

The “Punitive Push” on Mobile Homes

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Abstract

The number of people inhabiting vehicles in public parking has grown significantly during the 21st century in U.S. cities like Seattle, WA. Despite being the most frequently documented form of shelter among people who occupy public space, Seattle and the surrounding King County have few options for long-term vehicle residency and even less that are connected with social services. This article compares official annual reports on the habitation of cars, trucks, vans, or recreational vehicles (RVs) from 2006 to 2018 with an analysis of vehicle residency-oriented parking tickets, impounds, and police auctions in Seattle during this period.

Reconsidering the Mobile Home

Hundreds of thousands of Americans sleep in vehicles and mobile homes, both on and off the street. A vehicle residence frequently represents—and contains—vital remaining assets after a loss of housing from personal catastrophe, displacement, or natural disaster (Sieglar, 2019). For some, a vehicle residence offers a step off the street or a way to avoid feared emergency shelters (Mendoza, 1997; Wakin, 2005, 2014). For many others, mobile homes are seen as the only available form of housing among persistent social, legal, and economic barriers to property rental or ownership (Arora, 2018; Bruder, 2017; Salamon and Mactavish, 2017; Sullivan, 2018; Talbutt, 2009).

To be clear, needs differ among millennials promoting the merits of “#VanLife” while employed in a wireless or “gig” economy (Allison, 2016; Monroe, 2017), older “snowbirds” migrating seasonally in an RV for medical purposes (Counts and Counts, 1996), single mothers with children who hide in a sedan while escaping an abusive intimate partner (Flynn, 2019), and veterans who may be “decompressing from the tribulations of service through the vicissitudes of travel” (Anderson, 2016) within a nondescript cargo van. A near-century of people inhabiting a mobile home or RV (Twitchell, 2014) seems to suggest that what defines their habitation as homelessness is less the form of shelter than its location in a public or private space. Mobile home parks, however, are reportedly “vanishing at a startling rate” (Denver, 2015; Sullivan, 2018; Way, Fraser, and Davila,

2020), and the few parks near cities often do not accept vehicles that are more than 10 years old (Ve Ard, 2018). With limited access to off-street areas, more and more of these private mobile homes occupy public parking spaces. Some cities have responded to a recent growth of vehicle resident communities with a “punitive push,” enforcing internal migration through legal warnings, tickets, impounds, police auctions, and restrictions on access to public space (Davila, 2018a).

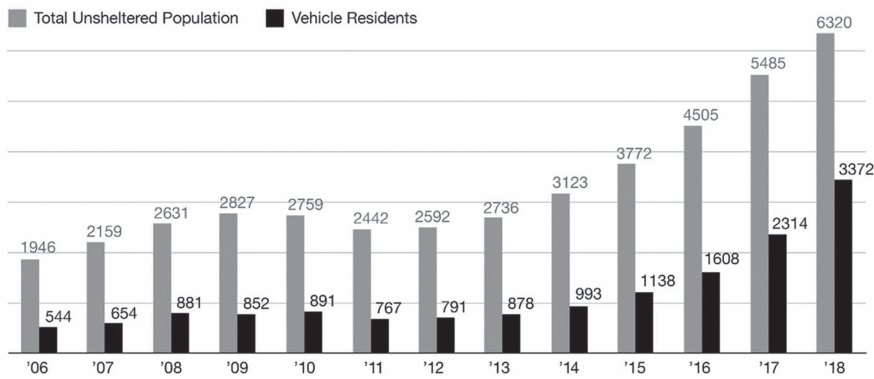
Vehicle Residency and its Criminalization in Seattle

Exhibit 1 shows the increase of vehicle residency in public parking across King County throughout the early 21st century (All Home King County, 2019; Pruss, 2019). The reported number of people who slept in cars, trucks, vans, and RVs grew more than six-fold during this time, from 544 in 2006 to 3,372 in 2018. By 2018, vehicles were the primary shelter for more than one-half (52 percent) of the unsheltered community who slept outside of the emergency, transitional, or supportive shelter system in King County. Less than 100 overnight parking spaces were provisioned for the more than 3,000 people inhabiting public parking throughout King County in 2018, including less than 20 for approximately 2,000 vehicle residents in Seattle.

