

CHAPTER 1350

DEPARTMENT OF ADMINISTRATION

MANUFACTURED HOMES

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1350.0100 DEFINITIONS.

Subpart 1 **Applicability.** For the purposes of parts 1350 0100 to 1350 9200, the terms defined in this part have the meanings given them

Subp 2 **Accessory structure.** "Accessory structure" means manufactured home accessory structure

Subp 3 **Act.** "Act" means the National Manufactured Housing Construction and Safety Standards Act of 1974, title VI of the Housing and Community Development Act of 1974, United States Code, title 42, sections 5401 to 5426 (1976), and all amendments to the act.

Subp 4 **Anchor.** "Anchor" means ground anchor

Subp 5 **Anchoring equipment.** "Anchoring equipment" means bolts, straps, cables, turnbuckles, and chains, including tensioning devices, which are used with ties to secure a manufactured home to ground anchors or the foundation system

[For text of subs 6 to 8, see MR]

Subp 9 **Authorized representative.** "Authorized representative" means any person, firm, corporation, or employee approved or hired by the commissioner to perform inspection services

[For text of subp 10, see MR]

Subp 10a **Climatic conditions.** "Climatic conditions" means meteorological circumstances that would prevent a complying installation of a manufactured home, including, but not limited to, frost, extreme rains, or flooding

Subp 11. **Code.** "Code" means the manufactured home building code

Subp 12 **Commissioner.** "Commissioner" means the commissioner of administration or the commissioner's duly authorized representatives

[For text of subps 13 and 14, see MR]

Subp 15 **Dealer.** "Dealer" means any person who engages in the business, either exclusively or in addition to any other occupation, of selling or brokering manufactured homes, new or used, or who offers to sell, solicit, broker, or advertise the sale of manufactured homes, new or used

Subp 16 **Defect.** "Defect" means a failure to comply with an applicable federal mobile home construction and safety standard in Code of Federal Regulations, title 24, part 3280, that renders the manufactured home or any part or component of it not fit for the ordinary use for which it was intended, but that does not result in an unreasonable risk of injury or death to occupants of the manufactured home

[For text of subps 17 to 19, see M.R.]

Subp 20 **Evaluation agency.** "Evaluation agency" means an organization approved by the secretary which is qualified by reason of facilities, personnel, experience, and demonstrated reliability to investigate and evaluate manufactured homes

Subp 21 **Failure to conform.** "Failure to conform" includes noncompliance, having a defect or serious defect, and having an imminent safety hazard related to failure to comply with an applicable federal mobile home construction and safety standard in Code of Federal Regulations, title 42, part 3280 "Failure to conform" is used as a substitute for all of those terms

[For text of subps 22 and 23, see MR]

Subp 24 **Ground anchor.** "Ground anchor" means any device at the manufactured home installation site designed to transfer manufactured home anchoring loads to the ground

Subp 25 **Imminent safety hazard.** "Imminent safety hazard" means a hazard that presents an imminent and unreasonable risk of death or severe personal injury that may or may not be related to failure to comply with an applicable federal mobile home construction and safety standard in Code of Federal Regulations, title 42, part 3280

Subp 26 **Independent inspection agency.** "Independent inspection agency" means an organization approved by the secretary qualified to review and approve plans and specifications for manufactured homes with respect to model, structural, electrical, mechanical, and plumbing requirements and to evaluate quality control programs and make inspections

Subp 27 **Installation.** "Installation" of a manufactured home means assembly, at the site of occupancy, of all portions of the manufactured home, connection of the manufactured home to utility connections, and installation of support or anchoring systems

Subp 28 **Installation alteration.** "Installation alteration" means the replacement, addition, modification, or removal of any components of the ground support or ground anchoring systems required under parts 1350.0100 to 1350.6900

[For text of subps 29 to 31, see MR]

Subp 32 **Installer.** "Installer" means a licensed manufactured home installer, according to Minnesota Statutes, sections 326.83 to 326.98

[For text of subps 33 and 34, see MR]

Subp 34a **Limited dealer.** "Limited dealer" means the owner, as principal only, of a licensed manufactured home park authorized by license to sell, offer for sale, solicit, and advertise for sale ten used manufactured homes annually within the owner's licensed manufactured home park, as defined in Minnesota Statutes, section 327.14, subdivision 3

[For text of subps 35 to 38, see MR]

Subp 39 **Manufactured home accessory structure.** "Manufactured home accessory structure" means a factory-built building or structure which is an addition or supple-

ment to a manufactured home and, when installed, becomes a part of the manufactured home

Subp 40. Manufactured home building code. "Manufactured home building code" means for manufactured homes manufactured after July 1, 1972, and prior to June 15, 1976, the standards code promulgated by the American National Standards Institute and identified as ANSI A119.1, including all revisions thereof in effect on May 21, 1971, or the provisions of the National Fire Protection Association identified as NFPA 501B, and further revisions adopted by the commissioner

"Manufactured home building code" means for manufactured homes constructed after June 14, 1976, the Manufactured Home Construction and Safety Standards promulgated by the United States Department of Housing and Urban Development which are in effect at the time of the manufactured home's manufacture

Subp 41. Manufactured home installer. "Manufactured home installer" means any person, firm, or corporation which installs manufactured homes for others at site of occupancy.

