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HOUSE BILL 2606

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State of Washington

61st Legislature

2010 Regular Session

By Representatives Lias, Warnick, Green, Sullivan, Simpson, Morrell,  
and Moeller

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Local Government & Housing.

1 AN ACT Relating to developing certification for manufactured  
2 housing community managers; adding a new chapter to Title 59 RCW;  
3 prescribing penalties; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

10 (1) "Advisory council" means the advisory council on manufactured  
11 housing community manager training and certification created in section  
12 6 of this act.

13 (2) "Department" means the department of commerce.

14 (3) "Director" means the director of the department of commerce.

15 (4) "Manufactured housing community" has the same meaning as in RCW  
16 59.20.030.

17 (5) "Manufactured housing community management" means those  
18 actions, functions, or duties related to the management of a

1 manufactured housing community to include the collection of rent and  
2 other charges, renting mobile home lots, and the implementation of  
3 landlord duties and responsibilities under chapter 59.20 RCW.

4 (6) "Manufactured housing community manager" means a person who  
5 performs manufactured housing community management duties and is  
6 required to be certified under this chapter to perform manufactured  
7 housing community management services and includes resident owners of  
8 manufactured housing communities who perform management duties.

9 NEW SECTION. **Sec. 3.** (1) No person shall manage a manufactured  
10 housing community with more than fifteen manufactured housing lots in  
11 this state until the person has been certified as a manufactured  
12 housing community manager by the director in accordance with this  
13 chapter.

14 (2) A manager who lives in the manufactured housing community must  
15 be certified.

16 (3) Any person engaged in the business of managing a manufactured  
17 housing community must be certified unless a certified manager lives in  
18 the manufactured housing community.

19 (4) An owner not living in the manufactured housing community, or  
20 living in a manufactured housing community but not performing  
21 manufactured housing community management duties, is not required to be  
22 certified.

23 (5) If a person becomes a manufactured housing community manager,  
24 and the person does not have a current certification issued under  
25 section 4 of this act, the person shall complete the manager  
26 certification within six months, or upon a determination of good cause  
27 by the director, within one year of becoming a manager.

28 NEW SECTION. **Sec. 4.** (1) The director shall not issue an initial  
29 certification to any person to act as a manufactured housing community  
30 manager until that person has:

31 (a) Executed a written application on a form prescribed by the  
32 director, subscribed and sworn to by the applicant;

33 (b) Attended and completed a department-approved training course  
34 for manufactured housing community managers;

35 (c) Passed an examination approved by the department that

1 demonstrates that the applicant has a fundamental knowledge of the  
2 manufactured/mobile home landlord-tenant act under chapter 59.20 RCW;  
3 and

4 (d) Paid to the director a fee as prescribed in section 7 of this  
5 act.

6 (2) Certifications are effective on the date issued by the  
7 department and must be renewed annually.

8 (3) A certification may be renewed annually provided that the  
9 applicant provides evidence of completion of continuing education as  
10 approved by the department. This evidence must be submitted with an  
11 application to renew certification. A maximum of four hours of  
12 continuing education annually is required by the department for renewal  
13 of certification.

14 NEW SECTION. **Sec. 5.** (1) The department, in consultation with the  
15 advisory council created in section 6 of this act, shall administer,  
16 coordinate, and enforce this chapter, develop the examination of  
17 applicants, and be responsible for the granting of certification to  
18 qualified persons.

19 (2) The department may adopt rules that are necessary to implement,  
20 enforce, and interpret this chapter.

21 (3) The department shall contract with a statewide association  
22 exclusively representing manufactured housing communities for the  
23 delivery of training courses required under this chapter. The  
24 association may charge a fee for delivery of the training courses. The  
25 department, in consultation with the advisory council created under  
26 section 6 of this act, shall approve the curriculum of the training  
27 program.

28 NEW SECTION. **Sec. 6.** (1) An advisory council on manufactured  
29 housing community manager training and certification is created. The  
30 council must consist of four members selected by the director as  
31 follows: Two members of the council must be residents of manufactured  
32 housing communities, and two members must be owners of manufactured  
33 housing communities or their designees. The resident members of the  
34 council must be selected from nominees submitted by statewide  
35 associations representing manufactured housing community tenants. The  
36 park owner members of the council must be selected from nominees

1 submitted by statewide associations exclusively representing  
2 manufactured housing communities. The director shall appoint the  
3 members for terms of four years. The advisory council shall select a  
4 chair from its members for a four-year term.

5 (2) Members of the council shall serve without compensation but are  
6 entitled to receive reimbursement for travel expenses as provided in  
7 RCW 43.03.050 and 43.03.060.

8 (3) The functions of the advisory council are to:

9 (a) Review, evaluate, and advise the department concerning  
10 revisions and adoption of rules affecting certification of manufactured  
11 housing community managers and the fees to be charged under section 7  
12 of this act; and

13 (b) Develop, review, revise, and provide consultation for the  
14 approval of the department of the curriculum for the program for  
15 certification of manufactured housing community managers.

16 (4) The advisory council shall meet at the call of its chair, at  
17 the request of a majority of its membership, at the request of the  
18 department, or at such times as prescribed by rule.

19 (5) The department shall provide adequate staff support to the  
20 advisory council to assist it in fulfilling its duties.

21 NEW SECTION. **Sec. 7.** The department shall set, by rule, and  
22 charge fees for the application, issuance, and renewal of  
23 certifications.

24 NEW SECTION. **Sec. 8.** No department, trade association, or  
25 instructor is responsible for the conduct of a landlord, manager,  
26 owner, or other person attending manager certification training or  
27 continuing education under this section. This section does not create  
28 a cause of action against the department, a trade association, or  
29 instructor related to the training.

30 NEW SECTION. **Sec. 9.** A violation of this chapter is a class 1  
31 civil infraction under RCW 7.80.120.

32 NEW SECTION. **Sec. 10.** Sections 3 and 4 of this act take effect  
33 January 1, 2011.

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

5        NEW SECTION.    **Sec. 12.**    Sections 1 through 11 of this act  
6 constitute a new chapter in Title 59 RCW.

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