DCLU

Director's Rule 13-91

Applicant	Page 1 of 7	Supersedes NA
City of Seattle Department of Construction and Land Use	Publication 7-9-91	Effective 8-1-91
	Code and Section Reference 22.904.450 SMC	
Subject Mobile Home Park Resident Assistance Ordinance Relocation Report and Plan: Procedures, Definitions and Implementation	Type of Rule Code Interpretation	
	Ordinance Authority 3.06.040 SMC	
Index Housing/Fee	DCLU Approved Dennis J. McLerran	Date 8/1/91

BACKGROUND

In response to the issues raised by mobile home park closures and displacement of residents with no place to relocate their mobile homes, the Mayor and Seattle City Council approved Ordinance 115183 in July 1990. This ordinance, the Mobile Home Park Resident Assistance Ordinance, requires mobile home park owners to prepare a Relocation Report and Plan to assist residents of mobile home parks displaced because of park closure or change of use.

Whenever a mobile home park is proposed for either closure or a change of use, the park owner is required to prepare a Relocation Report and Plan. One objective of the Relocation Report and Plan is to describe how the owner intends to comply with State requirements for the mandatory twelve-month eviction notification, relocation assistance and other protections and benefits for residents who own their mobile homes. The Relocation Report and Plan provides the means by which the City of Seattle can verify that mobile home park owners have complied with these State requirements.

The Relocation Report and Plan provides the mobile home park residents with information about the availability of mobile home spaces and alternative housing options in the region. The mobile home park owner identifies a Relocation Coordinator to administer the provisions of the Relocation Report and Plan and to work with the mobile home park residents, DCLU and other local and State offices to ensure compliance with the Relocation Report and Plan

and with State laws governing mobile home park eviction notification, relocation assistance and landlord/tenant responsibilities.

The following describes how the mobile home park owner is to prepare and implement the mobile home park Relocation Report and Plan.

RULE

A. Definitions

For purposes of administering ordinance requirements regulating the closure or change of use of mobile home parks, the following definitions shall apply:

"Certificate of Completion" shall mean the certificate issued by the Department of Construction and Land Use pursuant to section 22.904.010. It certifies the effective date of the closure or change of use of a mobile home park.

"Change of use" shall mean that the property ceases to be used as a mobile home park. It does not mean a change of use within the meaning of the Land Use Code; in that context, a change of use is effective only upon issuance of a Master Use Permit.

"Net annual income" shall mean income and other earnings, less deductions for taxes, Social Security and other required deductions. The following is a non-exclusive list of sources of income that are included: wages; salaries; self-employment income; tips; public assistance payments; unemployment or workmen's compensation; support and alimony payments from non-household residents; investment income; income from estates and trusts; pension, retirement, Social Security, veteran's or disabilities payments; old age, survivor's or strike benefits; parental support for dependents; and most governmental payments to students of higher education.

B. Relocation Report and Plan

1. Submission of Proposed Relocation Report and Plan for Director's Approval.

a. A mobile home park owner shall obtain the Director's approval of a Relocation Report and Plan before issuing the twelve-month eviction notices required under the state Mobile Home Relocation Assistance Act (RCW Chapter 59.21) and the state Mobile Home Landlord-Tenant Act (RCW Chapter 59.20). If the Director determines that the Relocation Report and Plan does not meet the requirements of the Mobile Home Park Resident Assistance Ordinance, the owner may be required to amend or supplement the Relocation Report and Plan.

b. If a Master Use Permit to change the use of a mobile home park is sought pursuant to SMC Title 23, the Seattle Land Use and Zoning Code, the proposed Relocation Report and Plan shall be submitted for approval together with the Master Use permit application. The proposed Relocation Report and Plan and Master Use Permit application shall be submitted at the Permit Center of the Department of Construction and Land Use.

c. If closure of a mobile home park is proposed, the proposed Relocation Report and Plan shall be submitted directly to the Housing Ordinance Administrator at the Housing and Zoning Enforcement Division of the Department of Construction and Land Use, Room 560, Dexter Horton Building, 710 Second Avenue.

d. A proposed Relocation Report and Plan shall be submitted for approval on forms provided by the Department of Construction and Land Use. The forms may be obtained from the DCLU Permit Center or from the Housing and Zoning Enforcement Division. Any proposed Relocation Report and Plan must be complete to be accepted for review by the Director. Any incomplete proposed Relocation Report and Plan shall be returned to the mobile home park owner with a written list of necessary additions or changes.

e. To be complete a proposed Relocation Report and Plan shall include:

(1) a cover sheet, a form provided by DCLU, that has been completely filled out, signed and dated by the mobile home park owner;
(2) a completed mobile home information sheet, a form provided by DCLU, for each mobile home located in the mobile home park;
(3) an inventory of available mobile home spaces and relocation resources in King, Snohomish, Kitsap and Pierce counties;
(4) copies of leases or rental agreements for all mobile home park tenants; and
(5) evidence of delivery of a mobile home park tenant information packet to each mobile home park tenant. Procedures for delivering the tenant information packet and for documenting delivery are detailed below.

f. The mobile home park owner shall designate a Relocation Coordinator in the proposed Relocation Report and Plan. A Relocation Coordinator is necessary to provide information for tenants in mobile home parks who have been notified that their tenancy has been terminated, and to coordinate the assistance provided by the mobile home park owner. The name, telephone number and address of the Relocation Coordinator shall be entered in the designated spaces on the cover sheet provided

by DCLU. The mobile home park owner may designate himself or herself as the Relocation Coordinator.

