



Manufactured Housing Dispute Resolution Program

2022 Annual Report to the Washington State Legislature

Table of Contents

EXECUTIVE SUMMARY.....1

MANUFACTURED HOUSING
DISPUTE RESOLUTION
PROGRAM OVERVIEW.....2

PROGRAM STATISTICS.....3

OUTREACH.....5

STAFFING.....5



Manufactured Housing Dispute Resolution Program

Executive Summary

HISTORY

The 2007 Washington State Legislature recognized that there are factors unique to the relationship between a manufactured/mobile home tenant and their landlord. The difficulty and expense of moving and relocating a manufactured/mobile home creates unique challenges. The Legislature found that many tenants who experienced violations of the manufactured/mobile home landlord-tenant act (MHLTA) were often left without protections or access to legal remedies. In response, the State Legislature passed into law RCW 59.30. This law authorizes the Attorney General's Office to administer the Manufactured Housing Dispute Resolution Program (the Program) and enforce the Manufactured/Mobile Home Landlord-Tenant Act, RCW 59.20. It also authorizes the Department of Revenue to register manufactured/mobile home communities and collect registration fees.

In addition to authorizing the Attorney General's Office to administer the dispute resolution program, the Legislature authorized the Attorney General to produce and distribute educational materials regarding the manufactured/mobile home landlord-tenant act and the manufactured/mobile home dispute resolution; to create and maintain a database of manufactured/mobile home communities that have had complaints filed against them, other data related to the complaints filed, and the outcome of complaints. The Program is required to provide this annual report to the Legislature on the data collected, including Program performance measures and recommendations regarding how the Manufactured/Mobile Home Dispute Resolution program may be improved.

MISSION STATEMENT

The Manufactured Housing Dispute Resolution Program enforces the Manufactured/Mobile Home Landlord Tenant Act, educates stakeholders, and fosters relationships between manufactured/mobile home community home owners and land owners. We facilitate communication among parties in an effort to resolve disputes and avoid evictions.

MANUFACTURED HOUSING DISPUTE RESOLUTION PROGRAM OVERVIEW

PROCESS FOR RESOLVING COMPLAINTS

Both homeowners and landlords may file complaints with the Program if they believe there is a violation of RCW 59.20.

The Program receives and reviews complaints and provides services pursuant to RCW 59.30, including investigating complaints and facilitating dispute resolution where the complaint involves RCW 59.20. The Program gathers information and documents from the parties to inform the dispute resolution process, and facilitates communication between the parties in an effort to help resolve the complaint.

If the issues presented in a complaint do not involve RCW 59.20, the Program provides the complainant with information about other resources available to help them resolve the issue, including referrals to other agencies or dispute resolution centers, or recommends the complainant contact a private attorney.

Complainants and respondents must cooperate with the Program during an investigation. Failure to cooperate with the Program in the course of an investigation is a violation of RCW 59.30.

Filing a complaint with the Program does not prevent the parties from taking legal action as permitted in RCW 59.20 or negotiating directly with each other to find a resolution independent from the Program.

INVESTIGATION AND ENFORCEMENT

If the parties cannot reach an agreement through the Program's dispute resolution process, the Program will refer the matter to the Program's Assistant Attorney General, who will review and consider the facts and make a written determination about whether there is a violation of RCW 59.20. The AAG or the Program may conduct further investigation before issuing a Notice of Violation or a Notice of Non-violation. The Program may also issue an order requiring a party to cease and desist from an unlawful practice and take affirmative actions that will carry out the purposes of RCW 59.30.

If the Program determines that a landlord or tenant has violated RCW 59.20, it will issue a written Notice of Violation to the party who committed the violation. The Notice of Violation will specify the corrective action required, the time within which the corrective action must be taken, any fines or penalties that will be imposed if corrective action is not taken within the specified time period, and the process for contesting the determination in the Notice of Violation through an administrative hearing.

If the Program determines that the responding party did not violate RCW 59.20, it will issue a written Notice of Non-violation.

The Program provides the parties with all written notices issued by the Program.

PROGRAM STATISTICS

The Program has had great success in achieving complaint resolution and compliance with RCW 59.20 without issuing Notices of Violation or imposing fines. At this juncture, the Program does not foresee fines as a significant source of revenue for the Program because our efforts to resolve complaints through the dispute resolution process have been effective without imposing fines.

Fines Issued in 2022

	Tenants	Landlords
Fines issued in 2022	0	0

The Program reports the following for the reporting period of December 3, 2021 through December 31, 2022. Over the course of the year, the Program received a record number of complaints and telephone calls compared to 2020 and 2021.

1. Number of complaints received

	Tenants	Landlords
Complaints received	572	12

2. Communications with constituents

The Program received approximately 1,358 telephone calls during this reporting period. Program staff provide callers with information about RCW 59.20 and 59.30, Program services, the dispute resolution process, and how to access Program services. In addition, Program staff assisted callers by providing resources and referrals for issues that did not involve RCW 59.20 and 59.30.

