



MANUFACTURED HOUSING CONSENSUS COMMITTEE

1.888.602.4663 | HUD.GOV/MHS

MINUTES MHCC REGULATORY ENFORCEMENT SUBCOMMITTEE MEETING

October 29- 31, 2019

Holiday Inn - Capital | Washington, DC

(Approved January 14, 2020 on the Regulatory Enforcement Subcommittee teleconference)

MINUTES

MANUFACTURED HOUSING CONSENSUS COMMITTEE (MHCC) REGULATORY ENFORCEMENT SUBCOMMITTEE TELECONFERENCES

October 29, 2019

Call to Order

The Manufactured Housing Consensus Committee (MHCC) Regulatory Enforcement Subcommittee meeting was held on Tuesday, October 29, 2019 during the October 29-31, 2019 MHCC meeting in Washington DC. Chairman, Michael Moglia, called the meeting to order at 3:00 p.m. Kevin Kauffman, Administering Organization (AO) Home Innovation Research Labs, called the roll and announced that a quorum was present. Teresa Payne, Administrator of the Office of Manufactured Housing Programs and Designated Federal Official (DFO), welcomed the Subcommittee members and the public to the Subcommittee meeting. See [Appendix A](#) for a list of Regulatory Enforcement Subcommittee members in attendance.

Approval of the Minutes

Motion to approve the minutes of the August 6 and August 14, 2019 MHCC Regulatory Enforcement Subcommittee meetings.

Maker: Michael Moglia

Second: Catherine Yielding

The motion carried.

The AO reminded the Subcommittee about the task that remained after the August teleconference calls. Subcommittee members were encouraged to work independently to come up with language for **Subpart M: On-Site Completion of Construction of Manufactured Homes** for this meeting.

Subpart M – Log 195

The Subcommittee discussed changes that need to be made to Subpart M to make it functional for the Manufactured Housing industry. See [Appendix B](#) for the Subcommittee's Ongoing Regulatory Language for LOG 195 – SUBPART M. The discussion was based around the follow topics:

- Developing a checklist for installers
- Responsibility for the inspection
- Inspector that the manufacturer can appoint
- The purpose of Site inspection reports to either certify the Manufactured Home and On-site or only the On-Site work
- Discussion on changing 'qualified inspector' to 'manufacturer approved inspector or IPIA approved inspector'

DFO Payne thanked the Subcommittee members and the Subcommittee chair – Michael Moglia – for a productive meeting. The MHCC Regulatory Enforcement Subcommittee adjourned at 4:35 p.m. (EDT).

REGULATORY ENFORCEMENT SUBCOMMITTEE TELECONFERENCES

October 30, 2019

Reconvene

The Manufactured Housing Consensus Committee (MHCC) Regulatory Enforcement Subcommittee reconvened at 9:10 am to continue discussion on Subpart M. Kevin Kauffman, Administering Organization (AO), Home Innovation Research Labs, called the roll and announced that a quorum was present.

Subpart M – Log 195 continued

The Subcommittee continued to discuss changes to Subpart M. (See Appendix B)

The MHCC Regulatory Enforcement Subcommittee adjourned at 11:00 a.m. (EDT).

REGULATORY ENFORCEMENT SUBCOMMITTEE TELECONFERENCES

October 31, 2019

Reconvene

The Manufactured Housing Consensus Committee (MHCC) Regulatory Enforcement Subcommittee reconvened at 9:15 am to continue discussion on Subpart M. Kevin Kauffman, Administering Organization (AO), called the roll and announced that a quorum was present.

Subpart M – Log 195 continued

The Subcommittee continued to discuss changes to Subpart M. (See Appendix B)

Subcommittee Chair, Michael Moglia thanked the Subcommittee members for a productive meeting. The Subcommittee was very close to completing the Subpart M edits. DFO Payne noted that HUD will try to schedule a teleconference call to finalize the Subpart M changes and to get these changes through the rule-making process. The MHCC Regulatory Enforcement Subcommittee adjourned at 11:30 a.m. (EDT).

**APPENDIX A:
Subcommittee Attendees**

October 29-31, 2019

Regulatory Enforcement Subcommittee		
	Name	Attendance
Users	Stacey Epperson	Y
	Loretta Dibble	Y
	Catherine Yielding	Y
	Dave Anderson	Y
Producers	Alan Spencer	Y
	Manuel Santana	Y
	Michael Wade	Y
	Cameron Tomasbi	Y
General Interest / Public Official	James Husom	Y
	Michael Moglia	Y
	David Tompos	Y
	Mitchel Baker	N

HUD Staff

Teresa Payne, DFO

MHCC Member

MHCC Committee members in attendance on the October 29 – 31, 2019 meeting were present

AO Staff,

Home Innovation Research Labs

Kevin Kauffman

Nay Shah

APPENDIX B:

SUBCOMMITTEE'S ONGOING
REGULATORY LANGUAGE FOR
LOG 195 (SUBPART M)

24 CFR Subpart A

§ 3282.7(kk) Substantial Completion

A manufactured home is substantially completed if all aspects of construction that are not practical to ~~can will~~ be finished in the manufacturer's plant are completed, except as provided in § 3282.~~603~~604.

