

Manufactured Home Installation Program

Policies and Procedures

Updated 11-16-2020

These policies and procedures apply to the Manufactured Home Installation Program. For more information, see the Department of Commerce Administrative Rule Article 108-03.

108-03-01-06. Installers of manufactured homes - Registration

Registrations will run from July 1 to June 30. Letters will be sent to all registered installers prior to the training courses to inform them of the upcoming trainings, and will include all necessary registration forms.

A registration due date will be set by the division with a late fee of \$25 assessed to late registrations.

If an installer obtains a license between July 1st and January 1st, they must pay the full amount of the registration fee. If an installer obtains a license between January 1st and June 30th, one half the registration fee will be collected.

SFN 58299 will be filled out by each installer along with the course registration form.

SFN 58299 shall be notarized.

Payment is due with the registration forms.

Proof of liability insurance and surety bond, letter of credit, or certificate of deposit by a licensed financial institution is required with the registration.

Photo of driver's license is due with the registration for 1st time installers.

All installer information will be logged into the installer spreadsheet.

When payment is received, it will be logged in Commerce's check receipt log, the installer spreadsheet, and sent to fiscal who will follow Commerce's fiscal policy for payments received.

Each year a copy of the payments, registration forms, liability insurance, and surety bond will be scanned under the appropriate installer in FileNet.

Installer responsibilities.

1. The registered installer must contact a certified inspector to request an installation authorization (SFN 58353) before any work is completed on the lot.
 - a. The home cannot be set without the installation authorization.
 - b. The installation authorization is valid for thirty days from the date of issuance and may be extended for an additional thirty days upon written approval from the inspector or issuing entity.
 - c. The installation authorization must be on display at the site of the manufactured home installation until the installation insignia is attached.
2. Contact the local jurisdictions to see if they have additional requirements for the installation.

3. During installation and inspection, a copy of the manufacturer's installation instructions and/or alternate standards shall always be available onsite.
 - a. The installer shall be responsible to maintain the copy of the manufacturer's installation instructions onsite.
 - i. If the manufacturer's installation instructions and/or alternate standards are not present at the time of the inspection, the inspector may fail the inspection and require a reinspection.
4. The registered installer must be on site during the installation process.
5. The installer must notify the inspector when the home is ready for inspection.
 - a. All costs of the inspection will be borne by the installer.

108-03-01-10. Certified installation inspector.

Registrations will run from July 1 to June 30. Letters will be sent to all registered inspectors prior to the training courses to inform them of the upcoming trainings and will include all necessary registration forms.

A registration due date will be set by the division with a late fee of \$25 assessed to late registrations.

If an inspector obtains a license between July 1st and January 1st, they must pay the full amount of the registration fee. If an installer obtains a license between January 1st and June 30th, one half the registration fee will be collected.

SFN 58299 will be filled out by each certified inspector along with the course registration form.

SFN 58299 shall be notarized.

Photo of driver's license is due with the registration for 1st time inspectors.

Payment is due with the registration forms.

All inspector information will be logged into the inspector spreadsheet.

When payment is received, it will be logged in Commerce's check receipt log, the inspector spreadsheet, and sent to fiscal who will follow Commerce's fiscal policy for payments received.

Each year a copy of the payments and registration forms received will be scanned under the appropriate inspector in FileNet.

108-03-01-12. Inspection procedures.

Certified inspectors shall use SFN 60119 for all manufactured home inspections.

Certified inspectors may issue installation authorizations SFN 58346 (permits) to registered installers for the installation of a manufactured home. Installation authorizations SFN 58346 (permits) must be displayed at the site and must be accessible from the outside of the home. The recommended place is in the window of the manufactured home to be set.

The installation authorization SFN 58346 is valid for thirty days from the date of issuance and may be extended for an additional thirty days upon written approval by the issuing entity.

Certified inspectors must make a minimum of one inspection on a single wide home and two inspections on a double wide home. More inspections can be required by the certified inspector if deemed necessary.

