

# HOUSE BILL REPORT

## HB 2717

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**As Passed House:**  
February 11, 2006

**Title:** An act relating to mobile home park sewer-related charges.

**Brief Description:** Restricting mobile home park sewer-related charges.

**Sponsors:** By Representatives Schindler, O'Brien, Dunn, McCune, Miloscia and Holmquist.

**Brief History:**

**Committee Activity:**

Housing: 1/26/06, 2/2/06 [DP].

**Floor Activity:**

Passed House: 2/11/06, 93-2.

**Brief Summary of Bill**

- Prohibits local jurisdictions from imposing any sewer-related charges on mobile home parks, until the park connects to the sewer service.

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### HOUSE COMMITTEE ON HOUSING

**Majority Report:** Do pass. Signed by 8 members: Representatives Miloscia, Chair; Springer, Vice Chair; Holmquist, Ranking Minority Member; Dunn, Assistant Ranking Minority Member; McCune, Pettigrew, Schindler and Sells.

**Minority Report:** Do not pass. Signed by 1 member: Representative Ormsby.

**Staff:** Robyn Dupuis (786-7166).

**Background:**

In 1998, a law was enacted which prohibited local governments from requiring manufactured housing communities with functioning septic systems to hook up to local sewer systems. In 2003, another law was enacted to add that a jurisdiction may not charge mobile home parks, which are not connected to a sewer service for the following:

- (a) sewer service availability charges;
- (b) standby charges;
- (c) consumption charges; and
- (d) any other similar type of charge associated with available but unused sewer service.

RCW Reference: 35.67.370

In at least one instance, a mobile home park in Washington not connected to the local sewer service has been charged with what the park believes to be sewer-related charges.

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**Summary of Bill:**

Mobile home parks may not be charged for any charges related to sewers.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** (In support) Two bills have passed during the last 10 years, in 1998, and again in 2003, to prevent local jurisdictions from obligating manufactured housing communities, with functioning systems, to hook up to local sewer systems and to prevent them from charging sewer related fees. The intent sections are clear, communities should not have to pay until their system fails and they hook up to the local system. If you have vacant land, and therefore are not using the local sewer system, you obviously don't get charged. If you don't use your local utility service you are not charged for this either. This is an affordable housing issue, mobile home parks are closing across the state because of increased costs and charges such as these.

**Testimony Against:** (Opposed) Spokane, the local jurisdiction where this conflict has arisen, faces unique circumstances and, since it is a local issue, it should be addressed there, not at the state level. Spokane is under mandate to convert completely to sewers due to the fact that the area is located over a sole source aquifer and already the levels of phosphorous are high (very likely attributable to human waste from septic systems). The cost of the system should be paid for by all residents. If one class of resident, those who own and operate or live in mobile home communities, are excluded then a higher cost must be born by the others. There are ways that the county is trying to mitigate the cost to low-income households, such as waiving interest for those paying their share over time.

**Persons Testifying:** (In support) Representative Schindler, prime sponsor; Walt Olsen, Pine Croft Mobile Home Park; John Woodring, Manufactured Housing Communities of Washington; and Fred Jones, Washington State President of Mobile Home Owners of America.

(Opposed) Todd Mielke, Spokane County Commissioner; and Ed Thorpe, Director of Coalition for Clean Water.

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