



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

April 16, 2020

20-IW1-AC
NEW

ALL MANUFACTURED HOME MANUFACTURERS

Dear Manufacturer:

To promote the purposes of the National Manufactured Housing Construction and Safety Standards Act of 1974 (Act), as amended, and assist the manufactured housing industry that is currently faced with window supply chain challenges, the U.S. Department of Housing and Urban Development (HUD) issues this Alternative Construction (AC) letter under the terms and conditions stated herein, where no affirmative action is needed to protect the public interest. In accordance with 24 Code of Federal Regulations (CFR) 3282.14(b)(3), the Department has determined that compliance with specific Standards stated herein would be unreasonable due to the COVID-19 pandemic. Specifically, the supply chain is currently unable to supply windows that conform to certain standards within 24 CFR part 3280 titled “Manufactured Home Construction and Safety Standards.” These supply chain issues, caused by the COVID-19 pandemic, has resulted in an industry-wide request for HUD to issue an AC letter specific to windows.

This AC letter is for production of manufactured homes at any Production Inspection Primary Inspection Agency (PIPA) certified manufactured home production facility until December 31, 2020, and includes an unlimited number of manufactured homes that may be constructed. The windows will be certified in accordance with the AAMA 1701.2-12 and/or AAMA/WDMA/CSA 101/I.S.2/A440-11 standard, which meets or exceeds the standard incorporated by reference, AAMA 1701.2-95. This AC letter shall no longer be valid on or after January 1, 2021.

As a reminder, all AC manufactured homes built must have the letters “AC” in the serial number stamped on the manufactured home’s chassis and in all official paperwork.

The Department has determined that the issuance of this AC letter is consistent with the objectives of the Act. In accordance with 24 CFR § 3282.14(c) of the Manufactured Home Procedural and Enforcement Regulations (Regulations), HUD will not take enforcement action against the manufacturer for violations of 24 CFR §§ 3280.403(b)(1), (e), (e)(1)-(2), and 3280.404(b), insofar as these regulations reference a specific referenced standard, as long as the manufacturer meets the following requirements:

1. Before any manufactured homes can be built in accordance with this AC letter, the manufacturer shall inform the Department and its IPIA and Design Approval Primary Inspection Agency (DAPIA) of its need and option to use this AC letter. The notification to HUD, including the specific production facilities to be included, can be sent via email to the Department at:

MHSreporting@HUD.gov.

2. This AC letter is not model specific. Reapproval of all model and construction drawings is not necessary as the alternative window standard accepted in the AC letter is in lieu of the applicable window standard under 24 CFR part 3280. This AC letter only permits nonconformance with of 24 CFR §§ 3280.403(b)(1), (e), (e)(1)-(2), and 3280.404(b), and does not permit nonconformance with any other regulations. The windows will be certified in accordance with the AAMA 1701.2-12 and/or AAMA/WDMA/CSA 101/I.S.2/A440-11 standard. Additionally, the installation of all windows must be completed in accordance with the window manufacturer's installation instructions.
3. This AC letter is **valid until December 31, 2020**, and for an **UNLIMITED** number of homes. This AC letter shall no longer be valid on or after January 1, 2021.
4. Manufactured homes sold directly to the Federal Emergency Management Agency (FEMA) must be reported on the HUD form 302 with purchaser/consumer information for FEMA. FEMA is not a retailer of manufactured homes. Further, the location for shipment must reflect the physical address of the first destination of the home, whether it is a storage facility, holding facility, or FEMA field office for disaster deployment. Listing FEMA's headquarters as the shipping address is not appropriate. Manufactured homes sold to or through a retailer or distributor for consumer purchase shall be reported with retailer information and consumer information completed.
5. The manufacturer must ensure that FEMA or each prospective purchaser receives a copy of the enclosed "Notice to Purchaser" (see "Exhibit A") before entering into any sales agreement. The manufacturer must place the "Notice to Purchaser" in clear view in the kitchen area of the home. It must not be removed until the sale of the home is complete.
6. The manufacturer must provide HUD with a cumulative production status report (see Exhibit B) by January 31, 2021. The production status reports must be cumulative for and include all the information identified in "Exhibit B." The manufacturer must submit this report electronically to the Department to:

MHSreporting@hud.gov

If the manufacturer cannot send the report electronically, please send the paper copy report to the following address:

U.S. Department of Housing and Urban Development
Office of Manufactured Housing Programs
451 7th Street, SW, Room 9170
Washington, DC 20410-8000

HUD is forwarding a copy of this letter to all IPIAs and DAPIAs. After the manufacturer has provided notification to the Department, the IPIA(s) and DAPIA(s) may use this AC letter, which authorizes the IPIA to permit the use of this AC letter and authorizes the DAPIA to approve plans that reference this AC letter provided that the conditions set forth in the letter are met. HUD also forwarding a copy of this letter to all State Administrative Agencies.

The Department's decision does not affect any rights that manufactured home purchasers may have under the Act. This decision is limited solely to the subject request and only applies to the manufacturer's manufacturing operations that have been certified to build manufactured homes.

Please reference HUD File No. 20-IW1-AC in any correspondence about this specific AC approval. If you have any questions concerning this matter, please contact Mr. Jason McJury of this office at (202) 402-2480 or by email at Jason.C.McJury@hud.gov.

Sincerely,

4/16/2020

X 

Teresa B. Payne, Administrator
Office of Manufactured Housing Programs
Signed by: TERESA PAYNE

Enclosures

cc: IBTS; ALL SAAs; ALL IPIAs; ALL DAPIAs

EXHIBIT A

20-IW1-AC ALL MANUFACTURED HOME MANUFACTURERS (WINDOWS)

NOTICE TO PURCHASER/OCCUPANT

The U.S. Department of Housing and Urban Development (HUD) has issued an Alternative Construction (AC) Letter No. 20-IW1-AC, available to all manufactured home manufacturers.

As constructed in the factory, this home may not meet certain aspects of the Federal Manufactured Home Construction and Safety Standards (Standards). Specifically, the testing and certification standard for your home's windows has been performed to the AAMA 1701.2-12 or AAMA 101 standard. While this standard meets or exceeds the same performance testing as 1701.2-95, it does not meet the specific standard outlined in HUD's 24 Code of Federal Regulations 3280.403 which call for certification to AAMA 1701.2-95.

The windows are installed in accordance with the product manufacturer's installation instructions, DAPIA-approved drawings, instructions, specifications, and comply with the AAMA 1701.2-12 and/or AAMA/WDMA/CSA 101/I.S.2/A440-11.

HUD evaluated this alternative construction concept and concludes that it provides levels of quality, durability, and safety that are equivalent to those required by the Federal Standards. To comply with the approval letter issued to the manufacturer, the letters "AC" must appear in your home's serial number.

For further information about the specific Federal Standards involved, a copy of the letter issued by HUD to the manufacturer pursuant to 24 CFR 3282.14(b) is available from this retailer/dealer or the manufacturer upon request.

A copy of this Notice must be provided to the Home Purchaser/Occupant and must be temporarily affixed in a location within the kitchen area of the home.