[For text of subp 42, see MR]

Subp 43. Mobile home. "Mobile home" is synonymous with manufactured home whenever it appears in parts 1350.0100 to 1350.9200 and in other documents or on construction or installation seals

[For text of subp 44, see MR]

Subp 45. Noncompliance. "Noncompliance" means a failure of a manufactured home to comply with a federal manufactured home construction or safety standard that does not constitute a defect, serious defect, or imminent safety hazard

[For text of subps 46 to 48, see MR]

Subp 48a. Replacement construction seal. "Replacement construction seal" means a construction seal issued by the commissioner to replace a construction seal or label that has been lost or removed from a manufactured home after application has been made and verification has been received by the commissioner that the home complies with the manufactured home code.

Subp 48b. Retailer. "Retailer" is synonymous with dealer wherever it appears in parts 1350.0100 to 1350.9200 and in federal and state laws and rules relating to manufactured housing.

Subp 49. Seal. "Seal" means a device or insignia issued by the commissioner to be displayed on the manufactured home to evidence compliance with the manufactured home building code. "Seal" includes construction, accessory structure, and installation seals

[For text of subp 50, see MR]

Subp 51. Serious defect. "Serious defect" means any failure to comply with an applicable federal mobile home construction and safety standard in Code of Federal Regulations, title 24, part 3280 that renders the manufactured home or any part of it not fit for the ordinary use for which it was intended and which results in an unreasonable risk of injury or death to occupants of the affected manufactured home

[For text of subps 52 and 53, see MR]

Subp 54. State administrative agency. "State administrative agency" means an agency of a state which has been approved or conditionally approved to carry out the state plan for enforcement of the federal manufactured home construction and safety standards. For manufactured homes manufactured after June 14, 1976, and located or manufactured in Minnesota, the commissioner of administration is the state administrative agency

[For text of subps 55 to 60, see MR]

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

History: *24 SR 1846*

1350.0200 AUTHORIZATION.

Parts 1350 0100 to 1350 6900 are authorized by Minnesota Statutes, sections 327 31 to 327 36 and 327B 04, and established through the rulemaking procedures in Minnesota Statutes, sections 14 02, 14 04 to 14 36, 14 38, and 14 44 to 14 45, to implement, interpret, and carry out the provisions of Minnesota Statutes, sections 327.31 to 327 36 and 327B 04 relating to manufactured homes. If parts 1350 0100 to 1350 6900 differ from the code promulgated by the American National Standards Institute as ANSI A119 1, or the provisions of the National Fire Protection Association identified as NFPA 501B, parts 1350 0100 to 1350.6900 govern in all cases.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.0300 ENFORCEMENT.

The commissioner shall administer and enforce parts 1350 0100 to 1350.9200 and the code. Any authorized representative of the Department of Administration may enter any premises where manufactured homes are manufactured, sold, offered for sale, parked in any manufactured home park in the state, or installed in the state if the installation was made after September 1, 1974. The authorized representative may examine any records and may inspect any manufactured home, equipment, or installations to ensure compliance with parts 1350 0100 to 1350 9200 and the code. The authorized representative may require that a portion or portions of a manufactured home be removed or exposed in order that an inspection may be made to determine compliance, or require that all portions of an installation be removed or exposed to make this determination.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.0400 REQUIREMENT FOR SEALS, CODE COMPLIANCE, CONSTRUCTION COMPLIANCE CERTIFICATES, OR LABELS.

[For text of subps 1 and 2, see MR.]

Subp 3 Requirement for installation seals. No person shall install or connect to any manufactured home or manufactured home accessory structure a ground support or anchoring system unless the system and installation comply with parts 1350 0100 to 1350 6900. The installer shall affix the correct installation seals to the manufactured home or the manufactured home accessory structure installed in compliance with parts 1350 0100 to 1350 6900. Evidence of compliance shall be supported by the submission of a certificate to the commissioner and the manufactured home owner. Installation seals are not required for manufactured homes installed on a foundation system in a municipality enforcing the State Building Code. A permit to install a manufactured home in a municipality enforcing the State Building Code is required by the municipality.

