

Amendment - 2nd Reading/2nd House-tan - Requested by: Greg Hertz - (S) Committee of the Whole

69th Legislature

Drafter: Jaret Coles,

HJ0055.001.001

1 HOUSE JOINT RESOLUTION NO. 55

2 INTRODUCED BY A. REGIER

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA REQUESTING AN INTERIM STUDY OF THE LICENSING STANDARDS, EDUCATION, AND
6 PRACTICES OF PROPERTY MANAGEMENT IN THE STATE AND THE STANDARDS AND PRACTICES
7 FOR REQUESTING STUDY RESOLUTIONS; AND REQUIRING THAT THE RESULTS OF THE STUDY BE
8 REPORTED TO THE 70TH LEGISLATURE.

9
10 WHEREAS, residential and commercial landowners hire property managers to manage landowners'
11 properties throughout the state; and

12 WHEREAS, to manage these properties, property managers are required to obtain a license that
13 requires education and training approved by the Department of Labor and Industry; and

14 WHEREAS, in 2023, the Department of Labor and Industry was charged with the responsibility of
15 receiving complaints from citizens in the state and with disciplining licensed property managers for violations of
16 professional conduct; and

17 WHEREAS, the Department of Labor and Industry is authorized to create rules and regulations for
18 professional practice with respect to the licensing of property managers, but professional practice is limited in
19 requiring property managers to comply with the responsibilities of the Montana Residential Landlord and Tenant
20 Act and commercial rental contract law in the state; and

21 WHEREAS, the state recognizes the importance of property managers to provide services to both
22 landowners and tenants with respect to the rental of property; and

23 WHEREAS, these services are received at a cost, and the costs, which are not monitored or regulated,
24 have affected both landowners and tenants as an increase in rental prices in the state; and

25 WHEREAS, the state has recognized that foreign corporations and foreign investment groups are not
26 required to have licensed and regulated property managers overseeing rental properties, thus reducing the
27 quality of those rental properties; and

28 WHEREAS, like the Department of Labor, the Legislative Council is authorized to direct resources

Amendment - 2nd Reading/2nd House-tan - Requested by: Greg Hertz - (S) Committee of the Whole

69th Legislature

Drafter: Jaret Coles,

HJ0055.001.001

1 regarding certain responsibilities; and

2 WHEREAS, also like the Department of Labor, the Legislative Council is charged with the responsibility
3 of receiving complaints, albeit from legislators, for the numerous amount of study resolutions that have been
4 requested during the 69th Legislative Session; and

5 WHEREAS, the amount of study resolutions that were brought to the Legislature for consideration
6 during the 69th Legislative Session is also worthy of a study.

7
8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
9 THE STATE OF MONTANA:

10 That the Legislative Council be requested to designate an appropriate interim committee or statutory
11 committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

12 (1) review the current licensing, education, and fee requirements of property managers in
13 Montana;

14 (2) review the conformance of property manager requirements and practice with the Montana
15 Residential Landlord and Tenant Act, the commercial rental laws of Montana, and the property management
16 requirements of foreign corporations and investment groups;

17 (3) examine the current end-user costs charged to landowners and tenants as a result of property
18 management licensing and education requirements; ~~and~~

19 (4) identify education requirements and practices from other states to evaluate how Montana's
20 statutes align with or differ from those in other jurisdictions and identify best practices that may inform potential
21 legislative changes; and

22 (5) examine and study why the Legislature has so many study resolutions.

23 BE IT FURTHER RESOLVED, that the committee solicit feedback from stakeholders and relevant
24 parties, including but not limited to property managers, landlords, tenants, tenant unions, attorneys who work in
25 landlord-tenant law, professional organizations in the field of landlord-tenant relations, and housing policy
26 experts in the property management industry.

27 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
28 presented to and reviewed by an appropriate committee designated by the Legislative Council.

Amendment - 2nd Reading/2nd House-tan - Requested by: Greg Hertz - (S) Committee of the Whole

69th Legislature

Drafter: Jaret Coles,

HJ0055.001.001

1 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
2 requirements, be concluded prior to September 15, 2026.

3 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
4 comments, or recommendations of the appropriate committee, be reported to the 70th Legislature.

5 - END -

AMENDED