§ 3282.7(c-1) Site Inspection Report

Means a document signed by a Manufacturer's IPIA verifying that the manufactured home has been inspected and that all on-site work complies with the Manufactured Home Construction and Safety Standards and the requirements of Subpart M of this part.

~~§ 3282.7(ff-1) Certification of Completion~~

~~Means a final report prepared by the manufacturer for each manufactured home certifying that, to the best of the manufacturer's knowledge, once all on-site work was completed and inspected, the home complies with the Manufactured Home Construction and Safety Standards and the requirements of Subpart M of this part.~~

24 CFR Subpart M

§ 3282.601 Purpose and applicability.

(a) **Purpose of section.** Under ~~HUD the Secretary's~~ oversight, this ~~section-subpart~~ establishes the procedure for limited on-site completion of some aspects of construction that ~~cannot be~~ are not practical to be completed by the manufacturer at the factory.

(b) **Applicability.** This section may be applied when all requirements of this subpart are met. To be applicable a manufactured home must:

1. Be substantially completed in the factory;
2. Meet the requirements of the Manufactured Home Construction and Safety Standards upon completion of the site work; and
3. Be inspected by the manufacturer's IPIA ~~as provided in this~~ subpart __, unless specifically exempted as installation under HUD's the Model Installation Standards, 24 CFR part 3285. This subpart does not apply to Alternative Construction (see § 3282.14) that does not comply with the Manufactured Home Construction and Safety Standards.

§ 3282.602 Construction qualifying for on-site completion.

(a) ~~In accordance with the requirements of this subpart, The the~~ manufacturer, ~~and~~ the manufacturer's DAPIA, ~~acting on behalf of HUD, and the manufacturer's IPIA~~ acting on behalf of HUD ~~the Secretary,~~ may agree to permit certain aspects of construction of a manufactured home to be completed on-site in accordance to with the Manufactured Home Construction and Safety Standards ~~on-site in accordance with the requirements of this subpart~~. The aspects of construction that may be approved to be completed on-site are the partial completion of structural assemblies or systems (e.g., electrical, plumbing, heating, cooling, fuel burning, and fire safety systems) and components built as an integral part of the home, when the partial completion on-site is warranted because completion of the partial structural assembly or system during the manufacturing process in the factory would not be practicable (e.g., because of the home design or which could result in transportation damage or if precluded because of road restrictions). ~~Examples of construction that may be completed on-site include:~~

- ~~1. Hinged roof and eave construction, unless exempted as installation by § 3285.801(f) of the Model Manufactured Home Installation Standards and completed and inspected in accordance with the Manufactured Home Installation Program;~~
- ~~2. Any work required by the home design that cannot be completed in the factory, or when the manufacturer authorizes the retailer to provide an add-on, not including an attached garage, to the home during installation, when that work would take the home out of conformance with the construction and safety standards and then bring it back into conformance;~~
- ~~3. Appliances provided by the manufacturer, installer, retailer, or purchaser, including fireplaces to be installed on-site;~~
- ~~4. Components or parts that are shipped loose with the manufactured home and that will be installed on-site, unless exempted as installation by the installation standards;~~
- ~~5. Exterior applications such as brick siding, stucco, or tile roof systems; and~~
- ~~6. Other construction such as roof extensions (dormers), site-installed windows in roofs, removable or open floor sections for basement stairs, and sidewall bay windows.~~

(b) The manufacturer or a licensed contractor or similarly qualified professional with prior authorization from the manufacturer may perform the on-site work in accordance with the DAPIA approvals and manufacturer's on-site completion instructions. However, the manufacturer is responsible for the adequacy of all on-site completion work regardless of who does the work, and the manufacturer must prepare and provide ~~all the certification of completion including the~~ site inspection reports, ~~as well as the certification of completion,~~ and must fulfill all of its responsibilities and maintain all records at the factory of origin as required by § 3282.609607.

§ 3282.605-603 Requirements applicable to completion of on-site construction.

