

Open Industry Conference Call, 8/11/15: Questions and Answers

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.

2. If you are already a certified installer in Pennsylvania, can you do business in Maryland?

Yes, but only if you have taken the Pennsylvania training within the last one (1) year. Any installer who has not taken it within the last year will need to take the course and pass the federally approved installers test.

Inspections, Permits and HUD 309

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

Inspectors must complete the HUD 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.

2. After November 1, 2015 counties in Maryland are being asked not to approve certificate of occupancy permits if the installations were not performed by a licensed installer. Where is this outlined in the regulations?

Maryland decided not to manage its own installation program, therefore they must adopt the federal program. Under the federal program, counties 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 each county in Maryland?

No. For this program we only require the HUD 309. However, counties may require other forms.

4. Is there a particular ICC Certification that is required to be an inspector?

No. The ICC Certification is sufficient.

5. How will the HUD 309 be signed-off by only one inspector when a jurisdiction has multiple inspectors for different parts of the home?

The process will be similar to what is currently used to issue the final Certificate of Occupancy. The final inspector will sign the HUD 309 verifying that all the proper steps were taken to have the home installed and inspected according to the regulations.

6. What liability exists for an inspector that signs the HUD 309 that is different from the liabilities assumed when issuing a Certificate of Occupancy?

None. By signing the HUD 309, the inspector is certifying that all installations and inspections have been complete. This is the same thing that would be done for a Certificate of Occupancy.

7. Does the program require that an inspection cover the entire home, or just the footer?

The entire home must be inspected.

8. The HUD 309 requires that the inspector give their signature to verify that the home has been inspected per the manufacturer's installation instructions. These manuals contain a lot of cosmetic components. Does everything in the manual need to be inspected?

No. Only the things that are required in the HUD 309 checklist.

Installations and Licensing

1. Are the installer licenses issued to companies or individuals?

Licenses are issued to individuals. However, only one person needs to be licensed within a company. The licensed individual takes responsibility for installations and all installers that work under their license.

2. Does this program conflict with the Maryland Homebuilders License?

No, these are not conflicting licenses. The Maryland Homebuilders License is a business license for the state of MD. The HUD-Administered Manufactured Home Installation Program is a separate program that requires training and licensing of installers in the HUD-Administered states.

3. If the homeowner decides to install their own footing and piers, what is the installer's responsibility?

Before performing an installation, the installer should check the foundation and all other site work done by others. If the site work, footing and piers are incorrect the installation should not be performed, or the installer will be responsible for fixing it. On the HUD 309 form they are certifying that all work is done correctly and that it has been inspected by the proper authority as required.

4. If a home is being installed in an empty lot that has old footing and or piers, will the installer be responsible if it fails?

Yes. Any lot that has a foundation or other items that are going to be reused for a new home set should be inspected by an engineer or LAHJ prior to installation. The installer is to verify all elements and is responsible for the new house set.

Bond and Insurance

1. Why is the insurance-only option required to have no deductible?

There is no deductible since the policy must cover any repair that is not corrected by the original installer. Per 3286.205 (d) “surety bond or insurance that will cover the cost of repairing all damage to the home and its supports caused by the installer during the installation up to and including replacement of the home.” If a policy had a \$2,500 deductible, HUD requires assurance that either the installer or the insurance company will cover the first \$2,500 of any needed repairs.