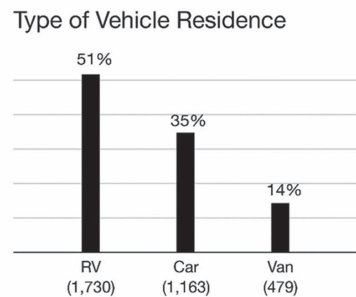
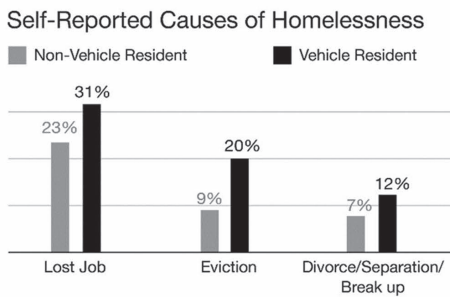
Exhibit 1

Vehicle Residency in Seattle

Vehicle Resident Proportion of Unsheltered Population in King County (2006–18)



Vehicle Residency in King County during 2018



Source: Pruss 2019; Seattle/King County Count Us In 2018

Exhibit 2 shows an analysis of six parking infractions most commonly issued to vehicle-homes in Seattle, determined in partnership with the Seattle Police Department Parking Enforcement Division and Municipal Courts, vehicle residents, vehicle residency advocates, and social service outreach specialists. Out of the 427,654 parking tickets issued in 2017, 1,109 were determined through public records analysis and parking enforcement supervisors as likely issued to vehicle residents. These vehicle residency-oriented tickets amounted to initial penalties of \$65,852. An estimated \$28,732 of these fines were paid, based on court records and discussions.

Exhibit 2

Analysis of 1,109 Parking Tickets Issued to Vehicle Residents in Seattle during 2017

Seattle Parking Citations Issued to the Vehicle Resident Population (2017)

	Est. Citations Issued to VR Pop	Number (%) of Tickets Paid	Fines Paid by VR Pop	Total Fines Due to Seattle
11.72.440 Parking Over 72 Hours (\$44)	574	268 (47%)	\$11,786	\$25,234
11.72.145 Expired Tabs or Improper License Plates (\$72)	181	91 (50%)	\$6,530	\$13,018
11.72.430 Trailer or Camper Detached (\$47)	119	57 (48%)	\$2,671	\$5,593
11.72.330 Sign Posted Locations (\$47)	111	87 (78%)	\$4,089	\$5,217
11.72.070 Large Size Vehicles in Non-Industrial Zone (47)	70	48 (69%)	\$2,256	\$3,290
11.72.500 Parking Junk Vehicle on Street (\$250)	54	6 (11%)	\$1,400	\$13,500
TOTAL			\$28,732	\$65,852

Sources: Data based on public information requests, Seattle Municipal Court Records, and consultations with the Seattle Police Department Parking Enforcement Division

When unpaid, these fines go to collections, often leading to the impound of the vehicle and long-term damage to the credit rating of its owner and unsheltered homelessness (WCLP et al., 2019). Public records show that in 2017, 301 of these vehicles were sold at auction to recoup costs, recovering anywhere from \$10 to \$250. Local news has regularly reported RVs selling for \$1, however (Archibald, 2017; Davila, 2019; Markovich, 2019). Seattle reportedly spent \$225,000 impounding and destroying 152 RVs or trailers in 2017, all which were more than 10 years old (Archibald, 2018).

Exhibit 3 shows a brief case study mapping the year-long push of a single RV across Seattle, culminating in it being impounded and auctioned for \$10. A recent Seattle University School of Law report shows how multiple laws have been woven into a net that penalizes vehicle-homes in public parking areas with legal warnings, tickets, impounds, and police auctions (So et al., 2016). Fines from these varied proscriptive and permissive ordinances often result in the inability to register the vehicle (ibid.), leading to the cascading series of tickets shown in our brief case study of “Chris Smith.” According to a 2019 National Law Center on Homelessness and Poverty Report, anti-vehicle residency laws are among the fastest growing forms of criminalization targeting people who sleep in public space (Bauman et al., 2019). In Seattle and beyond, recent court cases regarding the legality of seizing a primary residence to pay fines could result in considerable future costs and potential class action suits¹.

¹ See: *Stephen Long v. City of Seattle*, and *Bloom et al. v. City of San Diego et al.*

Exhibit 3

How Public Parking Enforcement Disproportionately Affects Vehicle Residents

Case Study: “Chris Smith” and the Punitive Push

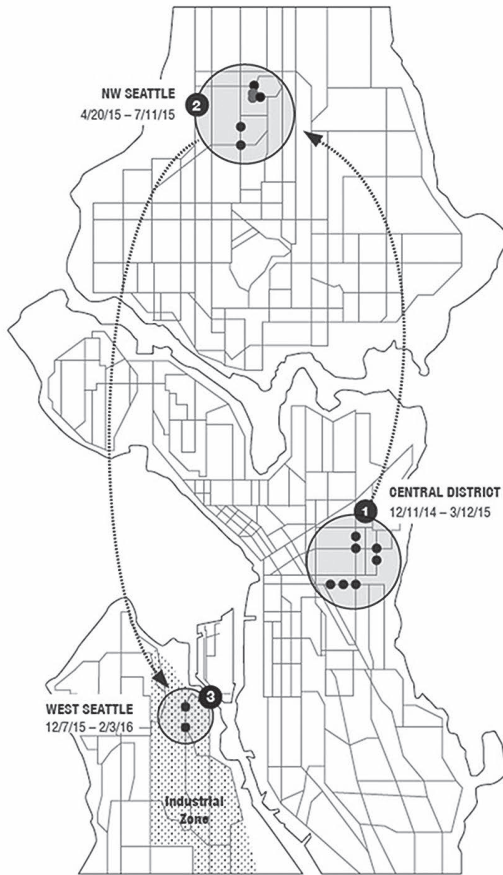
During the course of two years, Chris received fifteen tickets on a vehicle residency (an RV*). Specifically:

