

Retailer Webinar: Questions and Answers

1. Is there a HUD installer program that will certify an installer for multiple States?

The HUD-Administered Manufactured Home Installation program licenses installers in all HUD-Administered States and Territories, which includes: Alaska, Connecticut, Hawaii, Illinois, Maryland, Massachusetts, Montana, Nebraska, New Jersey, Rhode Island, South Dakota, Vermont, Wyoming, The Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

There is reciprocity among all HUD-Administered states. Therefore, installers are only required to hold the one HUD license to install manufactured homes in the HUD-Administered states.

2. If a home is set up as a model and then sold to a customer, is this not considered a "first set"?

The home is considered to be on its first set when it is sold to a customer and installed. Therefore, if the home is only set up as a model, this is not considered an installation. Regulations 24 CFR Section 3286.115 establishes how to define the date of installation:

“The date of installation will be the date the 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, except as follows: If the manufactured home has not been sold to the first person purchasing the home in good faith for purposes other than resale by the date the home is ready for occupancy, the date of installation is the date of the purchase agreement or sales contract for the manufactured home.”

3. Are there penalties for failure to report?

Reporting practices for retailers of manufactured homes are required as outlined in 24 CFR Section 3286.113. Failure to comply with any part of the regulations set forth in 24 Code of Federal Regulations (CFR) Parts 3285 and 3286 can result in both penalties and/or injunctive relief as outlined in 3286.703.

- 4. I understand that the retailer is required to submit the HUD 305 and 306 forms within 30 days from time of sale and from the time of installation. Can a retailer submit several installations at one time or does the retailer have to submit each installation individually as seen on the online submission form?**

The number of home information forms you can submit at a time depends on which format you use to submit the HUD 305 and 306. If you use the paper forms, multiple sales and installations can be tracked on one (1) form. If you are submitting the information using the electronic submission option, you must fill out one electronic document, submit the form, then fill out another, submit, etc.

- 5. What constitutes a sale? We often enter into a purchase agreement contingent on the customer obtaining financing. This can take more than 30 days.**

Per 24 CFR Section 3286.117, the sale of a manufactured home will not be considered complete until (1) all services are complete that were agreed upon at the time the contract was entered into or (2) any installation issues that cause imminent safety hazards, if discovered during installation, are corrected.

If obtaining financing was agreed upon at the time the contract was entered into, then the sale of the home would not be complete until such financing is obtained.

- 6. According to the HUD 305 form, there is a 30 day reporting notice when we enter into a contract, not closing. What is the section of the regulations?**

24 CFR Section 3286.113(a)

- 7. Under what authority are Park Owners held accountable? Do park owners have to complete the retailer reports?**

Park owners are treated like retailers if they arrange for the sale of a new manufactured home and/or arrange for installation of a home in a HUD-administered state.

- 8. If we are a licensed certified installer for the State of Iowa's (or any state with a qualified installation program) HUD-approved program, are we approved to install in Nebraska (or any HUD-Administered State)? If not, why not?**

No. Only individuals who possess a HUD Manufactured Home Installer License can install homes in HUD-Administered States. States that do not fall under this program have their own qualified state program, which only issues licenses for

their state. There is no reciprocity between HUD-Administered States and State-run programs.

9. Can a person take a test to become an installer and another test to become an inspector?

A person can be both an installer and an inspector of manufactured homes as long as they meet the requirements for both. However, a person cannot inspect a manufactured home if they are affiliated with the installation in any way. The inspection must be done by a neutral third party.

10. When will Illinois installation classes begin so we can get certified?

Installers in Illinois or any of the HUD-Administered states can take a qualified installation training program at any time. You do not need to wait for your state installation program to be implemented by HUD in order to be trained.

There is an online option available from MHEI that can be taken at any time. In addition, there are in-person training options available. These classes are available from qualified instructors or federally-approved state programs. To see all the current classes offered please visit:

<http://www.manufacturedhousinginstallation.com/>

11. Where are the installation testing sites?

Currently, there are four (4) federally approved training programs available for installers. Three in-person courses and one online course.

Please visit <http://www.manufacturedhousinginstallation.com/> and go to the Installers page for more information on all options.

12. How will permits and inspections be handled in Illinois municipalities that have their own permits and inspections? Will dealer-set homes be double inspected or does HUD pre-empt local ordinances?

All homes on their first set being installed in HUD-Administered states must be inspected per the requirements outlined in 3286.505. States and municipalities may require inspection items in addition to the HUD requirements. If local inspectors sign the HUD 309 form then only one inspection is needed, but the HUD 309 is required to be signed and submitted for all new installations.

13. Who do you have doing the inspections?

Inspections can be performed by any individual who meets one of the following criteria per 24 CFR 3286.511:

- A manufactured home or residential building inspector employed by the local authority having jurisdiction over the site of the home, provided that the jurisdiction has a residential code enforcement program
- A professional engineer
- A registered architect
- A HUD-accepted Production Inspection Primary Inspection Agency (IPIA) or a Design Approval Primary Inspection Agency (DAPIA)
- An International Code Council certified inspector.

A list of available third party inspectors is available at www.manufacturedhousinginstallation.com on the Inspectors page.

14. Can an inspector be certified in multiple states?

An individual can inspect manufactured homes in any of the HUD-Administered states if they meet the criteria in 24 CFR Section 3286.511 and as explained in question #14.

15. How do you envision the inspection process in a rural State? Does the installation foreman have to drive to a site on a particular day for the inspection, or do they have to be there in person?

The regulations do not specify particular days/times for inspection or that the installer must be present at the time of inspection.