
**Community Development, Housing &
Tribal Affairs Committee**

HB 1590

Brief Description: Establishing a training program for managers of manufactured housing communities.

Sponsors: Representatives Springer, Appleton, Warnick, Kirby, McCoy, Goodman, S. Hunt, Ryu, Moscoso and Ormsby.

Brief Summary of Bill

- Requires training for managers of manufactured housing communities.

Hearing Date: 1/21/14

Staff: Sean Flynn (786-7124).

Background:

Manufactured/Mobile Home Landlord-Tenant Act.

The Manufactured/Mobile Home Landlord-Tenant Act (Act) governs the legal rights, remedies, and obligations arising from any rental agreement between a landlord and a tenant regarding a mobile home lot or pad where the tenant has no ownership interest in the real property or in the association which owns the real property. The Act sets forth grounds for termination of the tenancy, duties of the landlord, duties of the tenant, rules with respect to transfer of the rental agreement, and the effect of failure to carry out duties.

Manufactured/Mobile Home Dispute Resolution Program.

The Attorney General administers a Manufactured/Mobile Home Dispute Resolution Program (Program) that provides educational materials to tenants and landlords and attempts to resolve disputes regarding alleged violations of the Act. The Program investigates complaints from

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tenants and landlords and attempts to negotiate a resolution. If no agreement can be reached, the Attorney General may issue written notices of violations, specify corrective action, and issue fines up to a maximum of \$250 for each day that a violation remains uncorrected. The Program is funded with \$9 of every \$10 of the annual registration assessment for each manufactured/mobile home and any fines collected as a result of the Program.

Civil Infractions.

Civil infractions are noncriminal offenses that subject the violator to monetary penalties. Notices of civil infractions are issued by an enforcement officer when the violation occurs in the officer's presence or by a court based on an officer's statement. A person subject to the notice of civil infraction may contest the determination within 15 days. A person that commits a Class 1 civil infraction is subject to a fine of \$250.

Summary of Bill:

A training program is required for managers of manufactured housing communities (MHC). "Management" is defined as those actions, functions, or duties related to the management of a MHC, including collecting rent, renting lots, enforcing terms, and implementing landlord and tenant duties and responsibilities under the Manufactured/Mobile Home Landlord-Tenant Act (Act).

Training Requirement.

A certificate of completion of training must be initially issued after a MHC manager completes a four-hour training course and must be renewed annually. The training must be completed within one year of beginning employment as a MHC manager. A minimum of four hours of training is required annually.

Only statewide nonprofit associations exclusively representing MHCs may administer the MHC manager training courses. The associations that conduct the training must issue the training certificates. These associations may set and charge a fee for the training courses.

Advisory Council.

An Advisory Council on Manufactured Housing Community Management Training is created. Members serve four-year terms and are reimbursed for travel expenses, but otherwise serve without compensation. Membership includes:

- two members who are residents of a MHC, own their own homes, and are selected by statewide associations exclusively representing MHC tenants; and
- two members who are owners of a MHC and selected by statewide associations exclusively representing MHC owners.

The Advisory Council's function is to review and approve the training curriculum. The Advisory Council meets at the call of its chair or at the request of a majority of its members, but at least once per year.

Enforcement.

The Manufactured/Mobile Home Dispute Resolution Program, in consultation with the Advisory Council, are authorized to enforce the training requirement. They are also required to facilitate maintenance of a list of individuals who have successfully completed training.

A violation of the training requirement is a Class 1 civil infraction.

There is no cause of action against a government agency, an association, or an instructor related to the training. There is also no cause of action against a government agency, an association, an instructor, or an Advisory Council member for a violation of the training requirement by a person required to comply with the requirement.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect August 1, 2013, except for sections 3 through 5 relating to the training requirement for managers. Sections 3 through 5 take effect July 1, 2014, or six months after the initial training curriculum is approved, whichever occurs later.