

Manufactured Home Installation Program

The Department of Housing and Urban Development's (HUD), has established regulations in regards to Manufacturing Housing *Installation* Program. The program, which enforces regulations set forth in 24 Code of Federal Regulations (CFR) §§ 3285 and 3286, has been fully implemented in 13 states that do not operate their own qualifying installation program. The 13 HUD-administered states are: Alaska, Connecticut, Hawaii, Illinois, Maryland, Massachusetts, Montana, Nebraska, New Jersey, Rhode Island, **South Dakota**, Vermont, and Wyoming. HUD has engaged SEBA Professional Services (SEBA) to support the implementation of the program and we are happy to share key program updates and accomplishments.

Installer Licensing: As of July 2016, two-hundred and twenty-six installers nationwide have received a HUD Manufactured Home Installer License.

Monitoring Inspections: In order to help ensure consumer safety and the structural integrity of installed homes, HUD will be conducting monitoring inspections on selected homes and manufactured home parks in several states: Maryland, Nebraska, Wyoming, **South Dakota**, New Jersey, Vermont, Massachusetts, Rhode Island, Connecticut, Montana, and Illinois.

Foundations and DAPIA Approvals: HUD has been reviewing plans for alternative foundations to ensure compliance with 24 CFR §3285.312. Based on these reviews, HUD plans to release a preliminary report with instructions on acceptable practices for installing foundations in freezing climates.

HUD has been working with DAPIAs and manufacturers to evaluate the adequacy of alternative foundation plans being submitted for approval. HUD will continue to work with local engineers and building officials to ensure that they understand the requirements set forth in 24 CFR §3285, and to make sure compliant plans for alternative foundations are made available to manufactured home installers. HUD has reached out to local engineers to connect them to installers in their area with site-specific installation and foundation needs. Additionally, HUD is also working to build a list of soil laboratories to assist installers in finding laboratories for site-specific soil tests.

Retailer and Inspection Reports: The forms HUD 305 and 306, maintained by retailers, provides information on the sale, installation and inspection of new manufactured homes. The form **HUD 309** provides verification that a new home has been inspected. It is important that these forms are completed and submitted to HUD via SEBA in a timely manner in accordance with program requirements. HUD is working with retailers and installers to ensure that all groups understand how to complete and submit these forms.

For more information on the HUD Installation Program, please visit our website at <http://manufacturedhousinginstallation>.

On March 7, 2016, the requirements for the On-Site Completion of Construction of Manufactured Homes (On-Site Rule) went into effect. The On-Site Rule allows manufacturers to seek approval from its Design Approval Primary Inspection Agency (DAPIA) to do specific on-site work rather than obtaining HUD's approval. Currently approved Alternative Construction (AC) letters are eligible for transition to Site Construction (SC) approvals. To reduce potential mix-ups in production reporting and inspection tracking, and to ensure uniformity in the On-Site Rule's implementation and enforcement, site work previously approved in an AC eligible letter is now required to be transitioned to SC approval no later than September 6, 2016.

HUD continues to require SC approval for other site construction work such as other factory prepped and site-installed water heater and furnaces, a fireplace hearth completed across a marriage line, site completed or installed dormers, and site-completion of shipped-loose exterior doors and windows.

Frequently Asked Questions

Both HUD and SEBA staff for the HUD-Administered Manufactured Home Installation program are dedicated to providing timely and comprehensive answers to all questions you may have. Below you will find a list of common questions and answers, in addition to specific questions we have received for all program activities and kick-off calls.

General FAQ

Under what authority does this program operate?

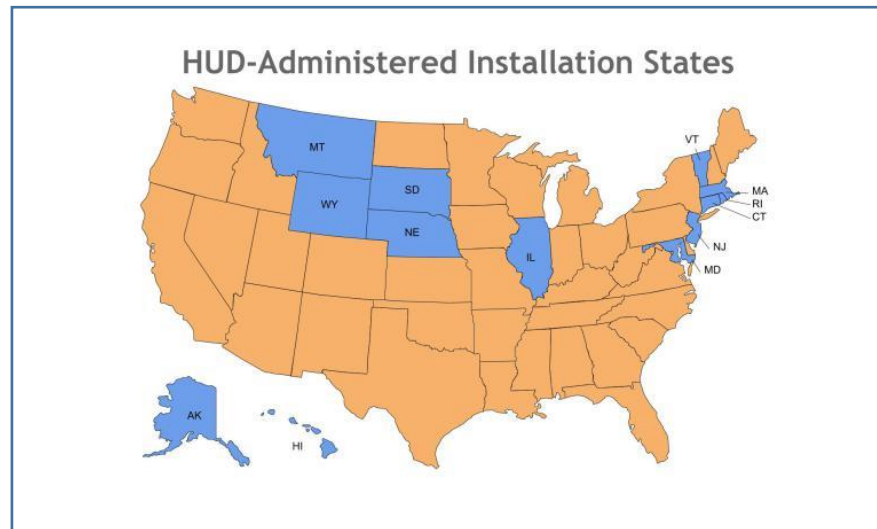
This program is mandated by Federal Law and HUD per CFR 24 3280, 3282, 3285, 3286 in parts.