- (a) **Serial numbers of homes completed on-site.** The serial number of each home completed in conformance with this ~~section-subpart~~ must include the prefix or suffix "SC".
- (b) **Labeling.** A manufacturer that has received a DAPIA approval under § 3282.604 may certify and label a ~~manufactured~~ home that is substantially completed in the ~~manufacturer's plant~~factory at the ~~proper~~ completion of the in-plant production phase, even though some aspects of construction will be completed on-site in accordance with the DAPIA's approval. Any such homes or sections of such homes must have a label affixed in accordance with § 3282.362(c)(2) and be shipped with a Consumer Information Notice that meets the requirements of § 3282.~~606~~608.
- (c) **Site inspection.** ~~Prior to occupancy, Upon completion of the on-site work,~~ the manufacturer must ensure that each home ~~is shall be~~ inspected ~~on-site~~ by a Manufacturer's IPIA and a certification of completion must be issued certifying that all on-site work complies with the DAPIA approval and the requirements under this subpart. ~~The manufacturer is responsible for inspecting all aspects of construction that are completed on-site as provided in its approved designs and quality assurance manual for on-site completion.~~
1. ~~If the Manufacturer's IPIA determines that the on-site work does not comply with the DAPIA approval and the other requirements under this subpart, then the home shall not pass inspection. The home may not be occupied until the home complies with the Manufactured Home Construction and Safety Standards and the requirements of this subpart.~~
 2. ~~If the Manufacturer's IPIA determines that the on-site work complies with the DAPIA approval and the other requirements under this subpart, then the home may pass inspection. The party that completed the inspection shall issue a Site Inspection Report, within 5 business days of completion, to the manufacturer verifying that all on-site work complies with the Manufactured Home Construction and Safety Standards and the requirements of this subpart.~~
 3. ~~The site inspection report must include:~~
 - i. ~~The name, address, and contact information of the manufacturer;~~
 - ii. ~~The serial number of the manufactured home;~~
 - iii. ~~The address of the home site;~~
 - iv. ~~A description of the work performed on-site;~~
 - v. ~~A copy of the manufacturer's instructions for completing the on-site work, the manufacturer's inspection checklist, and the DAPIA-approved checklist that lists all required components, materials, labels, and instructions needed for on-site completion;~~

- vi. The name of the inspector and contact information of the Manufacturer's IPIA that completed the site inspection and the date the inspection was completed;
- vii. When applicable, confirmation that any problems noted during inspection were corrected prior to passing the inspection;
- viii. Statement of completion to be signed by the manufacturer stating " Upon acceptance of this report the manufacturer certifies to the best of the manufacturer's knowledge and belief that this manufactured home has been inspected in accordance with the requirements of the Department of Housing and Urban Development and is constructed in conformance with the Federal manufactured home construction and safety standards and 24 CFR Part 3282 Subpart M"

~~(d) **Site inspection report Certification of Completion.** The manufacturer must prepare a Certification of Completion.~~

- ~~1. In preparing the site inspection report Certification of Completion, the manufacturer must use the inspection checklist approved by the DAPIA in accordance with § 3282.604.603(d)(9), and must prepare a final site inspection report and provide a copy to the IPIA within 5 business days of completing the report. Within 5 business days after the date that the IPIA notifies the manufacturer of the IPIA's approval of the final passed site inspection report, the manufacturer must also provide a copy of the approved completed report to the first purchaser or lessor or purchaser prior to occupancy and, as applicable, the appropriate retailer and any person or entity other than the manufacturer that to any licensed contractor or similarly qualified professional that performed the on-site construction work.~~
2. ~~Each approved final~~The manufacturer's site inspection report must include:
 - ~~i. The name, and address, and contact information of the manufacturer;~~
 - ~~ii. The serial number of the manufactured home;~~
 - ~~iii. The address of the home site;~~
 - ~~iv. A description of the work performed on site;~~The name of the person and/or agency responsible for the manufacturer's final site inspection;
 - ~~v. A copy of the manufacturer's instructions for completing the on-site work, the manufacturer's inspection checklist, and the DAPIA-approved checklist that lists all required components, materials, labels, and instructions needed for on-site completion;~~The name of each person and/or agency who performs on-site inspections on behalf of the IPIA, the name of the person responsible for acceptance of the

~~manufacturer's final on-site inspection report on behalf of the IPIA, and the IPIA's name, mailing address, and telephone number;~~

~~vi. The name, address, and contact information of the Manufacturer's IPIA that completed the site inspection and the date the inspection was completed; A description of the work performed on-site and the inspections made;~~

~~vii. When applicable, verification confirmation that any problems noted during inspections have been were corrected prior to issuance of the certification certification of compliance completion; and~~

~~viii. A Certification by the manufacturer certification of completion in accordance with the DAPIA-approved instructions and issued by the Manufacturer's IPIA that completed the inspection confirming that the home was completed in accordance with the DAPIA's approval and that the home conforms complies with the approved design or, as appropriate under § 3282.362(a)(1)(iii), the cConstruction and sSafety sStandards and the requirements of this subpart.~~

~~3. The IPIA must review each manufacturer's final on-site inspection report and determine whether to accept that inspection report.~~

