1590-S AMH SPRI REIN 131

**SHB 1590** - H AMD **85**

By Representative Springer

**NOT CONSIDERED**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.** The purpose of this chapter is to establish a training program for managers of manufactured housing communities.

NEW SECTION. **Sec.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Manufactured housing community" has the same meaning as provided in RCW 59.20.030.

(2) "Manufactured housing community management" means those actions, functions, or duties related to the management of a manufactured housing community including, but not limited to, the collection of rent and other charges, renting mobile home lots, the enforcement of the terms of tenancy, and the implementation of landlord and tenant duties and responsibilities under chapter 59.20 RCW.

(3) "Manufactured housing community manager" means a person who performs manufactured housing community management, and is required to be trained under this chapter to perform manufactured housing community management services.

NEW SECTION. **Sec.** (1) A person must not manage a manufactured housing community in this state beyond the grace period identified in subsection (3) of this section until the person has received manufactured housing community manager training in accordance with this chapter.

(2) An owner of a manufactured housing community is not required to be trained under this chapter if the owner employs a resident manager, property manager, or independent contract manager trained under this chapter to perform manufactured housing community management duties.

(3) If a person becomes a manufactured housing community manager and has not previously received manufactured housing community manager training as required in this chapter, the person must complete manufactured housing community manager training within one year of beginning employment.

NEW SECTION. **Sec.** (1) Any person required to be trained as a manufactured housing community manager must acquire a certificate of completion of training from an approved manufactured housing community manager training program.

(2) The certificate of completion of training must:

(a) Be made available for view by the public; and

(b) Indicate that the person has satisfactorily completed a minimum of four hours of manufactured housing community manager training as prescribed under subsection (4) of this section.

(3) A certificate of completion of training is effective upon the date of issue and is valid for one year.

(4) A minimum of four hours of manufactured housing community manager training is required annually.

NEW SECTION. **Sec.** (1) Any statewide nonprofit association exclusively representing manufactured housing communities may administer the manufactured housing community manager training courses as required under this chapter. The association may set and charge a fee between ninety and one hundred twenty dollars for the training courses. The association may increase the fee above one hundred twenty dollars only after approval by the advisory council on manufactured housing community manager training.

(2) Any statewide nonprofit association performing the manufactured housing community manager training must develop the curriculum of the training course with approval from the advisory council on manufactured housing community manager training.

(3) The training course must include a one-hour presentation by a representative of the manufactured/mobile home dispute resolution program. The representative must provide an overview of the manufactured/mobile home dispute resolution program as well as highlight cases that have been before the dispute resolution program as case studies. If a representative is unavailable, a representative from any statewide nonprofit association exclusively representing manufactured housing community tenants must conduct the one-hour presentation. The presenter is entitled to mileage reimbursement from the association conducting the training.

(4) Any association performing manufactured housing community manager training must issue certificates of completion of training to qualified training attendees, and must maintain a list of the names of attendees completing the manufactured housing community manager training to be made available to the public.

NEW SECTION. **Sec.** (1) An advisory council on manufactured housing community manager training is created. The council must consist of four members as follows: Two members of the council must be current residents of manufactured housing communities who own their own homes; and two members must be owners of manufactured housing communities.

(2) The resident members of the advisory council must be selected by statewide associations exclusively representing manufactured housing community tenants, with one member from each of the two largest statewide nonprofit associations exclusively representing manufactured housing community tenants. The owner members of the advisory council must be selected by statewide associations exclusively representing manufactured housing community owners. Terms for council members are four years.

(3) Members of the advisory council must serve without compensation, but are entitled to receive reimbursement for travel expenses as provided by law.

(4) The advisory council must:

(a) Review and approve the curriculum of the manufactured housing community manager training program;

(b) Consider training course fee increases as proposed by an association under section 5(1) of this act; and

(c) Meet at the call of its chair, at the request of a majority of its membership, a minimum of once per year.

NEW SECTION. **Sec.** The manufactured/mobile home dispute resolution program created under RCW 59.30.030, in consultation with the advisory council on manufactured housing community manager training, may enforce this chapter and must facilitate the maintenance of a listing composed of those individuals who have successfully completed manufactured housing community manager training.

NEW SECTION. **Sec.** No government agency, trade association, or instructor of the manufactured housing community manager training program is responsible for the conduct of a landlord, manager, owner, or other person attending manufactured housing community manager training under this chapter. This section does not create a cause of action against any government agency, trade association, or instructor of the manufactured housing community manager training program related to manufactured housing community manager training.

NEW SECTION. **Sec.** No government agency, trade association, instructor of the manufactured housing community manager training program, or member of the advisory council on manufactured housing community manager training is responsible for the conduct of any person required to comply with this chapter. This section does not create a cause of action against any government agency, trade association, instructor of the manufactured housing community manager training program, or member of the advisory council on manufactured housing community manager training for a violation of this chapter by any person required to comply with this chapter.

NEW SECTION. **Sec.** A violation of this chapter is a class 1 civil infraction under RCW 7.80.120.

NEW SECTION. **Sec.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec.** Sections 3 through 5 of this act take effect July 1, 2014, or six months after review and approval of the initial curriculum for the manufactured housing community manager training program by the advisory council on manufactured housing community manager training under section 6(4) of this act, whichever occurs later.

NEW SECTION. **Sec.** Except for sections 3 through 5 of this act, this act takes effect August 1, 2013.

NEW SECTION. **Sec.** Sections 1 through 13 of this act constitute a new chapter in Title 59 RCW."

Correct the title.

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|  | EFFECT:  (1) Strikes the provisions of the substitute bill and restores the provisions of the original bill as follows:  (a) Authorizes statewide nonprofit associations representing manufactured housing communities (rather than the Attorney General) to administer manager training courses.  (b) Requires associations (rather than the AG) to develop the curriculum with Advisory Council approval, issue certificates of completion, and maintain lists of persons who completed training.  (c) Creates an Advisory Council to review and approve the curriculum.   * Specifies that the Advisory Council include: two members who are residents of manufactured housing communities and own their own homes; and two members who are owners of manufactured housing communities. Requires that resident members be selected by associations representing tenants. Requires that owner members be selected by associations representing owners. * Provides that members serve four-year terms and are reimbursed for travel expenses, but otherwise serve without compensation. Specifies that 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.   (d) Authorizes the Manufactured/Mobile Home Dispute Resolution Program, in consultation with the Advisory Council, to enforce the training requirement. Also requires the program to facilitate maintenance of lists of persons who completed training.  (e) Specifies that there is no cause of action against government agencies, associations, or instructors related to the training, and that there is also no cause of action against government agencies, associations, instructors, or Advisory Council members for violations of training requirements.  (f) Makes the training requirement take effect either July 1, 2014, or six months after the advisory council approves the training program (rather than July 1, 2014).  (2) Modifies the provisions of the original bill as follows:  (a) Authorizes associations administering manager training courses to charge fees between $90 and $120, and with Advisory Council approval, to increase fees above $120. (Does not authorize use of the Manufactured/Mobile Home Dispute Resolution Program Account to cover costs.)  (b) Requires that training courses include one-hour presentations by a representative of the Manufactured/Mobile Home Dispute Resolution Program, who must provide a program overview and highlight case studies. Specifies that, if a program representative is unavailable, a tenant association representative must conduct the presentation.  (c) Authorizes the Advisory Committee to consider proposed fee increases. Specifies that each of the two largest associations representing tenants must select one of the resident members of the Advisory Committee. |

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