Subp 4 Seals for incomplete installations. When climatic conditions interfere with the completion of installation, the dealer or installer will assign an installation seal for the manufactured home incompletely installed and notify the commissioner stating the condition prohibiting the completion of the installation using the form issued by the commissioner. A copy of this notice shall be provided to the owner. When climatic conditions permit the completion of installation, the installation will be promptly completed and the installation seal affixed to the manufactured home. The installation compliance certificate shall be provided to the commissioner and the owner. A building official may approve, in writing, a permanent installation of a manufactured home between the dates of November 15 and March 31 if the building official determines that climatic conditions would not prevent completion of a permanent installation.

Subp 5 Requirement for manufactured home accessory structure seal. No person shall install or connect to any manufactured home a subordinate structure manufactured after September 1, 1974, unless the accessory structure complies with parts

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1350 0100 to 1350 9200 and the code and bears a manufactured home accessory structure seal and is accompanied by a certificate by the manufacturer or dealer evidencing that it complies with the code

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.0500 ACQUISITION OF LABELS AND SEALS; INSTALLER LICENSING.

Subpart 1 **Acquisition of labels.** United States Department of Housing and Urban Development labels are acquired by the manufacturer from the secretary pursuant to the act

Subp 2 **Acquisition of construction seals or replacement construction seals.** Any person may qualify for replacement seals by furnishing proof on forms furnished by the commissioner that the manufactured home to which the seal or label was affixed and was manufactured in compliance with the State or Federal Manufactured Home Building Code and has not been brought out of conformance because of damage, additions, or alterations

Subp 3 **Acquisition of accessory structure seals.** Any manufacturer of accessory structures shall qualify for acquisition of an accessory structure seal by obtaining plan approval pursuant to parts 1350 1300 to 1350 2000 and quality control approval pursuant to part 1350 3500

Subp 4 **Installer licensing.** Application for installer licensing shall be issued by the Department of Commerce as required by Minnesota Statutes, section 326 89 Installer license verification must be submitted as supporting evidence to the commissioner of administration to establish that installation seals issued to an installer will be affixed only to those manufactured homes where the support system and ground anchoring system installations comply with parts 1350 0100 to 1350 6900 and the code

Subp 5 **Acquisition of installation seals.** Any licensed installer shall qualify for acquisition of installation seals by providing proof of licensure in good standing with the Department of Commerce

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.0600 APPLICATION FOR SEALS.

Subpart 1 **Application for replacement construction seals.** Any person who has met the applicable requirements of part 1350 0500 shall apply for replacement construction seals using the forms issued by the commissioner The application shall be accompanied by the replacement construction seal fee in part 1350.6500

Subp 2 **Application for installation seals.** Any installer who has met the applicable requirements of part 1350 0500 shall apply for installation seals. The application shall be on forms issued by the commissioner, and the application shall be accompanied by the installation seal fee in part 1350 6500

Subp 3 **Application for accessory structure seals.** Any manufacturer of manufactured home accessory structures who has met the applicable requirements of part 1350 0500 shall apply for accessory structure seals. The application shall be on the forms issued by the commissioner, and the application shall be accompanied by the accessory structure seal fee in part 1350 6500

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.0700 DENIAL AND REPOSSESSION OF SEALS.

Subpart 1 **Installation seals.** Should investigation or inspection reveal that an installer has not installed a manufactured home according to parts 1350.0100 to 1350 6900 and the code, the commissioner may deny the installer's application for new installation seals, and any installation seals previously issued shall be confiscated Upon

satisfactory proof of modification of such installation bringing it into compliance, the installer may resubmit an application for installation seals

Subp 2 Accessory seals. Should investigation or inspection reveal that a manufacturer is not constructing manufactured home accessory structures according to plans approved by the commissioner, and the manufacturer, after having been served with a notice setting forth in what respect the provisions of parts 1350 0100 to 1350 6900 and the code have been violated, continues to manufacture manufactured home accessory structures in violation of parts 1350 0100 to 1350 6900 and the code, applications for new accessory seals shall be denied, and the accessory seals previously issued shall be confiscated. Upon satisfactory proof of compliance the manufacturer may resubmit an application for accessory seals

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.0800 SEAL OR LABEL REMOVAL.

Subpart 1 Construction seals or labels. If any manufactured home bearing the construction seal or label or any manufactured home once sold to a consumer is found to be in violation of the code, the commissioner may remove the construction seal or label after furnishing the owner or the owner's agent with a written statement of the violation. The commissioner shall not issue a replacement construction seal until corrections have been made and the owner or agent has requested an inspection pursuant to part 1350 2100

[For text of subps 2 and 3, see MR]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.0900 PLACEMENT AND LOCATION OF SEALS.