When a manufactured home installation is found not to be in compliance with the manufacturer's installation instructions by a certified inspector, the installer shall be notified in writing by the inspector.

If an installation or subsequent repair of an installation by an installer fails to meet the manufacturer's installation instructions within the time limit allowed by the inspector, the inspector shall notify the installer that the installation is in default. The installer shall be given ten working days after notification of default to bring the installation into compliance. Any independent inspector that knows of an installation that is in default and has not been corrected by subsequent repair shall request that the division arrange for an investigation of the installation.

At the time of the inspection, the inspector may include in the inspection report instructions for the installer to call for a re-inspection at any stage of installation to prevent cover-up of any part of the installation requiring re-inspection by the inspector.

When the manufactured home installation is found to be in compliance, the inspector shall affix an insignia (SFN 58354) within six inches of the HUD label.

108-03-01-13. Complaints. The division may cause to be investigated any complaint concerning the installation of a manufactured home filed in writing by an owner, dealer, manufacturer, installer, or certified inspector. The division may designate a certified inspector or other qualified entity to make a complaint inspection on behalf of the division. This would be considered a formal complaint.

If the inspection of the complaint fails, the installer and inspector may be charged for all costs associated with the complaint inspection.

The program administrator will keep a record of any complaints that come to the division. Information required will be the name of the inspector and installer, date of installation, insignia number, location, oversight reports, and resolution.

108-03-01-14. Suspension or revocation. The division may permanently revoke, or temporarily suspend the registration or certification of an installer or inspector.

Suspension can occur, but is not limited to, the following:

1. Failure to file each year and keep current, a letter of credit, certificate of deposit, or surety bond as required;
 - a. License may be reinstated when bond is brought up to date
2. Failure to file each year and keep current, the required liability insurance;
 - a. License may be reinstated when insurance is brought up to date
3. Failure to notify the division of changes in application information;
 - a. License may be reinstated when information is corrected
4. Failure to pay all assessed inspection fees;
 - a. License may be reinstated when fees are paid in full

5. Failure to make all required repairs that are needed to bring the installation into compliance with the manufacturer's installation instructions;
 - a. License may be reinstated when all repairs are completed
6. Failure to pass periodic oversight inspections;
 - a. The installer has the opportunity to make needed repairs found during the oversight inspection. If the needed repairs are not made in the time allowed, the installers' license can be suspended.
7. Failure to pay all necessary training and registration fees;
 - a. License may be reinstated when fees are paid in full
8. Failure to file required monthly reports with correct information;
 - a. Inspectors may not purchase insignias if their reports are overdue
 - b. License may be reinstated when reports are up to date

Permanent revocation can occur, but is not limited to, the following:

1. Failure to correct any defects in the installation in the time period established by the division;
2. If there are multiple problems with homes found during oversight inspections or from complaints;
3. Multiple suspensions or problems caused by not following the rules

The division will track suspensions and revocations.

108-03-01-16. Installation insignias (SFN 58354). When inspectors purchase insignias (SFN 58354), the following will apply:

1. No more than ten insignias can be purchased at one time without permission from the division
2. All unused insignias must be returned to the division after an inspector is no longer licensed
3. Inspectors can request insignias through the MHIP online software; call the division; or stop at the main office to purchase
 - a. Insignias must be paid in full before they will be sent out to the inspector except for participating jurisdictions
4. All cash and check payments received for insignias purchased will be logged in Commerce's check receipt log and sent to fiscal who will follow Commerce's fiscal policy for payments received. All credit card purchases made through Pay Pal are logged in the Insignia Receipt Book and are sent to fiscal who will follow Commerce's fiscal policy for payments received.
 - a. Payments are also logged in the MHIP online software

108-03-01-17. Reports. Certified inspectors must file their Monthly Use Report for Issued Installation Insignias (SFN 58347) by the 15th of each month for the previous month's inspections. This report must also include all insignias on hand at the time of the report.