~~i. Concurrent with the manufacturer's final site inspection, the IPIA or the IPIA's agent must inspect all of the on-site work for homes completed using an approval under this section. The IPIA must use the inspection checklist approved by the DAPIA in accordance with § 3282.603(d)(9).~~

~~ii. If the IPIA determines that the manufacturer is not performing adequately in conformance with the approval, the IPIA must re-tag and reinspect until it is satisfied that the manufacturer is conforming to the conditions included in the approval. The home may not be occupied until the manufacturer and the IPIA have provided reports, required by this section, confirming compliance with the Construction and Safety Standards.~~

~~iii. The IPIA must notify the manufacturer of the IPIA's acceptance of the manufacturer's final site inspection report. The IPIA may indicate acceptance by issuing its own final site inspection report or by indicating, in writing, its acceptance of the manufacturer's site inspection report showing that the work completed on-site is in compliance with the DAPIA approval and the Construction and Safety Standards.~~

~~4. Within 5 business days of the date of IPIA's notification to the manufacturer of the acceptance of its final site inspection report, the manufacturer must provide to the purchaser or lessor, as applicable, the manufacturer's final site inspection report. For purposes of establishing the manufacturer's and retailer's responsibilities under the Act and subparts F and I of this part,~~

~~the sale or lease of the manufactured home will not be considered complete until the purchaser or lessor, as applicable, has been provided with the report.~~

(e) **Report to ~~HUD~~the Secretary.** The manufacturer must provide a report to the Secretary.

1. The manufacturer must report to ~~HUD~~the Secretary through its IPIA, on the ~~manufacturer's~~ monthly production report required in accordance with § 3282.552, the serial number and unique on-site completion numeric identification (see § 3282.603(d)(1))number of each home produced under an approval issued pursuant to this ~~section~~subpart, as required under § 3282.607.
2. The report to the Secretary must be consistent with the DAPIA approval issued pursuant to this ~~section~~subpart.
3. The manufacturer must also submit a copy of the report, or a separate listing of all information provided on each report for homes that are completed under an approval issued pursuant to this ~~section~~subpart, to the SAAs State Administrative Agencies of the States where the home is substantially completed in the factory and where the home is sited, as applicable.

§ 3282.603604 Manufacturer's Request for approval; DAPIA review, notification, and approval.

(a) **Manufacturer's request for approval.** The manufacturer must request, in writing, and obtain approval ~~of from~~ its DAPIA for any aspect of construction that is to be completed on-site under this subpart. The manufacturer, ~~its IPIA,~~ and its DAPIA must work together to reach agreements necessary to ~~enable ensure that~~ the manufacturer's request to be is reviewed and approved. The manufacturer's on-site completion request must include:

1. A copy of the design or plan explaining how the manufacturer will build the home, including those steps that will be completed on-site;
2. An explanation of the manner in which the manufacturer's design or plan fails to conform with the Manufactured Home Construction and Safety Standards when the home leaves the factory, including a list of the specific provisions involved;
3. An explanation of how the manufacturer's design or plan will ultimately result in homes that fully comply with the Manufactured Home Construction and Safety Standards upon completion of the on-site requirements;
4. A copy of all data that supports the manufacturer's request, including applicable test data, engineering calculations, architectural renderings, installation instructions, and on-site and in-plant checklists;

5. A list of all the manufacturer's manufacturing facilities and corresponding IPIAs to be allowed use of the DAPIA's approval;
6. A copy of the proposed Consumer Information Notice that explains to the first purchaser or lessor the on-site completion process and identifies the work to be completed on-site as required by § 3282.608;
7. A checklist verifying and accounting for all the required components, materials, labels, and instructions needed to complete the on-site work;
8. An inspection checklist that is to be used by a Manufacturer's IPIA to complete the site inspection; and
9. Any other requirements or limitations that the DAPIA deems necessary or appropriate to accomplish the requirements of this subpart and the objectives of the Act.

(b) DAPIA review and notification.

1. The DAPIA, acting on behalf of ~~HUD~~the Secretary, must notify the manufacturer in writing of the results of ~~the DAPIA's~~its review of the manufacturer's request, and must retain a copy of the notification in the DAPIA's records. ~~The DAPIA shall also forward a copy of the approval to HUD or the Secretary's agent as provided under § 3282.361(a)(4).~~ The written notification must either:
 - i. Approve the manufacturer's on-site completion request if it is consistent with ~~this section~~the requirements of this subpart and the objectives of the Act; or
 - ii. Deny the ~~proposed~~manufacturer's on-site completion request and ~~set out~~explain the reason or reasons for the denial.
2. Written notification of DAPIA approval must:
 - i. Identify the work to be completed on-site;
 - ii. List all home models to which the approval applies or indicate that the approval is not specific to any model;
 - iii. Include a stamp of approval or authorized signature by the DAPIA on each page of the manufacturer's design that includes an element of construction that will be completed on-site;