Subpart 1 Replacement construction seals or construction seals. Each replacement construction seal or construction seal shall be assigned and affixed to a specific manufactured home. Assigned replacement construction seals or construction seals are not transferable and are void when not affixed as assigned, and all voided construction seals or labels shall be returned to, or may be confiscated by, the commissioner

The construction seal shall be securely affixed to the rear of the manufactured home on the lower left corner of the exterior wall not less than six inches above the floor line.

[For text of subps 2 and 3, see MR]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.1000 LOST OR DAMAGED SEALS OR LABELS.

Subpart 1 Construction seals or labels. When a construction seal or label is lost or damaged, the commissioner shall be notified in writing by the owner. The owner shall identify the manufacturer, the manufactured home serial number, the date of manufacture, if known, and when possible, the construction seal or label serial number

All damaged construction seals or labels shall be promptly returned. Damaged and lost construction seals or labels shall be replaced by the commissioner with a replacement construction seal bearing the date of issue upon payment of the replacement construction seal fee as provided in part 1350 6500, and proof of compliance of the manufactured home to the manufactured home code

Subp 2 Installation seals. When an installation seal is lost or damaged, the commissioner shall be notified in writing. The notice shall identify the construction seal serial number, the manufactured home manufacturer, the manufacturers' serial number and the location of the installation, the original date of installation of the manufactured home including the installation seal serial number. Damaged or lost installation seals

shall be replaced by the commissioner upon payment of the installation seal fee as provided in part 1350 6500

Subp 3 Accessory structure seals. When an accessory structure accessory seal is lost or damaged, the commissioner shall be notified in writing by the owner. The owner shall identify the manufacturer, the manufactured home accessory structure serial number, the date of manufacture, if known, and when possible, the accessory structure seal serial number.

All damaged accessory structure seals shall be promptly returned. Damaged and lost accessory structure seals shall be replaced by the commissioner with a new accessory structure seal bearing the date of issue of the original accessory structure seal upon payment of the replacement accessory structure seal fee as provided in part 1350 6500

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.1200 COMPLIANCE CERTIFICATE.

Subpart 1 Installation compliance certificate. The installer shall provide the commissioner with an installation compliance certificate required in part 1350 0400. The installation compliance certificate shall be issued by the commissioner.

[For text of subp 2, see MR]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.1400 APPLICATION FOR MANUFACTURED HOME ACCESSORY STRUCTURE APPROVAL.

[For text of subpart 1, see MR]

Subp 2 Plans and specifications. Submissions of required plans and specifications shall be in duplicate and shall include, but not be limited to, the following:

- A a dimensioned floor plan(s),
- B proposed use of rooms and method of light and ventilation,
- C size, type, and location of windows and exterior doors,
- D type and location of all appliances and fixtures;
- E type, size, and location of plumbing, drain, water, gas, and electrical connections,
- F type and location of all electrical outlets (receptacles and lights),
- G number of outlets and appliances on each circuit and circuit rating, and
- H installation details and instructions

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.1700 NONCONFORMING PLANS, SPECIFICATIONS, AND SUPPORTING DATA.

Should the plans, specifications, and supporting data not conform with parts 1350 0100 to 1350 6900 and the code, the applicant shall be notified in writing by the commissioner. Should the applicant fail to submit corrected information in accordance with the commissioner's request, the application will be deemed abandoned and all fees due will be forfeited to the state. Additional submissions shall be processed as new applications.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2100 INSPECTION REQUESTS.

Any person manufacturing manufactured homes or any person selling, offering for sale, or parking any manufactured home in any mobile home park in the state, or any dealer or installer of manufactured homes, may request the commissioner to make an inspection of any manufactured home manufactured after July 1, 1972, if said person holds title to the house to be inspected. Additionally, any person holding title to the manufactured home may request inspection of the ground support and anchoring system. Inspection requests should be made on "Application for Inspection" forms, available from the commissioner. In connection with requested inspections, the commissioner may require plans, specifications, calculations, and test results.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2200 ACTION AFTER REQUESTED INSPECTION.

If the manufactured home inspected meets the requirements of the code, if plan approval has been obtained, and if all applicable fees have been remitted, the applicant may apply for a replacement construction seal. If the requested inspection was to determine compliance with respect to support and anchoring requirements and if all applicable fees have been remitted, the applicant may apply for an installation seal.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2300 OTHER INSPECTIONS.

In addition to making inspections on request, the commissioner shall make periodic inspections of the facilities of persons who are subject to the code and parts 1350.0100 to 1350.9200. The inspections shall include oversight inspections at the in-state manufactured home manufacturing facilities to review the manufacturer's consumer complaint handling and notification and correction as required by parts 1350.3900 to 1350.5700. Oversight inspections shall be made annually. The frequency of oversight inspections may be increased when the need is indicated by the number of consumer complaints received by the commissioner.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2400 NOTICE OF VIOLATIONS.

