

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1191

69th Legislature
2025 Regular Session

Passed by the House March 3, 2025
Yeas 97 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate April 2, 2025
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1191** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1191

Passed Legislature - 2025 Regular Session

State of Washington

69th Legislature

2025 Regular Session

By Representatives Connors, Peterson, Ryu, Gregerson, Barkis, Ormsby, and Hill

Prefiled 01/08/25. Read first time 01/13/25. Referred to Committee on Housing.

1 AN ACT Relating to removing vehicle titles from manufactured
2 homes; amending RCW 65.20.020, 65.20.030, 65.20.050, 65.20.060, and
3 65.20.070; and providing an effective date.

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

5 **Sec. 1.** RCW 65.20.020 and 2010 c 161 s 1154 are each amended to
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Affixed" means that the manufactured home is installed in
10 accordance with the installation standards in state law.

11 (2) "Department" means the department of licensing.

12 (3) "Eliminating the title" means to cancel an existing
13 certificate of title issued by this state or a foreign jurisdiction
14 or to waive the certificate of title required in chapter 46.12 RCW
15 and recording the appropriate documents in the county real property
16 records pursuant to this chapter.

17 (4) "Homeowner" means the owner of a manufactured home.

18 (5) "Land" means real property excluding the manufactured home.

19 (6) "Manufactured home" or "mobile home" means a structure,
20 designed and constructed to be transportable in one or more sections
21 and is built on a permanent chassis and designed to be used as a

1 dwelling with or without a permanent foundation when connected to the
2 required utilities that include plumbing, heating, and electrical
3 systems contained therein. The structure must comply with the
4 national mobile home construction and safety standards act of 1974 as
5 adopted by chapter 43.22 RCW if applicable. "Manufactured home" does
6 not include a modular home. A structure which met the definition of a
7 "manufactured home" at the time of manufacture is still considered to
8 meet this definition notwithstanding that it is no longer
9 transportable.

10 (7) "Owner" means, when referring to a manufactured home that is
11 titled, the person who is the registered owner. When referring to a
12 (~~mobile~~) manufactured home that is untitled pursuant to this
13 chapter, the owner is the person who owns the land. When referring to
14 land, the person may have fee simple title, have a leasehold estate
15 of (~~thirty-five~~) 35 years or more, have an individual interest in a
16 mobile home park as defined in RCW 59.22.020(5)(b), or be purchasing
17 the (~~property~~) land on a real estate contract. Owners include joint
18 tenants, tenants in common, holders of legal life estates, and
19 holders of remainder interests.

20 (8) "Person" means any individual, trustee, partnership,
21 corporation, or other legal entity. "Person" may refer to more than
22 one individual or entity.

23 (9) "Secured party" means the legal owner when referring to a
24 titled mobile home, or the lender securing a loan through a mortgage,
25 deed of trust, or real estate contract when referring to land or land
26 containing an untitled manufactured home pursuant to this chapter.

27 (10) "Security interest" means an interest in (~~property~~) land
28 or a manufactured home to secure payment of a loan made by a secured
29 party to a borrower.

30 (11) "Title" or "titled" means a certificate of title issued
31 pursuant to chapter 46.12 RCW.

32 **Sec. 2.** RCW 65.20.030 and 2000 c 250 s 9A-836 are each amended
33 to read as follows:

34 (1) When a manufactured home is sold or transferred on or after
35 March 1, 1990, and when all ownership in the manufactured home is
36 transferred through the sale or other transfer of the manufactured
37 home to new owners, the manufactured home shall be real property when
38 the new owners eliminate the title pursuant to this chapter. The
39 manufactured home shall not be real property in any form, including

1 fixture law, unless the title is eliminated under this chapter. Where
2 any person who owned a used manufactured home on March 1, 1990,
3 continues to own the manufactured home on or after March 1, 1990, the
4 interests and rights of owners, secured parties, lienholders, and
5 others in the manufactured home shall be based on the law prior to
6 March 1, 1990, except where the owner voluntarily eliminates the
7 title to the manufactured home by complying with this chapter. If the
8 title to the manufactured home is eliminated under this chapter, the
9 manufactured home shall be (~~treated the same as a site-built~~
10 ~~structure and ownership shall be based on ownership of the~~)
11 considered real property (~~through real property law~~). If the title
12 to the manufactured home has not been eliminated under this chapter,
13 ownership shall be based on chapter 46.12 RCW.

14 (2) For purposes of perfecting and realizing upon security
15 interests, manufactured homes shall always be treated as follows:
16 (~~(1)~~) (a) If the title has not been eliminated under this chapter,
17 security interests in the manufactured home shall be perfected only
18 under chapter 62A.9A RCW in the case of a manufactured home held as
19 inventory by a manufacturer or dealer or chapter 46.12 RCW in all
20 other cases, and the lien shall be treated as securing personal
21 property for purposes of realizing upon the security interest; or
22 (~~(2)~~) (b) if the title has been eliminated under this chapter, a
23 separate security interest in the manufactured home shall not exist,
24 and the manufactured home shall only be secured as part of the real
25 property through a mortgage, deed of trust, lease, or real estate
26 contract.