Who will need a license?

Anyone that installs a new manufactured home in a HUD-Administered state or territory.

At present the following states fall under the HUD-Administered Manufactured Home Installation Program:

Alaska
Connecticut
Hawaii
Illinois
Maryland
Massachusetts
Montana
Nebraska
New Jersey
Rhode Island
South Dakota
Vermont
Wyoming



Does your manufactured home installer need a state or local license in HUD-Administered states? Yes, they need a state, county and local business license in addition to being HUD licensed.

If I already have a state contracting license do I still need a HUD-issued Installer License?

Yes, if you are installing a home in a HUD-Administered State.

How are inspectors certified for the HUD Installation Program?

Inspectors are not certified or licensed through HUD for this program. However, inspectors must meet qualifications pursuant to 24 CFR 3286.511 to be able to inspect manufactured homes in HUD-Administered states.

Program Requirements and Applicability

1. Do the regulations only apply to new homes on their first set?

Yes: If a home is brought in from another park, these regulations do not apply unless the county decides to adopt them universally.

Do I need to get permits from my local building officials?

Yes, if the City of Box Elder requires permits for the installation of manufactured homes, grading or land development activities, or environmental permits, i.e. utility installation, well and septic permits you must still get all required permits from the City, County and State authorities.

What are the penalties for failure to comply with program requirements?

Any person who fails to comply with the requirements is subject to civil and criminal penalties, and to actions for injunctive relief pursuant to 24 CFR 3286.703.

Penalties may also be levied by the local, county and state jurisdictions.

Is there a homeowner exemption for installations?

Yes. Homeowners can install a home that they will be residing in without being a licensed installer (refer to 24 CFR 3286.107(d)). However, they will still need to install the home per the requirements and have the home's installation certified by a licensed installer and inspected by a qualified inspector.

Can a local building department require that additional measures be taken that are outside of the HUD installation code?

Yes, a building department does require additional measures as per their local code, as long as those measures: 1) meet or exceed the requirements of the Model Installation Standards, and 2) do not take the home out of compliance with the Manufactured Home Construction and Safety Standards.

Inspections, Permits and HUD 309

1. *How do these requirements affect inspectors that are currently performing inspections?*

Inspectors must complete the HUD Form 309 and keep a copy for their records and give another copy to the installer. The Installer will then distribute a copy to the homeowner, dealer/retailer and submit one to SEBA. The homeowner must have a copy available for the City of Box Elder when other required inspections performed. A certificate of occupancy will not be issued until HUD Form 309 has been completed and additional requirements implemented by the City have been met.

2. *After October 1, 2016 will not to approve certificate of occupancy permits if the installations were not performed by a licensed installer and HUD Form 309. Where is this outlined in the regulations?*

South Dakota decided not to manage its own installation program, therefore they must adopt the federal program. Under the federal program, all jurisdictions are being asked not to issue occupancy permits to unlicensed installers in order to increase compliance from the installers. (24 CFR 3285).

3. *Will there be separate inspection forms for the City of Box Elder?*

Yes. For this program we require the HUD 309 and City Manufactured Home inspection form to be completed.

4. Is there any way that HUD can regionalize accepted foundations or HUD-code homes so that each dealer doesn't have to do it individually?

No. HUD does not plan to regionalize accepted alternate foundation systems. Retailers will need to contact manufacturers to obtain foundation plan designs and DAPIA acceptance of those designs.

5. What should be done if I have a single-wide on a slab and want to upgrade to a double wide? Is there a situation in which we could use the existing slab or do we always need to replace it?

In this case, a registered engineer or licensed architect would need to draft a unique design and have it approved by the DAPIA and manufacturer in order to use the existing slab.