When an inspection reveals that a manufactured home is in violation of the code, or parts 1350.0100 to 1350.9200, the commissioner shall serve upon the owner or the owner's agent a notice specifying the violation. An owner or agent so served shall not move the manufactured home from the premises until such time as the commissioner determines that the manufactured home has been brought into compliance with the code and parts 1350.0100 to 1350.9200.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2500 STABILIZING SYSTEMS FOR MANUFACTURED HOME INSTALLATION.

Stabilizing devices when installed at the site of occupancy shall comply with parts 1350.2500 to 1350.3200.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2600 INSTRUCTIONS AND DESIGNS.

Subpart 1 Manufacturer's installation instructions. Each manufactured home shall have its stabilizing system installed according to the manufactured home manufac-

turer's installation instructions. The manufacturer's instructions shall include a typical support system designed by a registered professional engineer or architect to support the anticipated loads that the manufacturer's installation instructions specify for the design zone, including climate, of installation. The instructions shall also meet the requirements of parts 1350.3900 to 1350.5700. These instructions shall be left with the manufactured home following installation.

Footings shall be sized to support the loads shown in these instructions.

Stabilizing devices not provided with the manufactured home shall meet or exceed the design and capacity requirements of the manufactured home manufacturer and parts 1350.2500 to 1350.3200 and shall be installed according to the manufactured home manufacturer's installation instructions.

Foundation systems shall be in compliance with the State Building Code.

No portion of a manufactured home shall be removed during installation or when located on its home site unless it is designed to be removable and is removed according to the manufacturer's instructions.

Subp 2 Stabilizing system design. Manufactured homes manufactured prior to September 1974 not provided with manufacturer's instructions for stabilizing devices and their installation shall be provided with anchoring and support systems designed by a registered professional engineer or shall comply with the following requirements:

A The minimum number of ties per side for various lengths of manufactured homes shall be according to part 1350.3200.

B Ties shall be as evenly spaced as practicable along the length of the manufactured home with not more than eight feet open-end spacing on each end.

C When continuous straps are provided as vertical ties, the ties shall be positioned at rafters and studs. Where a vertical tie and diagonal tie are located at the same place, both ties may be connected to a single ground anchor, provided that the anchor used is capable of carrying both loadings.

D Clerestory roofs and add-on sections of expandable manufactured homes shall have provisions for vertical ties at the exposed ends.

E Protection shall be provided at sharp corners where the anchoring system requires the use of external cables or straps. Protection shall also be provided to minimize damage to roofing or siding by the cable or strap.

F If the alternate method incorporating baling straps specified in part 1350.3200 is used, the baling straps shall be wrapped completely around the manufactured home passing under the main steel frame, with both ends of each strap fastened together under tension. The straps shall be according to part 1350.2800. The method used to connect the ends of the strap shall not reduce the allowable working load and overload.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2700 FOUNDATION AND SUPPORT SYSTEMS.

Subpart 1 General. Each manufactured home shall be installed on a foundation system or shall have a support system as specified in this part. A minimum clearance of 12 inches shall be maintained beneath the underside of the main frame (I-beam or channel beam) in the area of utility connections when the manufactured home is not installed on a foundation system.

Subp 2 Manufactured homes with installation instructions. Individual footings and load-bearing piers or listed supports shall be sized and located to support the loads specified in the manufacturer's installation instructions to ensure that the manufacturer's warranty remains valid.

Subp 3 Manufactured homes for which installation instructions are not available. Unless the entire support system is designed by a registered professional engineer, and approved by the authority having jurisdiction prior to installation, supports shall be

spaced not more than ten feet apart for manufactured homes 12 feet wide or less, and not more than eight feet apart for manufactured homes over 12 feet wide, beginning from the front wall of the manufactured home, with not more than two feet open-end spacing at the area of the main frame. Supports shall be installed directly under the main frame (or chassis) of the manufactured home. Methods other than those specified herein shall be approved prior to installation by the authority having jurisdiction. Double-wide manufactured homes built with a conventional frame shall have additional supports placed under the center (mating) line at each end wall, and at the support columns located at the sides of center wall openings eight feet in width or greater. The supports shall be constructed to withstand the weight calculated by multiplying one-half the width of the opening (in feet) times one-half the width of the home (in feet) multiplied by 37-1/2 pounds per square foot (30-pound snow load and 7-1/2 pound roof load).

Subp 4 Footings. The required load-bearing capacity of individual load-bearing supports and their footings shall be calculated at not less than a combined live and dead load of 85 pounds per square foot. Footings shall be adequate in size to withstand the tributary live and dead loads of the manufactured home and any concentrated loads.

Footings shall be at least 16-inch by 16-inch by four-inch solid concrete blocks or other product approved for the use intended. As an alternate, two eight-inch by 16-inch by four-inch solid concrete blocks can be used as footings provided the joint between the blocks is parallel to the steel I-beam frame.