- iv. Confirm acceptance by the DAPIA of the manufacturer's instructions for completing the on-site work and the manufacturer's on-site inspection checklist;
 - v. Include a DAPIA-approved checklist to be used by the manufacturer or a licensed contractor or similarly qualified professional to verify and account for all required components, materials, labels, and instructions needed to complete the on-site work; and
 - vi. Include the DAPIA's unique identification number for each approval for each manufacturer (i.e., manufacturer name or abbreviation, SC-XX).
3. The DAPIA shall provide a copy of its approval to the Secretary as provided under § 3282.361(b)(4). The DAPIA shall also provide a copy of its approval to the manufacturer's IPIA(s) authorizing the IPIA(s) to allow the on-site completion of construction, provided the conditions set forth in the DAPIA approval are met. The DAPIA shall also forward a copy of its approval to the State Administrative Agencies of the States where the homes will be substantially completed in the factory and, if known, any applicable State Administrative Agency of the State in which the homes are to be located.

~~(c) **Manner of DAPIA approval.** Notification of DAPIA approval must include, by incorporation or by listing, the information required by paragraph (d) of this section, and must be indicated by the DAPIA placing its stamp of approval or authorized signature on each page of the manufacturer's designs submitted with its request for approval. The DAPIA must include an "SC" designation on each page that includes an element of construction that is to be completed on-site and must include those pages as part of the approved design package.~~

~~(d) **Contents of DAPIA approval.** Any approval by the DAPIA under this section must:~~

- ~~1. Include a unique site completion numeric identification for each approval for each manufacturer (i.e., manufacturer name or abbreviation, SC-XX);~~
- ~~2. Identify the work to be completed on-site;~~
- ~~3. List all models to which the approval applies, or indicate that the approval is not model-specific;~~
- ~~4. Include acceptance by the DAPIA of a quality assurance manual for on-site completion meeting the requirements of paragraph (e) of this section;~~
- ~~5. Include the IPIA's written agreement to accept responsibility for completion of the necessary on-site inspections and accompanying records;~~
- ~~6. Identify instructions authorized for completing the work on-site that meet the requirements of paragraph (f) of this section;~~

- ~~7. Include the manufacturer's system for tracking the status of homes built under the approval until the on-site work and necessary inspections have been completed, to assure that the work is being performed properly;~~
- ~~8. Include a quality control checklist to be used by the manufacturer and IPIA and approved by the DAPIA to verify that all required components, materials, labels, and instructions needed for site completion are provided in each home prior to shipment;~~
- ~~9. Include an inspection checklist developed by the IPIA and manufacturer and approved by the DAPIA, that is to be used by the final site inspectors;~~
- ~~10. Include a Consumer Information Notice developed by the manufacturer and approved by the DAPIA that explains the on-site completion process and identifies the work to be completed on-site; and~~
- ~~11. Include any other requirements and limitations that the DAPIA deems necessary or appropriate to accomplish the purposes of the Act.~~

~~(e) **Quality assurance manual for on-site completion requirements.** The portion of the quality assurance manual for on-site completion required by paragraph (d)(3) of this section must receive the written concurrence of the manufacturer's IPIA with regard to its acceptability and applicability to the on-site completion of the affected manufactured homes. It must include a commitment by the manufacturer to prepare a final site inspection report that will be submitted to the IPIA for its review. When appropriate, this portion of the quality assurance manual for on-site completion will be deemed a change in the manufacturer's quality assurance manual for the applicable models, in accordance with §§ 3282.203 and 3282.361.~~

~~(f) **Instructions for completion on-site.** The DAPIA must include instructions authorized for completing the work on-site as a separate part of the manufacturer's approved design package. The manufacturer must provide a copy of these instructions and the inspection checklist required by paragraph (d)(9) of this section to the IPIA for monitoring and inspection purposes.~~

§ 3282.604-605 DAPIA responsibilities.

The DAPIA, acting on behalf of ~~HUD~~ the Secretary, ~~for any manufacturer proceeding under this section~~ is responsible for:

- (a) Verifying that ~~all~~ the manufacturer has submitted all the information required ~~by~~ under § 3282.603604; ~~has been submitted by the manufacturer;~~

- (b) Reviewing ~~and approving~~ the manufacturer's request for approval, including the manufacturer's designs, ~~quality control~~ checklist of required components or materials, site inspection checklist, site completion instructions, and ~~quality assurance manuals~~ Customer Information Notice for ~~site~~ all work to be performed on-site;
- (c) Notifying the manufacturer, the Secretary, the manufacturer's IPIA(s), and any applicable State Administrative Agency of its approval of the manufacturer's request;
- (d) Maintaining all records and approvals for at least five years;
- (e) Revoking or amending its approvals as necessary, in accordance with § 3282.609; and
- (f) Reviewing its approvals under this ~~section-subpart~~ at least minimum every three years, or more frequently if there are changes made to the Manufactured Home each time the Manufactured Home Construction and Safety Standards are amended, 24 CFR part 3280, to verify continued compliance with the Standards 24 CFR part 3280.

