

1350.4600 RESPONSIBILITIES OF COMMISSIONER.

Subpart 1. **Consumer complaints.** The commissioner shall oversee the handling of consumer complaints by manufacturers within this state. As part of that responsibility, the commissioner shall monitor manufacturer compliance with parts 1350.3900 to 1350.5700, and particularly with part 1350.4500. This monitoring will be done primarily by periodically checking the records that manufacturers are required to keep under part 1350.4500, subpart 2.

Subp. 2. **Preliminary determination.** If the commissioner finds under subpart 1 that a manufacturer has failed to comply with part 1350.4500 or if the commissioner finds that the manufacturer has decided not to act under part 1350.4500, subparts 3 and 4 and the commissioner believes the manufacturer is required to act, or if the manufacturer failed to fulfill the requirements of part 1350.4500, subpart 7 after requesting a waiver, the preliminary determination shall be made that the commissioner deems appropriate under part 1350.4800. However, if the affected manufactured homes were manufactured in more than one state or if it appears that the appropriate preliminary determination would be an imminent safety hazard or serious defect, the commissioner shall refer the matter to the secretary.

Subp. 3. **Preliminary determinations under part 1350.4800.** Where the commissioner who is reviewing a plan under part 1350.4500, subpart 4 finds that the manufacturer is not acting reasonably in refusing to accept changes to a proposed plan, the commissioner shall make such preliminary determinations as may be appropriate under part 1350.4800. However, if it appears that it would be appropriate to make a preliminary determination of imminent safety hazard or serious defect, the commissioner shall refer the matter to the secretary.

Statutory Authority: *MS s 327.33; 327B.01 to 327B.12*

History: *17 SR 1279; 24 SR 1846*

Published Electronically: *January 4, 2010*