

**Vermont Conference Call: Questions and Answers**  
**April 7, 2016**

- 1. Please provide clarification on what the requirements are for standard installations and how do you determine if further requirements need to be met, specifically concerning a cement slab and associated increase in costs.**

Foundation installations are guided by federal regulations 24 CFR 3285.312. In general, foundations need to be designed by a licensed engineer or architect, and approved by the DAPIA and manufacturer. HUD is currently reviewing best practices for frost-free foundations. Interim recommendations have been issued, and official recommendations will be issued in the future.

- 2. What is the responsibility of local officials prior to issuing a zoning or occupancy permit where there is no building code enforcement office?**

The Installation regulations do not specifically contain language that addresses the practices for local authority having jurisdiction (LAHJ) in issuing permits or certificates of occupancy. 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 govern over State and local laws and requirements through the Manufactured Home Construction and Safety Standards Act ("Act"), 42 USC 5403. HUD's regulations require that the "installation" of a Manufactured Home be performed by a licensed installer and inspected by a qualified inspector. Prior to issuing a building or zoning permit, local officials should verify that all homes will be installed by a licensed installer and will be inspected by a qualified inspector consistent with Federal Regulations.

- 3. Should the local Zoning Administrator (or whoever the person is who needs to issue the Certificate of Occupancy) file a copy of the HUD Form 309 in their records?**

Again, HUD's regulations do not require this. However, it is strongly recommended to retain a copy of the HUD 309 to ensure that documentation of the required final inspection for HUD was obtained.

- 4. In many cases in Vermont, manufactured homes are set in parks. If the park owner refuses to allow the site to be upgraded what is the dealer's recourse, if any?**

The retailer should not complete the sale unless there is an agreement to upgrade each affected site in each the park community to the minimum requirements of HUD's Installation Standards. The retailer should also notify all affected parties including HUD or SEBA of the circumstances in order to prevent other homes

from being installed at the affected site locations or to determine if some alternative resolution is possible.

**5. Who is going to finance the new requirements?**

HUD's regulations do not include any provisions for financing, nor does it provide requirements for contractual relationships. HUD is responsible for monitoring and enforcing the installation, inspection and sale of manufactured homes under this program.

**6. Do piers and foundations always need to be below frost line?**

Conventional footings must be set to the frost line. Alternative foundations do not need to be set to the frost line. However, site-specific conditions must be taken into account as outlined in 24 CFR 3285.312 and the interim guidance issued by HUD.

**7. What are the requirements for HUD homes that are scheduled for installation after their state deadline (the home has already been purchased and installation scheduled) if the foundations will not be able to pass these new regulations? What if they are to New Hampshire Code?**

All homes that begin or complete installation in a HUD-administered state after their state deadline must be installed and inspected per the HUD regulations. Regulations from a state with its own qualifying program (ex: New Hampshire) are not applicable in HUD-administered states. All foundation designs must be DAPIA-approved and have already been included as supplements to the manufacturers' installation manuals. DAPIA-approved designs are sufficient for the HUD program as long as installation is being performed per instructions.

**8. I am just about finished with my installer licensing course. How long it will be before I receive my license once I send in all of information?**

Please allow up to four weeks from the time that a complete and accurate application was submitted.

**9. If a home is moved off an existing slab in a mobile home park and the new owner wants to put a home on that slab, what must be done?**

The new manufactured home is required to be installed per the HUD regulations even if it is being installed on or over an existing slab. Any specific changes to the slab to meet regulations will be determined on a case-by-case basis and will require independent verification by a registered Professional Engineer, or Architect as to its structural capacity to support design wind and vertical live and

dead loads and be designed to resist frost heave in areas subject to freezing. All foundation designs including those for existing slab conditions must be DAPIA approved and included as supplements to the manufacturer's installation instructions. Installers and park owners are welcome to contact us with specific scenarios for additional guidance.

**10. Do these regulations apply to all manufactured homes, or just new manufactured homes on their first installation?**

These regulations only apply to new manufactured homes on their first installation.

**11. Do you have anything to help assist the towns to become fully compliant by May 1<sup>st</sup>?**

We have outlets and information documents that provide information for towns and industry members to learn about the program and what steps are required for compliance. For anyone learning about the program, we recommend first visiting [www.manufacturedhousinginstallation.com](http://www.manufacturedhousinginstallation.com) to read more and download program materials. Links to the federal regulations are also available on this site. After learning more, we encourage people to contact us with specific questions or scenarios that they would like more guidance on.

**12. If a town or municipality does not have a building code enforcement office or officials, who is responsible for providing the training in order to issue a certificate of occupancy?**

To start, there is no training necessary to issue a certificate of occupancy in relation to this program. If a jurisdiction does not have a Code Enforcement program, then they would not issue certificates of occupancy or have local building inspectors to perform the inspections. Certificates of occupancy are not a program requirement, and inspections can be performed by a third party inspector.