§ 3282.~~607-606~~ IPIA responsibilities.

The IPIA, acting on behalf of ~~HUD~~ the Secretary, ~~for any manufacturer proceeding under this section~~ is responsible for:

- ~~(a) Working with the manufacturer and the manufacturer's DAPIA to incorporate into the DAPIA-approved quality assurance manual for on-site completion any changes that are necessary to ensure that homes completed on-site conform to the requirements of this section;~~
- (a) Providing the manufacturer with a supply of the Certification ~~l~~ labels described in this ~~section~~ subpart, in accordance with the requirements of § 3282.362(c)(2)(i)(A);
- (b) Overseeing the effectiveness of the manufacturer's quality control systems for assuring to ensure that on-site work each home is substantially completed in the factory, in accordance with § 3282.601(b)(1); ~~to the DAPIA-approved designs, which must include:~~
 - ~~1. Verifying that the manufacturer's quality control manual at the installation site is functioning and being followed;~~
 - 2. Monitoring the manufacturer's system for tracking the status of each home built under the approval until the on-site work and necessary inspections have been completed;
 - 3. Reviewing all of the manufacturer's final-accepted ~~on-site~~ inspection reports; and
- (c) Inspecting all of the on-site construction work for each home by an inspector acceptable to the IPIA, in accordance with the approved design as applied to this subpart.

1. ~~utilizing an IPIA inspector or an independent qualified third-party inspector acceptable to the IPIA and acting as the designee or representative:~~

- ~~i. Prior to close-up, unless access panels are provided to allow the work to be inspected after all work is completed on-site; and~~

- ~~ii. After all work is completed on-site, except for close-up;~~

(d) Completing the site inspection report

~~(d) Designating an IPIA inspector or an independent qualified third-party inspector acceptable to the IPIA to complete the site inspection report, as set forth under § 3282.358(d), who is not associated with the manufacturer and is not involved with the site construction or completion of the home and is free of any conflict of interest in accordance with § 3282.359, to inspect the work done on-site for the purpose of determining compliance with:~~

- ~~1. The approved design or, as appropriate under § 3282.362(a)(1)(iii), the Construction and Safety Standards; and~~

- ~~2. The DAPIA approved quality assurance manual for on-site completion applicable to the labeling and completion of the affected manufactured homes;~~

~~(e) Notifying the manufacturer of the IPIA's acceptance of the manufacturer's final site inspection report (see § 3282.605(d)(3)(iii));~~

~~(f) Preparing final site inspection reports and providing notification to the manufacturer of its acceptance of the manufacturer's final site inspection report within 5 business days of preparing its report. The IPIA is to maintain its final site inspection reports and those of the manufacturer for a period of at least 5 years. All reports must be available for HUD and SAA review in the IPIA's central record office as part of the labeling records; and~~

(e) Reporting to ~~HUD~~ the Secretary, the DAPIA, and any applicable State Administrative Agency ~~and the manufacturer~~ if one or more homes has not been site-inspected ~~prior to occupancy or when arrangements~~ if the manufacturer failed to arrange for one or more manufactured-homes to be site inspected ~~have not been made~~.

(f) Reviewing, at least once per calendar year, the manufacturer's records of DAPIA on-site approval notifications, site inspection reports, and certificates of completion, and ensuring that all such records are available for review by the Secretary and any applicable State Administrative Agency in the factory of origin.

§ 3282.608-607 Manufacturer responsibilities.

A manufacturer proceeding under this section is responsible for:

