be denied relocation assistance under subsection (1) of
10 this section if the tenant has remained on the premises and continued
11 paying rent for a period of at least six months after giving notice
12 of intent to vacate and before receiving formal notice of a closure
13 or change of use.

--- END ---