If the certified inspector is sending a hard copy of the report, the report must be sent to the division by the 15th of the month.

Online reporting is acceptable for all inspectors using the software for inspection reporting. Data must be entered by the 15th of each month for the previous month's inspections. The inspector must notify the program administrator when done entering information for the previous month.

108-03-01-19. Fees. The following non-refundable fees apply:

1. Installer registration: \$150 per year
2. Nonparticipating jurisdiction certified inspector registration: \$150 per year
3. Participating jurisdiction certified inspector registration: \$50 per year
4. Installation insignia: \$50 per label
5. Oversight inspection: \$250 per inspection
6. Oversight re-inspection fee: \$250 per inspection
 - a. This is if we find something wrong that has to be inspected after it is corrected
 - b. This cost will be split between the inspector and installer

Inspection Files. Inspection files shall be maintained for a minimum of three years from the date of the attachment of the installation insignia. The inspection files must contain the following information:

1. The Manufactured Home Installation Inspection Checklist (SFN 60119)
2. The date the installer requested the installation authorization (permit)
3. The date the inspector authorized the installation authorization (permit)
4. Copy of the installation authorization (permit)
5. Any photos taken by the installer in lieu of the inspector being onsite
6. Any photos taken by the inspector
7. Any corrective action required by the inspector in order to pass inspection
8. The dates of all inspections

The division can request a copy of the file for oversight inspections and file review. It must be made available to the division upon request.

Oversight Inspections. Certified inspectors and registered installers shall allow and pay for periodic oversight inspections arranged by the division to monitor installations. This is done to monitor the compliance with the Manufactured Home Installation Program rules.

The division will make every effort to perform oversight inspections on all active installers and inspectors. Frequency of the oversight inspections and selection of inspectors and installers will be based on the following:

1. Amount of inspections/installations performed – minimum of 1 per 25
2. Consumer calls and/or complaints
3. Length of time since last oversight inspection – minimum 3 years
4. Problems found during another oversight inspection

The oversight inspection fee will be charged for each inspection with a minimum of one fee charge. The division may decide to waive additional oversight fees if multiple inspections are performed on any one individual because of, but not limited to, the following reasons:

1. Multiple oversight inspections on inspectors if they are involved with more than one installer being monitored
2. Participating jurisdiction inspectors will not be charged the fee
 - a. They work for a government entity and are not inspecting for profit
 - b. They only inspect in their jurisdiction

3. If an inspector or installer is no longer licensed, they will not be billed for an oversight on a licensed inspector or installer.

When problems are found, a re-inspection will be required to verify that the findings were addressed and corrected.

Oversight inspections will be tracked by the division by use of a spreadsheet.

Testing and Training.

If an inspector or installer takes the online course and passes, they can apply for licensing for that year. To keep their license valid, they must take the next available full day training offered by the state and pass the exam.

The training and testing is based on the North Dakota Model Manufactured Home Installation Guidelines. In order to pass the test, 70 percent of the answers must be correct.

The half day refresher course training and testing is based on the North Dakota Model Manufactured Home Installation Guidelines. The test is administered every three years. In order to pass the test, 70 percent of the answers must be correct.

If someone fails to pass their test, no license will be issued. The Division may offer another class and test for those who failed the test. If that test is failed, no license will be issued. The installer or inspector may then take the online course. By taking the online course and passing, they then can apply for a license. The following year, they would have to attend the full day training and pass the test.

If somebody misses more than two refresher courses, they must attend the full day training and pass the test to receive their license. They will not receive a license if they have not attended the refresher course.

To maintain their license, attendance is required every three years at a state sponsored refresher course.

Test scores will be entered on the registration spreadsheet and the tests will be scanned into the FileNet system under the applicable installer or inspector.

Monitoring of the Oversight Contractor for the Manufactured Home Installation Program.

The Program Administrator will:

1. Check daily logs and invoices
2. All reports must be accounted for before reimbursement is made
3. Assign the oversight inspections
4. Communicate with the contractor to monitor day to day progress