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**SENATE BILL 6059**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators Frame, McCune, Keiser, Kuderer, Randall, Saldaña, Valdez, Van De Wege, Wellman, and C. Wilson

Read first time 01/09/24. 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 ---