

# HOUSE BILL REPORT

## HB 1393

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### As Reported by House Committee On:

Housing  
Appropriations

**Title:** An act relating to movement of mobile homes.

**Brief Description:** Regulating movement of older mobile homes.

**Sponsors:** Representatives Buri, Grant, Cox, B. Sullivan, Condotta, Dunshee and Chase.

### Brief History:

#### Committee Activity:

Housing: 2/1/05, 3/1/05 [DPS];

Appropriations: 3/5/05 [DPS(HOUS)].

#### Brief Summary of Substitute Bill

- Requires certification of compliance with safety rules adopted by the Department of Labor and Industries before movement of older mobile homes upon public highways.

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### HOUSE COMMITTEE ON HOUSING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Miloscia, Chair; Springer, Vice Chair; Holmquist, Ranking Minority Member; Dunn, Assistant Ranking Minority Member; McCune, Ormsby, Pettigrew, Schindler and Sells.

**Staff:** CeCe Clynch (786-7168).

#### Background:

Currently, *before* moving any mobile home on a public highway, a person is required to obtain a special permit from the Department of Transportation and local authorities. No permit or certification is required from the Department of Labor and Industries (Department) in connection with the movement of a mobile home.

The Department has adopted safety rules for mobile homes. Compliance with Department safety rules is deemed compliance with county or city ordinances. The Department is also responsible for establishing uniform installation standards for mobile homes. An installation inspection, by its nature, occurs *after* the mobile home has been moved to a new location, and a safety inspection is generally done at this time.

If a mobile home does not meet the Department rules and standards, the local jurisdiction will not permit occupancy. Mobile homes which do not meet the safety rules are often abandoned by their owners at the new location, leaving landowners and local jurisdictions to deal with disposal.

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**Summary of Substitute Bill:**

A certificate from the Department that mobile homes constructed before 1976 meet Department safety rules is required *before* movement of the mobile home on the public highways. An exception to this requirement, in the form of an affidavit signed under penalty of perjury by the owner, is made for mobile homes being transferred for disposal. An exception is also made for owners who sign an affidavit that they are moving the home for his or her continued occupation or use. No change is made with respect to the timing of an installation inspection. The amended bill requires that by January 1, 2006, the Department adopt procedures to notify destination local jurisdictions about the arrival of mobile homes that failed safety inspections.

In the case of homes manufactured prior to June 15, 1976, the registered owner of a home must provide notice to a purchaser that failure of the mobile home to meet U.S. Department of Housing and Urban Development or Department standards may result in denial of a local jurisdiction to site the home.

**Substitute Bill Compared to Original Bill:**

- corrects a reference to the Department of Licensing by stating that homes constructed before 1976 are required to obtain a certification from the Department of Labor and Industries that the mobile home passed an inspection for fire safety;
- excludes owners of homes who are moving the home for his/her continued occupation from this inspection requirement;
- requires that by January 1, 2006, the Department adopt procedures to notify destination local jurisdictions concerning the arrival of mobile homes that failed safety inspections;
- requires that the Department adopt rules concerning safety standards necessary to implement the section in statute making it unlawful for any person to sell or lease a mobile home unless that home meets Department safety standards; and
- in the case of homes manufactured prior to June 15, 1976, mandates that registered owners of a home provide notice to a purchaser that failure of the mobile home to meet U.S. Department of Housing and Urban Development or Department standards may result in denial of a local jurisdiction to site the home.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (In support) Some older mobile homes are being dumped when they fail the safety inspection which is requested by the local jurisdiction to which the mobile home has been moved. The burden falls on the landowner or the county to get rid of them. It is not necessarily illegal to sell a mobile home which does not meet with the Departments safety regulations. The bill would prevent homes which cannot pass the safety inspection from being moved in the first place and then they would not be abandoned at their destination point.

(With concerns) Some of the older homes are good quality. A consequence of the bill would be to strip all equity from these older homes because they would not be able to be moved. Some mobile home parks have empty spaces and if older homes cannot be moved these spaces may not be filled and eventually the park will have to close.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative Buri, prime sponsor; and Michael Shaw.

(With concerns) Bruce Neas, Columbia Legal Services; John Woodring, Manufactured Housing Community of Washington; and Nick Federici, Washington Low Income Housing Alliance.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Housing be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Clements, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, Miloscia, Pearson, Priest, Schual-Berke, Talcott and Walsh.

**Staff:** Nona Snell (786-7153).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Housing:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** The idea for the bill came from Adams County where homes are often abandoned because they do not meet code when they are inspected after they are moved. Inspecting the homes before they are moved will eliminate the problem, but most importantly, the bill will protect people who buy homes. Home buyers may find out after they have paid for a mobile home and it is moved that the home does not meet inspection standards. The home may require upgrades to meet code and the upgrades may cost as much as the home. If the home buyer can not afford to pay for the upgrades, they may abandon the home.

**Testimony Against:** None.

**Persons Testifying:** Jim Potts, Rural Counties.

**Persons Signed In To Testify But Not Testifying:** None.