Certificate of Occupancy

The Department's Office of General Council has provided the Office of Manufactured Housing with a response to a question asked by a Maryland code official. See the question and response below. This answer applies to all states and territories in the HUD-Administered Manufactured Home Installation Program. South Dakota is in this program.

Question:

Where can it be found in the regulations for Counties and Cities to not issue permits and or certificates of occupancy if the installation was not performed by a licensed installer?

Answer:

The Installation regulations do not specifically contain language that addresses whether a local authority having jurisdiction (LAHJ) can issue permits or certificates of occupancy to an unlicensed installer. However, under federal law, the Department is given exclusive authority to regulate manufactured home construction and safety standards, which include installation standards, and in such areas, the Department's regulations are given supremacy over State and local laws and requirements through the Manufactured Home Construction and Safety Standards Act ("Act"), 42 USC 5403, which provides:

(d) SUPREMACY OF FEDERAL STANDARDS

Whenever a Federal manufactured home construction and safety standard established under this chapter is in effect, no State or political subdivision of a State shall have any authority either to establish, or to continue in effect, with respect to any manufactured home covered, any standard regarding the construction or safety applicable to the same aspect of performance of such manufactured home which is not identical to the Federal manufactured home construction and safety standard. Federal preemption under this subsection shall be broadly and liberally construed to ensure that disparate State or local requirements or standards do not affect the uniformity and comprehensiveness of the standards promulgated under this section nor the Federal superintendence of the manufactured housing industry as established by this chapter.

As of November 1, 2015, HUD's regulations require that 1) all Manufactured Home installers be licensed by HUD unless performing home installation in states that have a qualifying installation program of their own, which Maryland and twelve (12) other states, do not, and 2) that the "installation" of a Manufactured Home be performed by a licensed installer. See 24 CFR § 3286.105. Pursuant to 24 CFR § 3286.3, "installation means: completion of work done specified in 24 CFR § 3286.505 to stabilize, support, anchor, and close up a manufactured home and to join sections of a multi-section manufactured home, when any such work is governed by the federal installation standards in part 3285 of this chapter..."

Pursuant to HUD's regulations, the issuance of the certificate of occupancy by a local jurisdiction is to occur in connection with the installation of the manufactured home by a licensed installer. See 24

CFR § 3286.115. The issuance of a certificate of occupancy on a manufactured home purporting to be installed by an unlicensed installer would be inconsistent with Federal Regulations. Unless properly installed by a licensed manufactured home installer, the manufactured home will not be deemed “installed” in accordance with HUD’s regulations. See 24 CFR § 3286.115 (defining the “date of installation” as the date the licensed installer has certified that all required inspections have been completed, all utilities are connected, and the manufactured home is ready for occupancy as established, if applicable, by a certificate of occupancy...”).

Third-Party Inspectors for Inspecting Manufactured Homes

Find below a list of individuals and companies available to inspect manufactured homes that meet the requirements set forth in 24 CFR 3286.

SOUTH DAKOTA

Counties Served	Inspector/Company Contact & Information
Fall River Shannon	Name: Bradkley R. Rowan, CBO Phone: 402-853-8315 Email: rowanbs@aol.com Cost: \$250-\$550
All Counties	Name: NTA, Inc. Phone: 574-773-7975 Email: Hud@ntainc.com Contact: Lori O’Conner Cost: \$395 flat fee for any location
Beadle Bon Homme Brookings Brule Charles Mix Clay Davison Douglas Gregory Hanson Hutchinson Jerauld	Kingsbury Lake Lincoln McCook Miner Minnehaha Moody Sanborn Tripp Turner Union Yankton
All Counties	Name: Loess Hills Engineering, LLC Gilbert B. Nebgen, PHD, PE Phone: 402-917-6418 Email: Gilbert@loesshillsengineering.com Web site: www.loesshillsengineering.com/hud-inspections Licensed Professional Engineer / Nebraska E15117
All Counties	Name: PFS Corporation Phone: 608-839-1393 Email: Rgorleski@pfscorporation.com Cost: \$395 - \$1,000
All Counties	Name: WCM LTD CO Phone: 605-791-2876 Email: wcminspects@gmail.com Cost: \$450 - \$825
All Counties	Name: RADCO Phone: 480-634-7015 Email: mgoettl@radcoinc.com Contact: Mike Goettl Cost: Call for Pricing

