

SHB 1590 - H AMD 85

By Representative Springer

NOT CONSIDERED

1 Strike everything after the enacting clause and insert the
2 following:

3
4 NEW SECTION. **Sec. 1.** The purpose of this chapter is to
5 establish a training program for managers of manufactured housing
6 communities.

7
8 NEW SECTION. **Sec. 2.** The definitions in this section apply
9 throughout this chapter unless the context clearly requires otherwise.

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

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

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

23
24 NEW SECTION. **Sec. 3.** (1) A person must not manage a manufactured
25 housing community in this state beyond the grace period identified in
26 subsection (3) of this section until the person has received

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1 manufactured housing community manager training in accordance with
2 this chapter.

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

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

13
14 NEW SECTION. **Sec. 4.** (1) Any person required to be trained as a
15 manufactured housing community manager must acquire a certificate of
16 completion of training from an approved manufactured housing community
17 manager training program.

18 (2) The certificate of completion of training must:

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

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

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

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

27
28 NEW SECTION. **Sec. 5.** (1) Any statewide nonprofit association
29 exclusively representing manufactured housing communities may
30 administer the manufactured housing community manager training courses
31 as required under this chapter. The association may set and charge a
32 fee between ninety and one hundred twenty dollars for the training
33 courses. The association may increase the fee above one hundred
34

1 twenty dollars only after approval by the advisory council on
2 manufactured housing community manager training.

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

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

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

22
23 NEW SECTION. **Sec. 6.** (1) An advisory council on manufactured
24 housing community manager training is created. The council must
25 consist of four members as follows: Two members of the council must
26 be current residents of manufactured housing communities who own their
27 own homes; and two members must be owners of manufactured housing
28 communities.

29 (2) The resident members of the advisory council must be selected
30 by statewide associations exclusively representing manufactured
31 housing community tenants, with one member from each of the two
32 largest statewide nonprofit associations exclusively representing
33 manufactured housing community tenants. The owner members of the
34 advisory council must be selected by statewide associations

1 exclusively representing manufactured housing community owners. Terms
2 for council members are four years.

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

6 (4) The advisory council must:

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

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

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

13

14 NEW SECTION. **Sec. 7.** The manufactured/mobile home dispute
15 resolution program created under RCW 59.30.030, in consultation with
16 the advisory council on manufactured housing community manager
17 training, may enforce this chapter and must facilitate the maintenance
18 of a listing composed of those individuals who have successfully
19 completed manufactured housing community manager training.

20

21 NEW SECTION. **Sec. 8.** No government agency, trade association, or
22 instructor of the manufactured housing community manager training
23 program is responsible for the conduct of a landlord, manager, owner,
24 or other person attending manufactured housing community manager
25 training under this chapter. This section does not create a cause of
26 action against any government agency, trade association, or instructor
27 of the manufactured housing community manager training program related
28 to manufactured housing community manager training.

29

30 NEW SECTION. **Sec. 9.** No government agency, trade association,
31 instructor of the manufactured housing community manager training
32 program, or member of the advisory council on manufactured housing
33 community manager training is responsible for the conduct of any
34 person required to comply with this chapter. This section does not

1 create a cause of action against any government agency, trade
2 association, instructor of the manufactured housing community manager
3 training program, or member of the advisory council on manufactured
4 housing community manager training for a violation of this chapter by
5 any person required to comply with this chapter.

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7 NEW SECTION. **Sec. 10.** A violation of this chapter is a class 1
8 civil infraction under RCW 7.80.120.

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10 NEW SECTION. **Sec. 11.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

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15 NEW SECTION. **Sec. 12.** Sections 3 through 5 of this act take
16 effect July 1, 2014, or six months after review and approval of the
17 initial curriculum for the manufactured housing community manager
18 training program by the advisory council on manufactured housing
19 community manager training under section 6(4) of this act, whichever
20 occurs later.

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22 NEW SECTION. **Sec. 13.** Except for sections 3 through 5 of this
23 act, this act takes effect August 1, 2013.

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25 NEW SECTION. **Sec. 14.** Sections 1 through 13 of this act
26 constitute a new chapter in Title 59 RCW."

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28 Correct the title.

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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