2. Mobile Home Park Tenant Information Packet.

a. A mobile home park owner, or the Relocation Coordinator, shall deliver to each mobile home park tenant an information packet provided by DCLU. The information packet shall contain

(1) a description of the Seattle Mobile Home Park Resident Assistance Ordinance;
(2) a form for a voluntary, confidential survey of tenant household income and housing costs;
(3) a list of subsidized housing sources; and
(4) information on relocation assistance available under state law.

b. The information packet shall be delivered:

(1) in person to the tenant; or
(2) if the tenant is absent from the mobile home, by leaving a copy at the mobile home with some person of suitable age and discretion and by sending a copy through the mail addressed to the tenant's place of residence; or
(3) if the tenant is absent from the mobile home and no other suitable person is present, or if the tenant refuses to accept the information packet, then by affixing the information packet, in a non-destructive manner, in a conspicuous place on the mobile home and also by sending a copy both by regular and certified mail, with a return receipt requested, addressed to the tenant at the tenant's place of residence.

c. The mobile home park owner shall obtain and submit to the Director, as part of the proposed Relocation Report and Plan, the following evidence of delivery of the information packet:

(1) a delivery receipt signed by the tenant showing personal delivery of the information packet; or
(2) a delivery receipt signed by a person of suitable age and discretion who was present when the information packet was delivered to the mobile home and a sworn statement describing the time and date of delivery to a person other than the tenant and the date of mailing of the information packet; or
(3) a sworn statement describing the date the information packet was attached to the mobile home, the place on the mobile home where the packet was attached, and the date of mailing of the packet by

regular and certified mail. A copy of the certified mail return receipt shall also be submitted.

(4) If the information packet is personally delivered and the recipient is not willing to sign a delivery receipt, the mobile home park owner shall submit a sworn statement describing the date of delivery of the information packet and the time and circumstances of the recipient's refusal to acknowledge receipt.

3. Survey of Tenant Household Income and Housing Costs

A survey of mobile home park tenant household income and housing costs shall be delivered as part of the Tenant Information Packet. Tenants are not required to complete this survey. Information voluntarily submitted will be used to refer to other City of Seattle programs those tenants who may be eligible for additional assistance. Tenants who voluntarily complete the survey should return it directly to the Housing Ordinance Administrator, Housing and Zoning Enforcement Division of DCLU, 560 Dexter Horton Building, 710 Second Avenue, 98104.

4. Availability of Proposed Relocation Report and Plan for Review by Mobile Home Park Residents.

A copy of a proposed Relocation Report and Plan that has been submitted for approval shall be available for review by tenants residing in the mobile home park. The proposed Relocation Report and Plan shall be available at the mobile home park office or at the park manager's residence, if the residence is located within the boundaries of the mobile home park. In addition, a copy of a proposed Relocation Report and Plan shall be posted on the mobile home park premises in a facility available for the common use by residents of the mobile home park, such as a laundry room, recreation room, or other facility intended for use by park residents.

5. Delivery of Approved Relocation Report and Plan to Mobile Home Park Residents and Notifying DCLU of Delivery.

a. Once the Director has approved a Relocation Report and Plan, the mobile home park owner shall deliver a copy of the approved Relocation Report and Plan to tenants at the time the owner delivers the twelve-month eviction notice required by state law. The approved Relocation Report and Plan shall be delivered:

(1) in person to the tenant; or

(2) if the tenant is absent from the mobile home, by leaving a copy at the mobile home with some person of suitable age and discretion and by sending a copy through the mail addressed to the tenant's place of residence; or

(3) if the tenant is absent from the mobile home and no other suitable person is present, or if the tenant refuses to accept the Relocation Report and Plan, then by affixing the Relocation Report and Plan, in a non-destructive manner, in a conspicuous place on the mobile home and also sending a copy both by regular and certified mail, with a return receipt requested, addressed to the tenant at the tenant's place of residence.

b. Evidence of delivery, described below, of the Relocation Report and Plan shall be submitted to the Director within 14 days of issuance of the twelve-month eviction notice. A copy of the twelve-month eviction notice shall also be submitted at that time.

c. The mobile home park owner shall obtain and submit to the Director the following evidence of delivery of the approved Relocation Report and Plan:

(1) a delivery receipt signed by the tenant showing personal delivery of the Relocation Report and Plan; or
(2) a delivery receipt signed by a person of suitable age and discretion who was present when the Relocation Report and Plan was delivered to the mobile home and a sworn statement describing the time and date of delivery to a person other than the tenant and the date of mailing of the Relocation Report and Plan; or
(3) a sworn statement describing the date the Relocation Report and Plan was attached to the mobile home, the place on the mobile home where the Relocation Report and Plan was attached, and the date of mailing of the Relocation Report and Plan by regular and certified mail. A copy of the certified mail return receipt shall also be submitted.
(4) If the Relocation Report and Plan is personally delivered and the recipient is not willing to sign a delivery receipt, the mobile home park owner shall submit a sworn statement describing the date of delivery of the Relocation Report and Plan and the time and circumstances of the recipient's refusal to acknowledge receipt.

6. Periodic Updates to Relocation Report and Plan.

The owner of a mobile home park shall notify DCLU periodically of the status of the planned park closure or change of use. This update shall be performed 120 and 240 days after issuance of the twelve-month eviction notice. In the update the owner shall report

a. any change in the identity, telephone number or address of the Relocation Coordinator;
b. the names and addresses of new mobile home park tenants; and
c. any change of circumstances that may affect the implementation of the Relocation Report and Plan.

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