

S.F. 659/H.F. 682

Why the Bill is Necessary

To ensure that Minnesota's approximately 70 licensed manufactured home installers are able to renew their State licenses and secure the necessary 12-hours of continuing education through an online or Internet-based course option.

Under Federal and State law, any new or pre-owned manufactured home installed on its foundation must be done by a licensed manufactured home installer. Over the past several years, Minnesota has witnessed a decline in the number of licensed manufactured home installers, one reason cited for not pursuing a license or surrendering an existing license, the hurdles to securing the mandated continuing education courses, especially when compared to surrounding states with online course availability.

The primary barrier to online or Internet-based courses being offered to Minnesota manufactured home installers are two provisions in MS§326B.0981, subd.4, requiring Internet-based continuing education courses to meet specific and complex accreditation standards, in this case, applicable to a handful of licensees, who only renew their licenses every 3-years. The economies of scale to offer online courses are simply not there relative to the nearly 30,000 licensed real estate brokers or 15,000 construction trades/contractor licensees and other professions who also need CE for licensure renewal and have multiple online course options.

This has been a concern prior to the Pandemic, as the only in-person or classroom course provider has been and remains the MMHA. None of the other online CE course providers for contractor or real estate broker licensure renewals have ever offered these specific courses for Minnesota licensed installers.

Considering that manufactured homes are Minnesota's largest source of non-subsidized workforce housing, it is critical that this concern be addressed.

What the Bill as Amended Does

Provides an exception to MS§326B.0981, subd.4,(b) paragraphs (a) and (c) for manufactured home installer continuing education courses to be offered as Internet or online courses, when approved by DLI. Since the licensing of manufactured home installers falls under a Federal requirement CFR24 3286, and is a uniform national CE course requirement, adopted within the MN State Building Code; MN Chapter 1350.6710 Subpart 1; the bill allows manufactured home installers access to the identical course curriculum already approved for Minnesota CE in-person learning, approved by HUD, and offered online, by the industry's national trade association, with 32 states currently participating. The Minnesota Department of Labor and Industry retains its authority to evaluate and approve the courses and the course sponsors.

The Minnesota Department of Labor and Industry is not opposed to the bill.

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Background

- In 2007, DLI, in cooperation with the MMHA, advanced legislation required by HUD that manufactured home installers secure 12-hours of continuing education every 3-years for licensure renewal. In its House and Senate testimony, DLI stated they already offered such training programs in-person, and statewide, that would qualify for the new CE requirements. DLI began enforcement of the requirement in 2009 after promulgating Rules, starting the clock for all licenses to renew in 2012.
- In 2010, one year after the effective date of the CE requirement, DLI, for budgetary reasons, suspended offering its annual in-person training courses for manufactured home installers, as the only option for installers to secure their HUD specific CE necessary for licensure renewal in 2012.
- In 2012, when all manufactured home installer licenses were up for renewal, there had not been enough CE courses offered for licensees to secure the HUD specific CE; the MMHA formally appealed to the DLI Commissioner for a suspension of the 12-hours of continuing education required for licensure renewal and an extension was granted.
- In response, DLI ramped-up the finalization of an application process to approve manufactured home installer course sponsors. The MMHA became certified in 2012 and remains the only course sponsor offering the mandated HUD specific CE at in-person classroom settings, no online courses have ever been offered.
- Finally, MMHA's 2020 Annual Spring Education Conference scheduled for June 2 & 3, was cancelled due to the Peacetime COVID-19 Emergency, where manufactured home installer CE courses for HUD-specific hours were to be offered. Then, in December, MMHA's 2020 Annual Meeting and Education Conference were cancelled, due to the Peacetime COVID-19 Emergency. Thus, the only two options for manufactured home installers to secure HUD specific continuing education during 2020 evaporated, with no online alternatives.
- The bill addresses an 11-year dearth of continuing education course availability and burden for manufactured home installer licensees that otherwise will not be resolved.