CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5298

Chapter 205, Laws of 2025

69th Legislature
2025 Regular Session

MANUFACTURED/MOBILE HOME COMMUNITIES—NOTICE OF SALE OR LEASE—MODIFICATION

EFFECTIVE DATE: July 27, 2025

Passed by the Senate April 18, 2025
Yeas 48 Nays 0

JOHN LOVICK

President of the Senate

Passed by the House April 9, 2025
Yeas 98 Nays 0

LAURIE JINKINS

Speaker of the House of Representatives

Approved May 7, 2025 1:24 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5298** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 12, 2025

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5298

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senate Housing (originally sponsored by Senators Frame, Bateman, Conway, Hasegawa, Nobles, Stanford, Trudeau, Valdez, and C. Wilson)

READ FIRST TIME 02/11/25.

AN ACT Relating to the notice of sale or lease of manufactured/mobile home communities; amending RCW 59.20.325 and 59.20.335; and repealing RCW 59.20.300.

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

NEW SECTION. **Sec. 1.** RCW 59.20.300 (Manufactured/mobile home communities—Notice of sale) and 2023 c 40 s 6, 2011 c 158 s 5, & 2008 c 116 s 4 are each repealed.

Sec. 2. RCW 59.20.325 and 2024 c 325 s 2 are each amended to read as follows:

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

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

(a) ((~~All~~)) Each tenant((~~s~~)) of the manufactured/mobile home community;

(b) ((~~A qualified tenant organization, if there is an existing qualified tenant organization within the manufactured/mobile home community~~)) The officers of any known qualified tenant organization;

(c) The department of commerce; ((~~and~~))

(d) The local government within whose jurisdiction all or part of the manufactured/mobile home community exists;

(e) Any housing authority within whose jurisdiction all or part of the manufactured/mobile home community exists; and

(f) The Washington state housing finance commission.

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

(a) The date that the notice was ((~~mailed by certified mail or personally delivered~~)) served per RCW 59.20.150 to all tenants referenced in subsection (2)(a) of this section and distributed to all recipients set forth in subsection (2) (b) through (f) of this section;

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

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

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

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

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

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

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

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

(6) Electronic delivery of the notice of opportunity to compete to purchase is acceptable to:

(a) The department of commerce;

(b) The local government within whose jurisdiction all or part of the manufactured/mobile home community exists;

(c) Any housing authority within whose jurisdiction all or part of the manufactured/mobile home community exists; and

(d) The Washington state housing finance commission.

(7) Delivery of the notice of opportunity to compete to purchase to the department of commerce must include one copy of the notice as sent to each tenant of the manufactured/mobile home community.

(8) Notices sent under subsection (2)(c) through (f) of this section must be sent within 10 days of notices sent under subsection (2)(a) and (b) of this section.

Sec. 3. RCW 59.20.335 and 2024 c 325 s 4 are each amended to read as follows:

(1) During the process described in RCW 59.20.325 ((~~and 59.20.330~~)), the parties shall act in good faith and in a commercially reasonable manner, which includes a duty for the tenants to notify the owner promptly if there is no intent to purchase the manufactured/mobile home community or the property on which it sits. The parties have an overall duty to act in good faith. With respect to negotiation, this overall duty of good faith requirement means that the owner must allow the tenants to develop an offer, must give their offer reasonable consideration, and to further competition, must inform any qualified tenant organization, eligible organizations, and competing potential buyers participating in negotiations upon receipt if a preferred offer is submitted. Furthermore, the owner may not deny residents the same access to the community and to information, such as operating expenses and rent

rolls, that the landowner would give to a commercial buyer. With respect to financial information, all parties shall agree to keep this information confidential.

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

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

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

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

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

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

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

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

(8) Every six months from the date of delivery of a notice of opportunity to compete to purchase as provided in RCW 59.20.325 until sold or no longer for sale or actively listed, the owner must provide the department of commerce by mail, electronic delivery, or personal delivery an update on the status of the notification and an update on

the status of sale. The update will be made publicly available by the department of commerce within 10 business days of receipt. The notice must include:

(a) The date that the notice was sent by mail, electronically delivered, or personally delivered to all recipients as set forth in RCW 59.20.325;

(b) The status of the sale or the opportunity to compete to purchase of the property as active, under contract, closed, or removed from the market;

(c) If the property has sold, the date of closing;

(d) If the property is under contract, the anticipated closing date;

(e) If the property is active, any change in listing price and other information noted in subsection (1) of this section.

Passed by the Senate April 18, 2025.
Passed by the House April 9, 2025.
Approved by the Governor May 7, 2025.
Filed in Office of Secretary of State May 12, 2025.

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