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SOUTH DAKOTA

All Counties	Name: Benchmark Engineering Phone: 701-483-1793 Email: chuck.olsen@benchmark.engineer Contact: Chuck Olsen Cost: \$400 + irs mileage rate (discount for multiple inspections available)
All Counties	Name: Mark A. Fetzer, PE Phone: 605-348-8481 Email: markfetzer1@gmail.com Cost: \$400 - \$1,000 plus mileage/expenses Licensed Professional Engineer / South Dakota 4730

**HUD Manufactured Home
Installation Certification
And Verification Report**

**U.S. Department of Housing and Urban Development
Office of Manufactured Housing Programs**

OMB Approval No. 2502-0578
Expires 04/30/2018

The Manufactured Housing Installation Program Regulations 24 CFR Chapter XX Part 3286 Sections 111 and 411 require the licensed installer certify that the manufactured home has been installed and inspected in accordance with the regulations. The Manufactured Housing Installation Program Regulations 24 CFR Chapter XX Part 3286 Subpart F requires a qualified inspector verify that the manufactured home has been installed in accordance with the requirements of Part 3286 and Part 3285. The information collected here will ensure that the licensed installers and qualified inspectors inspect the minimum elements for compliance. The public record burden for the collection of information is estimated to average 3.5 hours per response including the time to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the collected information. Response to this information is mandatory. This agency may not collect this information, and you are not required to complete this form, unless the form displays a currently valid OMB control number.

Certification Label Number(s) <small>(include all zeros and agency prefix)</small>	Manufacturer's Serial Number(s) <small>(include all letters and numbers)</small>	_____ (Installer Name)	_____ (HUD License No.)
_____ (Homeowner Name)	_____ (State)	_____ (Inspector Name)	_____ (State)
_____ (Street Address)	_____ (City) _____ (Zip)	_____ (Street Address)	_____ (Phone)

1. Initial Inspection

Inspection Item	Inspector Verification			Installer Certification		
	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A
Site location with respect to home design and construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consideration of site specific conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 CFR 3285 Subpart C - Site preparation and grading for drainage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 CFR 3285 Subpart D - Foundation construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 CFR 3285 Subpart E - Anchorage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 CFR 3285 Subpart F - Optional features (Skirting, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 CFR 3285 Subpart G - Completion of ductwork, plumbing, and fuel supply systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 CFR 3285 Subpart H - Completion of electrical systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 CFR 3285 Subpart I - Exterior and interior close-up	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Completion of operational checks and adjustments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Reinspection of Home (To be completed and initialed by the inspector)

If the inspector discovers that any item during the Initial Inspection fails to comply with the manufacturer's installation instructions or with an installation design and instructions that have been certified by a professional engineer or registered architect, the installation must be reinspected after the installation is corrected.

Briefly describe the work that did not pass the initial inspection. Upon reinspection, inspector must initial item(s) that are in compliance. Attach additional sheet(s) if necessary.

3. Inspector Verification

I have performed a visual inspection in accordance with 24 CFR § 3286.507, of the manufactured home installation identified above. I have inspected the minimum elements noted above, as required by 24 CFR § 3286.505 and the items above have been installed in accordance with an installation design and instructions that have been provided by the manufacturer and approved by the DAPIA or an installation design and instructions that have been prepared and certified by a professional engineer or registered architect that have been approved by the manufacturer and the DAPIA as providing a level of protection for residents of the home that equals or exceeds the protection provided by the federal installation standards in part 3285 of this chapter. It is a crime to knowingly make false statements in any matter within the jurisdiction of the United States such as the verification statement on this or any similar form. Penalties upon conviction can include a fine and imprisonment. See 18 U.S. Code Section 1001.

Inspector Signature

(Date)

4. Installer Certification

I hereby certify, in accordance with 24 CFR §§ 3286.111 and 3286.411, that the manufactured home identified above has been installed in accordance with an installation design and instructions that have been provided by the manufacturer and approved by the DAPIA or an installation design and instructions that have been prepared and certified by a professional engineer or registered architect that have been approved by the manufacturer and the DAPIA as providing a level of protection for residents of the home that equals or exceeds the protection provided by the federal installation standards in part 3285 of this chapter. It is a crime to knowingly make false statements and/or certifications in any matter within the jurisdiction of the United States such as the certification on this or any similar form. Penalties upon conviction can include a fine and imprisonment. See 18 U.S. Code Section 1001.

Installer Signature

(Date)

Distribution:
Installer
Retailer
Purchaser