27 **Sec. 3.** RCW 65.20.050 and 1989 c 343 s 5 are each amended to
28 read as follows:

29 (1) The department shall approve the application for elimination
30 of the title when all requirements listed in RCW 65.20.040 have been
31 satisfied and the registered and legal owners of the manufactured
32 home have consented to the elimination of the title. After approval,
33 the department shall have the approved application recorded in the
34 county or counties in which the land is located and on which the
35 manufactured home is affixed.

36 (2) The county auditor shall record the approved application, and
37 any other form prescribed by the department, in the county real
38 property records. The manufactured home shall then be treated as real
39 property (~~as if it were a site-built structure~~). Removal of the

1 manufactured home from the land is prohibited unless the procedures
2 set forth in RCW 65.20.070 are complied with.

3 (3) The department shall cancel the title after verification that
4 the county auditor has recorded the appropriate documents, and the
5 department shall maintain a record of each manufactured home title
6 eliminated under this chapter by vehicle identification number. The
7 title is deemed eliminated on the date the appropriate documents are
8 recorded by the county auditor.

9 **Sec. 4.** RCW 65.20.060 and 1989 c 343 s 6 are each amended to
10 read as follows:

11 It is the responsibility of the owner, secured parties, and
12 others to take action as necessary to protect their respective
13 interests in conjunction with the elimination of the title or
14 reissuance of a previously eliminated title.

15 A manufactured home whose title has been eliminated shall be
16 conveyed by deed, lease, or real estate contract and shall only be
17 transferred together with the interest in the ((~~property~~)) land to
18 which it is affixed, unless procedures described in RCW 65.20.070 are
19 completed.

20 Nothing in this chapter shall be construed to require a
21 ((~~lender~~)) secured party to consent to the elimination of the title
22 of a manufactured home, or to retitling a manufactured home under RCW
23 65.20.070. The obligation of the ((~~lender~~)) secured party to consent
24 is governed solely by the agreement between the ((~~lender~~)) secured
25 party and the owner of the manufactured home. Absent any express
26 written contractual obligation, a ((~~lender~~)) secured party may
27 withhold consent in the ((~~lender's~~)) secured party's sole discretion.
28 In addition, the homeowner shall comply with all reasonable
29 requirements imposed by a ((~~lender~~)) secured party for obtaining
30 consent, and a ((~~lender~~)) secured party may charge a reasonable fee
31 for processing a request for consent.

32 **Sec. 5.** RCW 65.20.070 and 1989 c 343 s 7 are each amended to
33 read as follows:

34 Before physical removal of an untitled manufactured home from the
35 land the home is affixed to, the owner shall follow one of these two
36 procedures:

37 (1) Where a title is to be issued or the home has been destroyed:

1 (a) The owner shall apply to the department for a title pursuant
2 to chapter 46.12 RCW. In addition the owner shall provide:

3 (i) An affidavit in the form prescribed by the department, signed
4 by the owners of the land and all secured parties and other
5 lienholders in the land consenting to the removal of the home;

6 (ii) Payment of recording fees;

7 (iii) A certification from a title insurance company listing the
8 owners and lienholders in the land and dated within (~~ten~~) 10 days
9 of the date of application for a new title under this subsection; and

10 (iv) Any other information the department may require;

11 (b) The owner shall apply for and obtain permits necessary to
12 move a manufactured home including but not limited to the permit
13 required by RCW 46.44.170, and comply with other regulations
14 regarding moving a manufactured home; and

15 (c) The department shall approve the application for title when
16 the requirements of chapter 46.12 RCW and this subsection have been
17 satisfied. Upon approval the department shall have the approved
18 application and the affidavit recorded in the county or counties in
19 which the land from which the home is being removed is located and
20 the department shall issue a title. The title is deemed effective on
21 the date the appropriate documents are recorded with the county
22 auditor.

23 (2) Where the manufactured home is to be moved to a new location
24 but again will be affixed to land owned by the homeowner a new title
25 need not be issued, but the following procedures must be complied
26 with:

27 (a) The owner shall apply to the department for a transfer in
28 location of the manufactured home and if a new owner, a transfer in
29 ownership by filing an application pursuant to RCW 65.20.040. In
30 addition the owner shall include:

31 (i) An affidavit in the form prescribed by the department signed
32 by all of the owners (~~of the real property from which the~~
33 ~~manufactured home is being moved indicating their consent~~). The
34 affidavit shall include the consent of all secured parties and other
35 lienholders in the land from which the manufactured home is being
36 moved;

37 (ii) A legal description and property tax parcel number of the
38 real property from which the home is being removed and a legal
39 description and property tax parcel number of the land on which the
40 home is being moved to; and

1 (iii) A certification from a title insurance company listing the
2 owners and lienholders in the land and dated within (~~ten~~) 10 days
3 of the application for transfer in location under this subsection;
4 (b) The owner shall apply for and obtain permits necessary to
5 move a manufactured home including but not limited to RCW 46.44.170,
6 and comply with other regulations regarding moving a manufactured
7 home; and
8 (c) After approval, including verification that the owners,
9 secured parties, and other lienholders have consented to the move,
10 the department shall have the approved application recorded in the
11 county or counties in which the land from which the home is being
12 removed and the land to which the home is being moved is located.

13 NEW SECTION. **Sec. 6.** This act takes effect October 15, 2025.

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