- (a) Obtaining DAPIA approval for ~~completion of construction~~ any aspect of construction that is to be completed on-site, in accordance with § 3282.603604;
- ~~(b) Obtaining the IPIA's agreement to perform on-site inspections as necessary under this section and the terms of the DAPIA's approval;~~
- (b) Notifying the IPIA that the home is ready for inspection;
- ~~(c) Paying the IPIA's costs for performing on-site inspections of work completed under this section;~~
- (c) Providing, E either before or at the time on-site work ~~commences~~ begins, ~~providing the IPIA with a copy of any applicable DAPIA~~ a licensed contractor or similarly qualified professional with a copy of the approved instructions for completing the on-site work, the approved inspection checklist, and any other applicable DAPIA-approved quality assurance manual instructions for on-site completion, ~~the approved instructions for completing the construction work on-site, and an approved inspection checklist,~~ and for maintaining this information on the job site until all on-site work is completed and accepted by the IPIA ~~has been inspected by the manufacturer's IPIA~~ a qualified inspector, as the term is defined under 24 CFR § 3286.511, a State Administrative Agency, or other entity approved by the Secretary as provided in this subpart;
- (d) ~~Satisfactorily c~~ Completing all on-site construction requirements and required repairs or authorizing a licensed contractor or similarly qualified ~~person~~ professional to complete all on-site construction requirements and ~~any needed~~ required repairs;
- (e) Arranging, at the manufacturer's expense, an inspection of each home by the a qualified inspector, as the term is defined under 24 CFR § 3286.511, a State Administrative Agency, or other entity approved by the Secretary as provided in this subpart manufacturer's IPIA to verify compliance with the DAPIA-approved designs and the Manufactured Home Construction and Safety Standards; Providing a written certification to the lessor or purchaser, when all site construction work is completed, that each home, to the best of the manufacturer's knowledge and belief, is constructed in conformance with the Construction and Safety Standards;
- ~~(f) Notifying its IPIA when the required site inspection has been completed;~~
- (f) Ensuring that the ~~consumer notification requirements of~~ Consumer Information Notice required in § 3282.606608 are met ~~for any home completed under this subpart~~ is displayed in a conspicuous and prominent location within the home;
- (g) Within 5 business days after the date that the IPIA notifies the manufacturer of the IPIA's approval of the passed site inspection report, the manufacturer shall p ~~Provide~~ ing a copy of the accepted site inspection report to the retailer, and lessor, or purchaser certifying that, to the best of the manufacturer's knowledge and ability, once all on-site work was completed and inspected, the home

~~has been built in conformance with the Manufactured Home Construction and Safety Standards and the requirements of this subpart; Maintaining a system for tracking the status of homes built under the approval until the on-site work and necessary inspections have been completed, such that the system will assure that the work is performed in accordance with the quality control manual and other conditions of the approval;~~

~~(h) Ensuring performance of all work as necessary to assure compliance with the Construction and Safety Standards upon completion of the site work, including § 3280.303(b) of this chapter, regardless of who does the work or where the work is completed;~~

~~(i) Preparing a site inspection report upon completion of the work on-site, certifying completion in accordance with DAPIA approved instruction and that the home conforms with the approved design or, as appropriate under § 3282.362(a)(1)(iii), the construction and safety standards;~~

~~(j) Arranging for an on-site inspection of each home upon completion of the on-site work by the IPIA or its authorized designee prior to occupancy to verify compliance of the work with the DAPIA-approved designs and the Construction and Safety Standards;~~

(h) Providing its a copy of the final on-accepted site inspection report ~~and certification of completion to any applicable State Administrative Agency upon request; the IPIA and, after approval, to the lessor or purchaser and, as applicable, the appropriate retailer, and to the SAA upon request;~~

(i) Maintaining in its records the approval notification from the DAPIA ~~and~~ the manufacturer's final on-accepted site inspection report, ~~and certification of completion, and the IPIA's acceptance of the final site inspection report and certification, and making ensuring that~~ all such records are available for review by HUD the Secretary and any applicable State Administrative Agency in the factory of origin for a minimum of five years;

(j) Reporting to ~~HUD or its agent~~ the Secretary the serial numbers assigned to each home completed in conformance with this ~~section~~ subpart and as required by § 3282.552; and

(k) Providing cumulative quarterly production reports to ~~HUD or its agent~~ the Secretary that include the unique on-site completion numeric identification number(s), serial numbers, and Certification Label numbers for each home (see § 3282.603(d)(1)); the serial number(s) for each home; the HUD label number(s) assigned to each home; the retailer's name and address for each home; the name, address, and phone number for each ~~home~~ purchaser; the dates ~~of the final site completion inspection~~ was completed for each home; and ~~whether confirmation that~~ each home was inspected ~~prior to occupancy.~~

~~(l) Maintaining copies of all records for on-site completion for each home, as required by this section, in the unit file to be maintained by the manufacturer.~~

§ 3282.606-608 Required Consumer Information Notice.

- (a) **Notice.** Any home completed under the procedures established in this ~~section-subpart~~ must be shipped with a ~~temporary notice~~Consumer Information Notice that explains that the home will comply with the requirements of the Manufactured Home eConstruction and sSafety sStandards~~only after all of the on-site work has been completed and inspected, and a certification of completion has been issued~~. The ~~notice-required~~ Customer Information Notice must be legible and typed, using letters at least 1/4 inch high in the text of the notice and 3/4 inch high for the title. The notice must read as follows:

IMPORTANT CONSUMER INFORMATION NOTICE

WARNING: DO NOT LIVE IN THIS HOME UNTIL THE ON-SITE WORK HAS BEEN COMPLETED AND THE MANUFACTURER HAS PROVIDED A COPY OF THE INSPECTION REPORT ~~THAT CERTIFIES~~CERTIFYING THAT THE HOME HAS BEEN INSPECTED AND IS CONSTRUCTED IN ACCORDANCE WITH APPROVED ~~INSTRUCTIONS FOR MEETING THE CONSTRUCTION AND SAFETY STANDARDS~~ON-SITE MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARD REQUIREMENTS.