Footings or pier foundations, when required, shall be placed level on firm undisturbed soil or on controlled fill which is free of grass and organic materials, compacted to a minimum load-bearing capacity of 2,000 pounds per square foot (unless otherwise approved by a registered professional engineer). Where unusual soil conditions exist as determined by the authority having jurisdiction, footings shall be designed specifically for such conditions.

Subp 5 Piers. Piers or load-bearing supports or devices shall be designed and constructed to evenly distribute the loads. Piers shall be securely attached to the frame of the manufactured home or shall extend at least six inches from the centerline of the frame member. Load-bearing supports or devices shall be listed and labeled, or shall be designed by a registered professional engineer, and shall be approved for the use intended, prior to installation, or piers shall be constructed as follows:

[For text of items A and B, see MR]

C. Subject to the limitations of subpart 6, piers over 80 inches in height shall be constructed in compliance with item B, and they shall be laid in concrete mortar and steel reinforcing bars inserted in block cells filled with concrete. (See part 1350.3300, subparts 3 and 4).

Subp 6 Elevated manufactured homes. When more than one-fourth of the area of a manufactured home is installed so that the bottom of the main frame members is more than three feet above ground level, the manufactured home stabilizing system shall be designed by a qualified registered professional engineer and the installation shall be approved prior to installation by the authority having jurisdiction.

Subp 7 Plates and hardwood shims. A cushion of wood plate not exceeding two inches in thickness and hardwood shims not exceeding one inch in thickness may be used to fill any gap between the top of the pier and the main frame. Two-inch or four-inch solid concrete blocks may be used to fill the remainder of any gap. Hardwood shims shall be at least four inches wide and six inches long and shall be fitted and driven tight between the wood plate or pier and main frame.

Subp 8 Skirting material. Skirting materials, when used, must be of materials resistant to decay and must have a minimum of one square foot of free area ventilation for every 150 square feet of floor area. If skirting is used, a minimum of 24-inch by

18-inch access area must be installed in the skirting Crawl space foundation systems must meet the requirements of the State Building Code

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2800 ANCHORING EQUIPMENT.

Subpart 1 **Load requirements.** Anchoring equipment, when installed, shall be capable of resisting an allowable working load equal to or exceeding 3,150 pounds and shall be capable of withstanding a 50 percent overload (4,725 pounds total) without failure of either the anchoring equipment or the attachment point on the manufactured home. When the stabilizing system is designed by a qualified registered professional engineer, alternative working load may be used providing the anchoring equipment is capable of withstanding a 50 percent overload.

Subp 2. **Resistance to weather deterioration.** Anchoring equipment exposed to weathering shall have a resistance to weather deterioration at least equivalent to that provided by a coating of zinc on steel of not less than 0.625 ounces per square foot on each side of the surface coated as determined by ASTM Standard Methods of Test for Weight of Coating on Zinc-coated (galvanized) Iron or Steel Articles (ASTM A90-69). Note: Slit or cut edges of zinc-coated steel strapping do not need to be zinc coated
[For text of subps 3 to 5, see MR]

Subp 6. **Tie strength.** Tie materials shall be capable of resisting an allowable working load of 3,150 pounds with no more than two percent elongation and shall withstand a 50 percent overload (4,725 pounds total). Ties shall comply with the weathering requirements of subpart 2. Note: Type 1, Class B, Grade 1 steel strapping, 1-1/4 inches wide and 0.035 inch thick, conforming with ASTM Standard Specification D3953-91, Standard Specification for Strapping, Flat Steel, and Seals, is capable of meeting the working load and 50 percent overload specified in this part.

Subp 7 **Tie connections.** Ties shall connect the ground anchor and the main structural steel frame (I-beam or other shape) which runs lengthwise under the manufactured home. Ties shall not connect to steel outrigger beams which fasten to and intersect the main structural frame unless specifically stated in the manufacturer's installation instructions.

Connection of the cable frame tie to the manufactured home I-beam or equivalent main structural frame member shall be by a 5/8-inch drop forged closed eye bolt through a hole drilled in the center of the I-beam web or other approved methods. The web shall be reinforced if necessary to maintain the I-beam strength.

Cable ends shall be secured with at least three U-bolt type cable clamps with the U portion of the clamp installed on the short (dead) end of the cable to ensure strength at least equal to that required by subpart 6.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.2900 GROUND ANCHORS.

Subpart 1 **Placement and purpose.** Ground anchors, including means for attaching ties, shall be located to effectively match the anchoring system instructions provided by the manufactured home manufacturer, or, if there are no instructions, according to part 1350.2600, and shall be designed and installed to transfer the anchoring loads to the ground.

