
SENATE BILL 6546

State of Washington

64th Legislature

2016 Regular Session

By Senators Roach and Hobbs

Read first time 01/25/16. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to actual utility costs of a landlord under the
2 manufactured/mobile home landlord-tenant act; amending RCW 59.20.070;
3 and creating a new section.

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

5 **Sec. 1.** RCW 59.20.070 and 2012 c 213 s 2 are each amended to
6 read as follows:

7 A landlord shall not:

8 (1) Deny any tenant the right to sell such tenant's mobile home,
9 manufactured home, or park model within a park, or prohibit, in any
10 manner, any tenant from posting on the tenant's manufactured/mobile
11 home or park model, or on the rented mobile home lot, a commercially
12 reasonable "for sale" sign or any similar sign designed to advertise
13 the sale of the manufactured/mobile home or park model. In addition,
14 a landlord shall not require the removal of the mobile home,
15 manufactured home, or park model from the park because of the sale
16 thereof. Requirements for the transfer of the rental agreement are in
17 RCW 59.20.073. Nothing in this subsection prohibits a landlord from
18 enforcing reasonable rules or restrictions regarding the placement of
19 "for sale" signs on the tenant's manufactured/mobile home or park
20 model, or on the rented mobile home lot, if (a) the main purpose of
21 the rules or restrictions is to protect the safety of park tenants or

1 residents and (b) the rules or restrictions comply with RCW
2 59.20.045. The landlord may restrict the number of "for sale" signs
3 on the lot to two and may restrict the size of the signs to conform
4 to those in common use by home sale businesses;

5 (2) Restrict the tenant's freedom of choice in purchasing goods
6 or services but may reserve the right to approve or disapprove any
7 exterior structural improvements on a mobile home space: PROVIDED,
8 That door-to-door solicitation in the mobile home park may be
9 restricted in the rental agreement. Door-to-door solicitation does
10 not include public officials or candidates for public office meeting
11 or distributing information to tenants in accordance with subsection
12 (3) or (4) of this section;

13 (3) Prohibit the distribution of information or meetings by
14 tenants of the mobile home park to discuss mobile home living and
15 affairs, including political caucuses or forums for or speeches of
16 public officials or candidates for public office, or meetings of
17 organizations that represent the interest of tenants in the park,
18 held in a tenant's home or any of the park community or recreation
19 halls if these halls are open for the use of the tenants, conducted
20 at reasonable times and in an orderly manner on the premises, nor
21 penalize any tenant for participation in such activities;

22 (4) Prohibit a public official or candidate for public office
23 from meeting with or distributing information to tenants in their
24 individual mobile homes, manufactured homes, or park models, nor
25 penalize any tenant for participating in these meetings or receiving
26 this information;

27 (5) Evict a tenant, terminate a rental agreement, decline to
28 renew a rental agreement, increase rental or other tenant
29 obligations, decrease services, or modify park rules in retaliation
30 for any of the following actions on the part of a tenant taken in
31 good faith:

32 (a) Filing a complaint with any federal, state, county, or
33 municipal governmental authority relating to any alleged violation by
34 the landlord of an applicable statute, regulation, or ordinance;

35 (b) Requesting the landlord to comply with the provision of this
36 chapter or other applicable statute, regulation, or ordinance of the
37 state, county, or municipality;

38 (c) Filing suit against the landlord for any reason;

39 (d) Participation or membership in any homeowners association or
40 group;

1 (6) Charge to any tenant a utility fee in excess of actual
2 utility costs or intentionally cause termination or interruption of
3 any tenant's utility services, including water, heat, electricity, or
4 gas, except when an interruption of a reasonable duration is required
5 to make necessary repairs. For purposes of this subsection, a
6 landlord's actual utility costs include all expenses incurred by the
7 landlord to provide the utility to the tenant, including repair,
8 replacement, maintenance, and administrative expenses;

9 (7) Remove or exclude a tenant from the premises unless this
10 chapter is complied with or the exclusion or removal is under an
11 appropriate court order; or

12 (8) Prevent the entry or require the removal of a mobile home,
13 manufactured home, or park model for the sole reason that the mobile
14 home has reached a certain age. Nothing in this subsection shall
15 limit a landlords' right to exclude or expel a mobile home,
16 manufactured home, or park model for any other reason, including but
17 not limited to, failure to comply with fire, safety, and other
18 provisions of local ordinances and state laws relating to mobile
19 homes, manufactured homes, and park models, as long as the action
20 conforms to this chapter or any other relevant statutory provision.

21 NEW SECTION. **Sec. 2.** This act is remedial and curative in
22 nature and applies retroactively.

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