This home has been substantially completed at the factory and certified as having been constructed in conformance with the Federal Manufactured Home Construction and Safety Standards ~~when only after~~ specified work is performed and inspected at the home site. This on-site work must be performed in accordance with the manufacturer's instructions that have been approved for this purpose. The work to be performed on-site is [*insert description of all work to be performed in accordance with the Manufactured Home construction and safety standards*].

This notice may be removed by the purchaser or lessor when the ~~manufacturer provides the first~~ purchaser or lessor is provided with a copy of the manufacturer's ~~final~~ site inspection report, as required by regulation. ~~This final report must include the manufacturer's certification of completion.~~ All manufactured homes may also be subject to separate regulations requiring approval of items not covered by the Federal Manufactured Home Construction and Safety Standards, such as installation and utility connections.

- (b) **Placement of notice in home.** The notice required by paragraph (a) of this section must be displayed in a conspicuous and prominent location within the ~~manufactured~~ home and in a manner likely to assure that it is ~~not only~~ removed ~~until~~by, or under the authorization of, the first purchaser or lessor. ~~The notice is to be removed only by the first purchaser or lessor~~Only the first purchaser or lessor may remove the notice. No manufacturer, retailer, installation or construction contractor, or other person may alter or interfere with the required display of the notice.

- (c) **Providing notice before sale.** The manufacturer or retailer must also provide a copy of the Consumer Information Notice to prospective purchasers of any home to which the on-site approval requirement applies before the purchasers enter into an agreement to purchase the home.
- (d) **When sale or lease of home is complete.** For purposes of establishing the manufacturer's and retailer's responsibilities for on-site completion under the Act and subparts F and I of this part, the sale or lease of the manufactured home will not be considered complete until the first purchaser or lessor, as applicable, has been provided with a copy of the final site inspection report, as required under § 3282.6053(d) ~~and a copy of the manufacturer's certification of completion required under § 3282.609(k) and (l).~~ For 5 ~~five~~ years from the date of the sale or lease of each home, the manufacturer must maintain in its records an indication that the final on-site inspection report and certification of completion has been ~~was~~ provided to the lessor or purchaser ~~first purchaser or lessor~~ and, as applicable, the appropriate retailer.

§ 3282.609 Revocation or amendment of DAPIA approval.

- (a) The DAPIA ~~that issued an approval~~ or the Secretary may, at any time, revoke or amend, ~~prospectively,~~ an approval notification issued under § 3282.603604. The approval may be revoked or amended whenever the DAPIA or ~~HUD~~ the Secretary determines that:
1. The manufacturer is not complying with the terms of the approval or the requirements of this section ~~subpart~~;
 2. The approval was not issued in conformance with the requirements of § 3282.603604;
 3. A home produced under the approval fails to comply with the Federal eManufactured Home Construction and sSafety sStandards or contains an imminent safety hazard; or
 4. The manufacturer fails to make arrangements for one or more ~~manufactured~~ homes to be inspected by the IPIA prior to occupancy or has not provided the required accepted site inspection report.
- (b) The DAPIA must immediately notify the manufacturer, the manufacturer's IPIA(s), the Secretary, and ~~HUD~~ any applicable State Administrative Agency of any revocation or amendment of DAPIA approval.

§ 3282.611-610 Compliance with this subpart.

If the manufacturer ~~and IPIA, as applicable,~~ complies with the requirements of this section-subpart and ~~the home complies~~ those aspects of construction covered by the DAPIA approval comply with the Manufactured Home eConstruction and sSafety sStandards ~~for those aspects of construction covered by the DAPIA approval~~, then ~~HUD~~ the Secretary will consider a manufacturer or retailer that has permitted

a manufactured home ~~approved for on-site completion under this section~~ to be sold, leased, offered for sale or lease, introduced, delivered, or imported ~~a home that has been approved for on-site completion under this subpart~~ to be in compliance with the ~~certification~~ requirements of the Act and the applicable implementing regulations in this part ~~3282 for those aspects of construction covered by the approval.~~

§ 3282.610-611 Failure to comply with ~~the procedures of~~ this subpart.

In addition to other sanctions available under the Act and this part, ~~HUD~~ the Secretary may prohibit any manufacturer or ~~PIA-Primary Inspection Agency~~ found to be in violation of the requirements of this ~~section-subpart~~ from carrying out their functions ~~of this Subpart~~ under this subpart in the future, after providing an opportunity for an informal presentation of views in accordance with § 3282.152(f). Repeated infractions of the requirements of this ~~section-subpart~~ may be grounds for the suspension or disqualification of a ~~PIA-Primary Inspection Agency~~ under §§ 3282.355 and 3282.356.