Thirteen tickets for Expired License Plates, SMC 11.72.146 (\$72 each)
All vehicles must display a valid license plate while parked, stopped or standing in Seattle.

Two tickets for Parking Over 72 Hours, SMC 11.72.440 (\$44 each)
In Seattle, no vehicle can be parked on the same block-face for over 72 hours.

*Seattle ordinance (SMC 11.72.70) requires that between 12-6 am, all vehicles over 80” wide (such as an RV) may only park within industrial zones.

- 1_Central District**
 - 12/11/14 **1** In December 2014, Chris parked adjacent to Seattle’s commercial and manufacturing zones where they received seven tickets for expired vehicle registration. These tickets were \$72 each, and could be issued every day that the registration was not updated. Chris paid one of seven tickets; the remaining six unpaid tickets, late fees and interest were sent to a collection agency. Chris could not renew their vehicle registration due to these unpaid tickets. After 45 days, the mobile home was at risk of immediate impound without prior notice due to lack of registration (SMC 11.30.40).
 - 12/18/14 **2**
 - 12/23/14 **3**
 - 12/29/14 **4**
 - 1/13/15 **5**
 - 1/27/15 **6**
 - 3/12/15 **7**
- 2_NW Seattle**
 - 4/20/15 **8** By April 2015, Chris relocated to Northwest Seattle, where their RV received four more tickets for expired plates. At the new location, Chris was issued two more tickets for parking on the same block-face for more than 72 hours (\$69 each). Chris did not pay these tickets and they were sent to collections. After Chris failed to pay four or more tickets within 90 days, their RV was added to the “scofflaw list” and was therefore eligible for a tire “boot” (SMC 11.35.010-030).
 - 4/23/15 **9**
 - 4/29/15 **10**
 - 4/29/15 **11**
 - 6/18/15 **12**
 - 7/11/15 **13**
- 3_West Seattle**
 - 12/7/15 **14** Chris moved their RV to an industrial zone in late 2015, specifically the Lower Duwamish Waterway Superfund toxic clean-up site. Like many industrial zones, this area was disconnected from housed communities, vital resources, waste disposal and hygiene facilities. At this location, Chris received two more tickets for expired plates that they did not pay. The RV was immobilized with a mechanical “boot” and impounded after 48 hours. After 15 days of impound, Chris’ RV was auctioned for \$10 on 2/27/2016.
 - 2/3/16 **15**



Data from Seattle Municipal Court records

Sources: Data based on public information requests, Seattle Municipal Court Records, and consultations with the Seattle Police Department Parking Enforcement Division

Conclusions

A punitive response to vehicle residency has not decreased the habitation of public parking in Seattle. Rather, for nearly two decades these policies have legally enforced an internal migration of vulnerable people throughout public streets, disconnecting thousands of Americans from their communities and networks of care (Dawdy, 2006; Gillis, 2010). With few available alternatives, a punishment-oriented response has led to “compassion fatigue” (Figley, 1995)—or, a developing indifference based on frequent appeals for assistance—and even antipathy among law enforcement officers, social service providers, and surrounding communities regarding vehicle residency (Davila, 2018b). Without a supportive alternative to public parking for the thousands of people inhabiting

vehicles in Seattle, these policies have contributed to increasing densities of vehicle residency in diminishing legal spaces (Pruss, 2012), the seizure of private property directly producing unsheltered homelessness (WCLP et al., 2019), public expense and mounting community tensions (Burkhalter, 2013; Greenstone, 2019; Groover, 2016), while disproportionately harming vulnerable people and their housed neighbors (Green, 2019; Jaywork, 2017).

A growing number of people need space for their mobile homes in their local communities, in addition to “safe parking programs” for the thousands of vehicle residents who may benefit from social services (Bendix, 2018; Davila, 2018a; Mendoza, 1997; Pruss, 2019; Wakin, 2005, 2014). With no place for their private home, many vehicle residents see no possibility beyond sleeping in public parking spaces. Cities can alleviate the occupation of public space and help to meet the need of unhoused people through inclusive, consensual sites for vehicle residency. Off-street space, civic infrastructure, and social support could empower tens of thousands of private vehicle-homes currently on American streets as emergency, transitional, and affordable housing units.

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