

Inspection of Installations in HUD-Administered States

§ 3286.501 Purpose.

The purpose of this subpart F is to provide additional detail about the inspection that must be performed by a qualified third-party inspector before the installation of a manufactured home may be verified by the inspector and certified by the installer under the HUD-administered installation program.

§ 3286.503 Inspection required.

(a) **Timing of requirements.** Ten business days prior to the completion of the installation of each manufactured home, the installer must arrange for a third-party inspection of the work performed, unless the installer and retailer who contracted with the purchaser for the sale of the home agree, in writing, that during the same time period the retailer will arrange for the inspection. **Such inspection must be performed as soon as practicable by an inspector that meets the qualifications set out in § 3286.511.** The scope of the inspections that are required to be performed is addressed in § 3286.505.

(b) **Disclosure of requirement.** At the time of sale, the retailer must disclose to the purchaser, in a manner provided in § 3286.7, that the manufactured home must be installed in accordance with applicable federal and state law, including requirements for a third-party inspection of the installation. If the cost of inspection of the home's installation is not included in the sales price of the home, the sales contract must include a clear disclosure about whether the purchaser will be charged separately for the inspection of the home's installation and the amount of such charge.

(c) **Providing instructions to inspectors.** Installation instructions must be made available to the inspector at the installation site by the installer.

§ 3286.505 Minimum elements to be inspected.

The installation of every manufactured home that is subject to the HUD-administered installation program is required to be inspected for each of the installation elements included in a checklist. **The checklist must include assurance that each of the following elements complies with the requirements of part 3285 of this chapter:**

- (a) Site location with respect to home design and construction;
- (b) Consideration of site-specific conditions;
- (c) Site preparation and grading for drainage;
- (d) Foundation construction;
- (e) Anchorage including verification that the ground anchors have been installed in accordance with the manufacturer's instructions, in a soil classification permitted by the anchor listing or certification, with the required size and type of stabilizer plate, if required by the listing or certification, and at an orientation and angle of pull permitted by its listing or certification.
- (f) Installation of optional features;
- (g) Completion of ductwork, plumbing, and fuel supply systems;
- (h) Electrical systems;

- (i) Exterior and interior close-up;
- (j) Skirting, if installed; and
- (k) Completion of operational checks and adjustments.

In addition to the inspection items listed above, it is also recommended that the inspector perform the following checks to complete the installation verification:

- Check the Data Plate to verify the correct DAPIA-approved manufacturer installation instructions have been provided and used for the installation.
- Check the Data Plate to confirm that the home is appropriate for the wind, thermal, and roof load zone in which the home is installed.
- As requirements may vary across manufacturers and models, review the DAPIA approved manufacturer's installation instructions provided with the home to ensure familiarity with any specific requirements for the home's installation as related to the minimum inspection elements. It is not the intent that the installation inspector be responsible to verify compliance with other aspects, such as cosmetic features, that may also be covered by the manufacturer's installation design and instructions.

If all items are installed correctly, check the appropriate "Pass" box on the HUD 309 form. If items are not installed correctly, check the "Fail" box and write a brief but self-explanatory description of the failure to comply on the form where indicated. If the inspection item does not apply to the home that has been installed, then the "N/A" box must be checked. All items inspected must pass or be checked "N/A" in order for the home to pass the inspection.

If the installation does not pass the inspection, the inspector shall provide a brief description of the specific items that must be addressed in order to pass the inspection in Section 2 of the form (using additional sheets if necessary). Upon re-inspection, the inspector shall briefly describe the work performed to address the specific failure(s) following the initial inspection and if the re-inspected item(s) are in compliance, shall initial those items.

Upon satisfactory completion of the visual inspection that verifies the home's installation complies, the installation inspector is to sign the Form HUD 309. This signature verifies that all of the visual inspections addressing the minimum elements have been completed and to the extent observable during the inspection, passes.

§ 3286.507 Verifying installation.

(a) **Verification by inspector.** When an inspector is satisfied that the manufactured home has been installed in accordance with the requirements of this part, the inspector must provide verification of the installation in writing and return the evidence of such verification to the installer.

(b) **Certification by installer.**

(1) Once an installation has been inspected and verified, the installer is permitted to certify the installation as provided in § 3286.111. The installer must provide a signed copy of the certification to:

- (i) The retailer that contracted with the purchaser for the sale of the home;
- (ii) The purchaser; and

(iii) Any other person that contracted to obtain the services of the installer for the installation work on the home.

(2) The installer must retain records in accordance with § 3286.413.

§ 3286.509 Reinspection upon failure to pass.

(a) **Procedures for failed inspection.** If the inspector cannot verify the installation of the manufactured home, the inspector must immediately notify the installer of any failures to comply with the installation standards and explain the reasons why the inspector cannot issue verification that the installation complies with the requirements of this part. After the installation is corrected, it must be reinspected before verification can be issued.

(b) **Cost of reinspection.** If there is any cost for the reinspection of an installation that an inspector has refused to verify, that cost must be paid by the installer or the retailer and, absent a written agreement with the purchaser that specifically states otherwise, that cost cannot be charged to the purchaser of the manufactured home.

§ 3286.511 Inspector qualifications.

(a) **Qualifications.** Any individual or entity who meets at least one of the following qualifications is permitted to review the work and verify the installation of a manufactured home that is subject to the requirements of the HUD-administered installation program:

(1) 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;

(2) A professional engineer;

(3) A registered architect;

(4) A HUD-accepted Production Inspection Primary Inspection Agency (IPIA) or a Design Approval Primary Inspection Agency (DAPIA); or

(5) An International Code Council certified inspector.

(b) **Independence required.** The inspector must be independent of the manufacturer, the retailer, the installer, and any other person that has a monetary interest, other than collection of an inspection fee, in the completion of the sale of the home to the purchaser.

(c) **Suspension or revocation of inspection authority.** After notice and an opportunity for a presentation of views in accordance with subpart D of part 3282 of this chapter, the Secretary may suspend or revoke an inspector's authority to inspect manufactured home installations under this part in HUD-administered states. An inspector's authority may be suspended or revoked for cause. In deciding whether to suspend or revoke an inspector's authority to conduct such installation inspections, the Secretary will consider the impact of the suspension or revocation on other affected parties and will seek to assure that the sales and siting of manufactured homes are not unduly disrupted.

(d) **Reinstating inspection authority.** An inspector whose authority to inspect manufactured home installations in HUD-administered states has been suspended or revoked under this section may apply for reauthorization by contacting: Administrator, Office of Manufactured Housing Programs, HUD, 451 Seventh Street, SW., Room 9164, Washington, DC 20410-8000, or to a fax number or e-mail address obtained by

calling the Office of Manufactured Housing Programs at the toll-free telephone number 1-800-927-2891, extension 57.