[For text of subps 2 and 3, see MR]

Subp 4 **Information on ground anchor.** Each ground anchor shall have the manufacturer's identification and listed model identification number marked so that the number is visible after installation. Instructions shall accompany each listed ground anchor specifying the types of soil for which the anchor is suitable under the requirements of subpart 2.

Subp 5 **Table of soil types.** NOTE The following data gives information relative to soil types with blow counts and torque values

| Types of Soils | Blow Count (ASTM D1586) | Test Probe ¹ Torque Value ² |
|--|----------------------------|--|
| Sound hard rock | NA | NA |
| Very dense and/or cemented sands, coarse gravel and cobbles, preloaded silts, clays, and corals | 40-up | more than 500 lbs inch 350-549 |
| Medium dense coarse sands, sandy gravels, very stiff silts and clays | 24-39 | lbs inch 200-349 |
| Loose to medium dense sands, firm to stiff clays and silts, alluvial fill | 14-23 ³ | lbs inch |

¹ The test probe is a device for measuring the torque value of soils to assist in evaluating the holding capability of the soils in which the anchor is placed. The test probe has a helix on it. The overall length of the helical section is 10.75 inches, the major diameter is 1.25 inches, the minor diameter is 0.81 inches, the pitch is 1.75 inches. The shaft must be of suitable length for anchor depth.

² A measure synonymous with moment of a force when distributed around the shaft of the test probe.

³ Below these values, a professional engineer should be consulted.

Subp 6 **Use of concrete slabs or continuous footings.** If concrete slabs or continuous footings are used to transfer the anchoring loads to the ground, the following shall be required:

A Steel rods cast in concrete shall be capable of resisting loads as specified in subpart 2.

B Dead-man concrete anchors may be used in place of listed anchors if they meet the requirements of subpart 2.

C Concrete slabs may be used in place of ground anchors provided the slab is so constructed that it provides holding strength equal to the requirements of subpart 2.

[For text of subp 7, see MR.]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.3200 NUMBER OF TIES REQUIRED.

Number of Ties Required Per Side of Single Wide¹ Manufactured Homes²

This table is based on a minimum working load per anchor of 3,150 pounds with a 50 percent overload (4,725 pounds total).

| 1 | 2 | 3 | 4 Alternate Method ⁴ | 5 |
|---|---------------------------|--|------------------------------------|--|
| Length of Manufactured Home ³ (Feet) | No of Vertical Ties | No of Diagonal Ties ⁵ | No of Baling Straps | No of Diagonal Ties ⁶ |
| up to 40 | 2 | 3 | 2 | 3 |
| 40-46 | 2 | 3 | 2 | 3 |
| 46-49 | 2 | 3 | 2 | 3 |

| | | | | |
|-------|---|---|---|---|
| 49-54 | 2 | 3 | 2 | 3 |
| 54-58 | 2 | 4 | 2 | 4 |
| 58-64 | 2 | 4 | 2 | 4 |
| 64-70 | 2 | 4 | 2 | 5 |
| 70-73 | 2 | 4 | 2 | 5 |
| 73-84 | 2 | 5 | 2 | 5 |

¹ Double-wide manufactured homes require only the diagonal ties specified in column 3, and these shall be placed along the outer side walls

² Except when the anchoring system is designed and approved by a registered professional engineer

³ Length of manufactured home (as used in this table) means length excluding draw bar

⁴ Alternate method When this method is used, an approved reinforcement means shall be provided If baling is used to accomplish this reinforcement, part 1350 2600, subpart 2, item F, applies

⁵ Diagonal ties in this method shall deviate at least 40 degrees from vertical

⁶ Diagonal ties in this method shall be 45 degrees + 5 degrees from vertical and shall be attached to the nearest main frame member

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.3400 UTILITY CONNECTIONS.

Subpart 1 **Water connections.** Water piping to manufactured homes shall comply with the Minnesota Plumbing Code, chapter 4715 Pipes shall be protected from freezing Heat tape, when installed, shall be listed and installed in conformance with its listing and the manufacturer's instructions When the manufactured home is installed on a support system subject to ground movement due to freezing and thawing, approved flexible connectors or semirigid copper tubing shall be used to prevent pipe breakage

Subp 2 **Sewer connections.** Waste piping to manufactured homes shall comply with the Minnesota Plumbing Code, chapter 4715 When a manufactured home is installed on a support system subject to ground movement due to freezing and thawing, offsets or approved flexible connectors, or both, shall be used to prevent pipe breakage.

Subp 3 **Gas piping.** Gas piping to the manufactured home shall be of adequate capacity rating to supply the connected load It shall be installed in compliance with the Minnesota State Mechanical Code, chapter 1346. When the manufactured home is installed on a support system subject to ground movement because of freezing and thawing, semirigid copper pipe or a listed manufactured home gas connector for exterior use only shall be installed to prevent pipe breakage Gas piping shall be protected from physical damage.

