

SENATE BILL REPORT

SB 6400

As of February 01, 2006

Title: An act relating to manufactured home parks or manufactured housing communities.

Brief Description: Regulating manufactured home parks or manufactured housing communities.

Sponsors: Senators Prentice, McCaslin and Benton.

Brief History:

Committee Activity: Financial Institutions, Housing & Consumer Protection: 1/31/06.

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & CONSUMER PROTECTION

Staff: Jennifer Arnold (786-7471)

Background: As of July 1, 2005, local governments are prohibited from enacting any statute or ordinance that, either directly or indirectly, has the effect of discriminating against a consumer's choice in the placement or use of a home. Homes built to the federal manufactured housing construction standards must be regulated in the same manner as site-built homes, factory built homes, and homes built to any other state construction standard.

However, for the purposes of siting, local governments are allowed to require that manufactured housing meet the following requirements:

- 1) be new;
- 2) be set on a permanent foundation;
- 3) be in compliance with all local design standards applicable to all other homes in the same neighborhood;
- 4) be thermally equivalent to the state energy code; and
- 5) meet all other requirements for a designated manufactured home.

"Mobile home park" or "manufactured housing community" is defined as any real property that is rented to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented for seasonal recreational purpose only and is not intended for year-round occupancy.

Summary of Substitute Bill: Local governments are not allowed to require, for the purposes of siting, that manufactured home parks or manufactured housing communities meet any of the five conditions listed above.

Substitute Bill Compared to Original Bill: The bill as referred to committee was not considered.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Legislation that was enacted in 2004 has resulted in dire consequences for manufactured housing parks and communities. These unintended consequences are defeating the intent of the original bill, which was to aid residential in-fill, not diminish it. This is critical legislation; without it manufactured housing communities are being regulated in a way that has the effect of reducing the overall availability of low-income housing. For example, some cities have interpreted this bill as meaning that only new homes can be in a manufactured housing park. This change is needed because the original bill from 2004 was intended to apply to single-lot residential homes, not whole housing parks or communities. Further, this bill will not change how local governments continue to regulate single-lot homes that are not in a park or community.

Testimony Against: None.

Who Testified: PRO: John Woodring, Manufactured Housing Communities of Washington; Ken Spencer, Manufactured Housing Communities of Washington; Bob Mitchell, Washington Realtors.