

HOUSE BILL REPORT

SB 5694

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: Senators Winsley, Prentice, Kastama and McAuliffe.

Brief History:

Committee Activity:

Local Government & Housing: 2/20/02, 2/28/02 [DPA].

Brief Summary of Bill
(As Amended by House Committee)

- 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.
- Removes the \$35,000 general fund - state appropriation.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass as amended. Signed by 7 members: Representatives Dunshee, Chair; Edwards, Vice Chair; Berkey, Dunn, Hatfield, Kirby and Sullivan.

Minority Report: Without recommendation. Signed by 4 members: Representatives Mulliken, Ranking Minority Member; 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.

Summary of Amended Bill:

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

After January 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: (a) submitted a written application; (b) attended and completed a DCTED-approved training course for mobile home park managers; (c) passed an approved examination that demonstrates a fundamental knowledge of the Mobile Home Landlord-Tenant Act; and (d) 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: (a) reviewing, evaluating, and advising the department on administration of the certification program; and (b) 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.

Amended Bill Compared to Original Bill:

The amended 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. A person that is employed as a mobile home park manager on the effective date of the bill has 180 days to obtain their certification as a mobile home park manager. The \$35,000 general fund state appropriation is removed.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: The concerns of the tenants should be the number one priority. Many residents of mobile home parks are seniors and the lack of trained property managers has led to many problems. Having a trained property manager will reduce the number of problems caused by a lack of knowledge of the state's mobile home landlord-tenant laws or lack of experience. The proposed amendment that gives an existing mobile home manager 120 days to become certified and exempting an owner that manages the mobile home park that they live in are steps in the right direction.

Testimony Against: None.

Testified: (In support) Senator Winsley, prime sponsor; Ray Munson, Mobile Home

Communities of America; Nick Federici, Washington Low-Income Housing Congress; and J.L. Baldwin, Mobile Home Owners Association.

(Neutral) John Woodring, Mobile Home Communities of Washington; Ray Price, Office of Community Development; and Bob Mitchell, Washington Association of Realtors.