

WAC 296-150M-0049 What must be done prior to the sale of an installed manufactured or mobile home by a homeowner? (1) Prior to the sale of any installed manufactured or mobile home, the homeowner must:

(a) Deliver to the buyer a completed property transfer disclosure statement in accordance with chapter 64.06 RCW, unless the seller is exempt or the buyer waives his or her rights pursuant to chapter 64.06 RCW. The disclosure statement must include all the criteria specified in RCW 64.06.020 and any variance(s) granted according to WAC 296-150M-0140. In addition, the homeowner must:

(i) Have all department insignia required by this chapter; or

(ii) Have all department insignia required by this chapter for alterations performed during ownership of the home and include in the property transfer disclosure statement all alterations that were known to have been performed by any previous owner or occupant of the home.

(b) Nothing in subsection (1) of this section shall have any effect on any written warranty(ies) required by RCW 46.70.135.

(c) Subsection (1)(a)(ii) of this section does not permit the sale of an unsafe manufactured or mobile home when the use of which may constitute a hazard to life, safety, or health.

(2) The homeowner may enter into a conditional sale of an altered manufactured or mobile home. A conditional sales agreement may be executed only if, prior to execution, the seller has complied with subsection (1) of this section. For purposes of this subsection "conditional sale" means an agreement between the seller and the purchaser which is contingent on the seller fulfilling the conditions established by the purchaser (i.e., the sale of the home is contingent on the seller ensuring that alterations performed to the manufactured or mobile home are in compliance with these rules).

(3) The homeowner may request an inspection by the department. If after the inspection the department determines that an alteration may constitute a hazard to life, safety, or health, the department must notify the homeowner in writing within thirty days of completing the inspection. The department may also notify the local official responsible for enforcing the fire code adopted under chapter 19.27 RCW and/or the local health officer.

Note: In addition to the homeowner requesting an inspection by the department, any party including the buyer and/or party financing the sale may also request an inspection. The department will conduct the inspection and if after the inspection the department determines that an alteration may constitute a hazard to life, safety, or health, the department shall notify the interested parties identified by the requesting party in writing within thirty days of completing the inspection. The department may also notify the local official responsible for enforcing the fire code adopted under chapter 19.27 RCW and/or the local health officer.

[Statutory Authority: RCW 43.22.340, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.480, and 43.22.485, 2002 c 268, and chapter 43.22 RCW. WSR 03-12-044, § 296-150M-0049, filed 5/30/03, effective 5/30/03. Statutory Authority: RCW 43.22.340, 43.22.350, 43.22.432, 43.22.434, 43.22.440, and 2001 c 335. WSR 02-03-048, § 296-150M-0049, filed 1/9/02, effective 1/9/02.]