
Community Development & Housing Committee

HB 1118

Brief Description: Developing training for manufactured housing community managers.

Sponsors: Representatives Morris and Warnick.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Establishes a training program for managers of manufactured housing communities.
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Hearing Date: 1/26/11

Staff: Chris Cordes (786-7103).

Background:

Manufactured/Mobile Home Landlord Tenant Act and the Dispute Resolution Program.

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.

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

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Manufactured/Mobile Home Dispute Resolution 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 Dispute Resolution 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 established for managers of manufactured housing communities (MHC). "Management" is defined as those actions, functions, or duties related to the management of a MHC, including the collection of rent, renting lots, and implementing landlord duties and responsibilities under the Manufactured/Mobile Home Landlord-Tenant Act.

Training Requirement.

A certificate of completed training must be initially issued after a MHC manager completes an eight-hour training course and must be renewed annually. The training must be completed within six months of first performing MHC management or within one year of becoming a MHC manager upon a determination of good cause by the Advisory Council chair.

A MHC manager must complete a minimum of four hours of training annually for certificate renewal.

Only statewide associations exclusively representing MHCs may conduct the MHC management training. An association that conducts the training issues the training certificates. These associations may charge trainees a fee, including an application fee.

Advisory Council.

An unpaid Advisory Council on Manufactured Housing Community Management Training is created. Members serve four year terms, and membership includes:

- two members who are residents of an MHC and selected by statewide associations exclusively representing MHC tenants;
- two members who are owners of an MHC and selected by statewide associations exclusively representing MHCs;
- the Office of the Attorney General who serves as a nonvoting advisory member; and
- one member of the Senate and one member of the House of Representatives who serve as nonvoting members unless the four voting members cannot agree on approval of the training curriculum.

The Advisory Council's function is to approve the development, renewal, and revisions of the training curriculum and to ensure that at least one-half of the class instruction is on one or more provisions of the Manufactured/Mobile Home Landlord-Tenant Act and at least one-fourth of the class instruction is on a combination of resident relations and communication skills.

Violations.

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

There is no cause of action against Advisory Council members, an association, an instructor, or a government agency for a violation of the training requirements.

Effective date.

The MHC manager training program takes effect January 1, 2012, except that the requirement for managers to have training takes effect six months after approval of the initial training curriculum, if that occurs later.

Appropriation: None.

Fiscal Note: Requested on 1/18/2011.

Effective Date: The bill takes effect January 1, 2012, except for section 3, requiring managers to have training, which takes effect six months after approval of the initial training curriculum, if that approval occurs later than January 1, 2012.