

# HOUSE BILL REPORT

## HB 1791

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**As Reported by House Committee On:**  
Local Government & Housing

**Title:** An act relating to certification of resident managers of mobile home parks.

**Brief Description:** Establishing a certification program for mobile home park managers.

**Sponsors:** Representatives Dunn (co-prime sponsor), Fromhold (co-prime sponsor), Ogden, Hurst and O'Brien.

**Brief History:**

**Committee Activity:**

Local Government & Housing: 1/24/02, 1/31/02 [DPS].

**Brief Summary of Substitute Bill**

- Creates the Mobile Home Park Manager Certification Program within the Department of Community, Trade, and Economic Development.
- After January 1, 2003, a person, with the exception of an owner/manager that resides in the mobile home park, cannot manage a mobile home park with 25 or more mobile home spaces unless they are certified as a mobile home park manager.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Dunshee, Chair; Edwards, Vice Chair; Dunn, Hatfield, Kirby and Sullivan.

**Minority Report:** Without recommendation. Signed by 5 members: Representatives Mulliken, Ranking Minority Member; Berkey, Crouse, DeBolt and Mielke.

**Staff:** Kenny Pittman (786-7392).

**Background:**

The Mobile Home Landlord-Tenant Act regulates the relationship between the mobile home owner (tenant) and the mobile home park owner (landlord). Mobile home parks

are usually managed by either professional property management companies, employees of the mobile home park owner, or the mobile home park owner themselves. The level of residential property management experience ranges from people that are certified property managers to those with little or no experience in residential property management.

Currently, there are no statutory requirements for requiring mobile home park managers to be trained in property management.

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**Summary of Substitute Bill:**

A Mobile Home Park Managers Certification Program is established in the Department of Community, Trade, and Economic Development (DCTED).

After July 1, 2003, a person cannot manage a mobile home park that contains 25 or more mobile home spaces unless they have obtained a certificate of registration as a mobile home park manager from the DCTED. The manager certification requirement does not apply to a mobile home park that is managed by an owner that resides in the mobile home park. The initial certificate of registration may not be issued until the person has: (1) submitted a written application; (2) attended and completed a DCTED-approved training course for mobile home park managers; (3) passed an approved examination that demonstrates a fundamental knowledge of the Mobile Home Landlord-Tenant Act; and (4) paid the required registration fee.

A mobile home park manager may present verification of completion of a training course conducted by a state-wide association of mobile home parks to satisfy the training requirements for the initial certification of registration.

A corporation, partnership, trust, association, sole proprietor, or other like organizations may own or operate a mobile home park or engage in mobile home management without being certified as long as it employs, retains, or contracts with a person that is certified and registered as a mobile home park manager.

The certificate of registration is issued for a period of two-years and must be renewed every two years. The applicant, as part of the certificate renewal process, must provide to the DCTED evidence of up to a maximum of eight hours of continuing education on a biennial basis. The DCTED must contract with a state-wide trade association that exclusively represents mobile home parks for the provision of required training programs.

An advisory council on mobile home park manager training and certification is created within the DCTED. The advisory council consists of five members as follows: Two members must be residents of mobile home parks; two members must be either owners or operators of mobile home parks; and one member must be the director of the DCTED or

the director's designee who serves as chair and is a nonvoting member.

The director of the DCTED must appoint the members of the advisory council, for two year terms, from names submitted by organizations that represent mobile home tenants and mobile home park owners. The advisory council's duties include (1) reviewing, evaluating, and advising the department on administration of the certification program, and (2) developing, reviewing, revising, and approving the certification program in consultation with the department. The DCTED must provide staff support to the advisory council.

The DCTED is authorized to charge reasonable fees to cover the cost of services. The fees may cover, but are not limited to the initial application, application renewal, and manager certification training costs.

**Substitute Bill Compared to Original Bill:**

The substitute bill provides an exemption from the mobile home park manager certification for an owner that resides within and manages their own mobile home park. The effective date for the required mobile home park manager certification is changed from July 1, 2001 to January 1, 2003. The \$35,000 appropriation is changed to the second year of the 2001-2003 biennium.

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**Appropriation:** \$35,000 general fund--state to the Department of Community, Trade, and Economic Development.

**Fiscal Note:** Not Requested.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed, except that sections 3 and 4 take effect July 1, 2003.

**Testimony For:** (Original Bill) The majority of landlord-tenant problems are due to the lack of management experience. If a mobile home park manager is required to know the state's mobile home landlord-tenant law, it would solve a majority of the problems. The manager certification requirement is not a burden to small mobile home parks since it would not apply to mobile home parks that contain less than 25 mobile homes lots.

**Testimony Against:** (Original Bill) None.

**Testified:** (Original Bill) Representative Dunn, prime sponsor; and Ray Munson, Mobile Home Owners of America.