3. Top complaint issues:

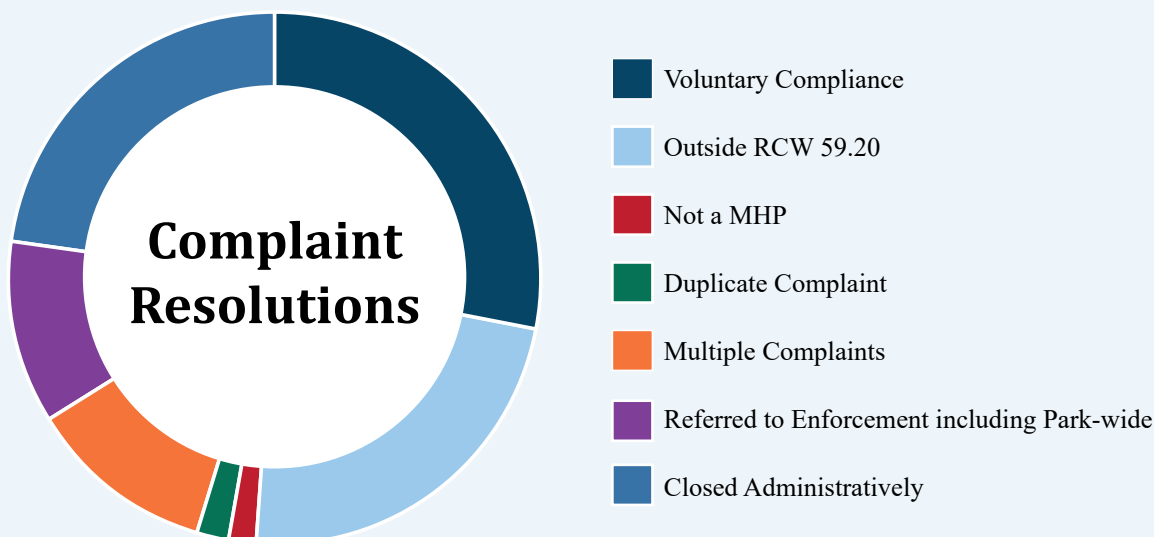
Issue	# of complaints
Utilities	32
General Maintenance	22
Notice of Rent Increase	22
Rental Increase	20
Eviction Issues	16
Rental Agreement	16
Rules Enforcement	14
Duties of Landlord	12
Screening / Denial of Sale or Tenancy	9
Permanent Structure	5
Fees	4

4. Number of complaints closed

	Tenants	Landlords
Complaints received	424	7

5. Complaint resolutions

Complaint Resolutions:	# of Complaints
Voluntary Compliance	121
Outside RCW 59.20	100
Not a MHP	7
Duplicate Complaint	8
Multiple Complaints	50
Referred to Enforcement including Park-wide	47
Closed Administratively	98



Enforcement Actions	Tenants	Landlords
Notice of Violation	0	1*
Notice of Non-violation	0	0
Voluntary Compliance referred to AAG resulting in compliance	0	0
Administrative Closure	0	0
Order to Cease and Desist or Affirmative Action	0	1*

* Notice and Order involved 13 complaints from the same Park

6. Administrative appeals

Appeals to the Office of Administrative Hearings	Tenants	Landlords
Appeals of Violations to Office of Administrative Hearings	0	1
Appeals of Non-Violations to Office of Administrative Hearings	0	0

7. Court of Appeal Decision:

Court of Appeal Decision	Tenants	Landlords
	0	0
	0	0

OUTREACH AND EDUCATION

The Program produces and distributes educational materials to landlords, tenants, and stakeholders concerning RCW 59.20 and the Program as required by RCW 59.30.030(3)(a), (b) and (c), including the notice of tenants' rights and responsibilities that must be posted by all landlords pursuant to RCW 59.30.030(2)(b)(i). All educational materials are available in English and Spanish and in other languages upon request.

The Program strives to provide quality educational materials and outreach for the benefit of landlords, tenants, and other stakeholders. The Program provided educational materials to stakeholders upon request and distributed notice of tenants' rights and responsibilities to mobile home park landlords and owners.

The Program hosted virtual stakeholder meeting in March 2022 and presented at stakeholder meeting upon request. The Program is planning more virtual outreach events for 2023 and in-person outreach as guidelines allow.

PROGRAM STAFF

The Program managed many staffing changes in 2022 and experienced staffing shortages for extended periods of time throughout the year.

CURRENT PROGRAM STAFF

- Sandra Hatcher, Program Supervisor
- Vacant, Program Dispute Resolution Specialist
- Camille Carroll, Program Services Specialist
- Vacant, Program Coordinator
- Scott Henderson, Program Investigator
- Sebastian Miller, Assistant Attorney General
- Cynthia Lockridge, Program Director

To contact the Manufactured Housing Dispute Resolution Program:

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