[For text of subps 4 and 5, see M.R.]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.3500 OBTAINING APPROVAL OF QUALITY CONTROL.

Subpart 1 **Procedure.** To obtain quality control approval for an accessory structure manufacturing facility, a manufacturer shall submit a quality control manual pursuant to subpart 2, item A, and consent to investigations and inspections at reasonable hours by the commissioner for field verification of satisfactory quality control

Subp 2 **Applications.** Applications for approval of quality control manuals shall contain the following

A an application in letter form to be accompanied by two copies of the quality control manual containing those items required by item B, and

B an outline of the procedure which will direct the manufacturer to construct accessory structures according to the approved plans specifying

- (1) scope and purpose,
- (2) receiving inspection procedure for basic materials,
- (3) material storage and stock rotation procedures,
- (4) types and frequency of product inspection,
- (5) sample of inspection control form used,
- (6) major pieces of production equipment,
- (7) assignments, experience, and qualifications of quality control personnel,
- (8) test equipment,
- (9) control of drawings and material specifications;
- (10) test procedures, and
- (11) recordkeeping procedures

[For text of subp 3, see MR]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.3600 [Repealed, 24 SR 1846]

1350.3700 [Repealed, 24 SR 1846]

1350.3800 CONSTRUCTION ALTERATIONS.

Subpart 1 **Effect on seal or label.** Any alteration of the construction, plumbing, heating, cooling, or fuel-burning system, electrical equipment or installations or fire safety in a manufactured home which bears a seal or label shall void the approval, and the seal or label shall be returned to the commissioner

[For text of subps 2 to 6, see MR]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.4100 SCOPE.

Parts 1350 3900 to 1350 5700 set out the procedures to be followed by manufacturers, production inspection primary inspection agencies, and the commissioner to assure that manufacturers provide notification and correction with respect to their manufactured homes as required by the act. Parts 1350 3900 to 1350 5700 set out the rights of dealers under United States Code, title 42, section 5412 (1976), and its amendments, to obtain remedies from manufacturers in certain circumstances

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.4500 NOTIFICATION PURSUANT TO MANUFACTURER'S DETERMINATION.

[For text of subpart 1, see MR]

Subp 2 **Investigations and inspections.** Whenever the manufacturer receives from any source information that may indicate the existence of a problem in a manufactured home for which the manufacturer is responsible for providing notification under subpart 1, the manufacturer shall, as soon as possible, but not later than 20 days after receiving the information, carry out any necessary investigations and inspections to determine and shall determine whether the manufacturer is responsible for providing notification under subpart 1. The manufacturer shall maintain complete records of all such information and determinations in a form that will allow the commissioner to discern readily who made the determination with respect to a particular piece of information, what the determination was, and the basis for the determination. The

records shall be kept for a minimum of five years from the date the manufacturer received the information. Consumer complaints or other information indicating the possible existence of noncompliances or defects received before August 16, 1982, shall, for purposes of this subpart, be deemed to have been received August 16, 1982.

[For text of subps 3 to 5, see M.R.]

Subp 6 Action before plan approval. The manufacturer may act before obtaining approval of the plan. However, such action is subject to review and disapproval by the commissioner except to the extent that agreement to the correction is obtained as described in this subpart. To ensure that the corrective action will be accepted, the manufacturer may obtain the agreement of the commissioner that the corrective action is adequate before the correction is made regardless of whether a plan has been submitted under subpart 4. If an agreement is obtained, the correction shall be accepted as adequate by the commissioner if the correction is made as agreed to and any imminent safety hazard or serious defect is eliminated.

[For text of subps 7 and 8, see M.R.]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

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.

[For text of subps 2 and 3, see M.R.]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.4900 REIMBURSEMENT FOR PRIOR CORRECTION BY OWNER.

A manufacturer that is required to correct under part 1350 4700 or who decides to correct and obtain a waiver under part 1350 4500, subpart 7, or 1350 4800, subpart 5, shall provide reimbursement for reasonable cost of correction to any owner of an affected manufactured home who chooses to make the correction before the manufacturer does.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.5300 COMPLETION OF REMEDIAL ACTIONS AND REPORT.

Subpart 1 Notification. Where a manufacturer is required to provide notification under parts 1350 3900 to 1350 5700, the manufacturer shall maintain in its files for five years from the date the notification campaign is completed a copy of the notice sent and a complete list of the names and addresses of those persons notified. The files shall be organized so that each notification and correction campaign can be readily identified and reviewed by the commissioner.

[For text of subp 2, see M.R.]

Subp 3 Additional notifications or corrections. If any actions taken under parts 1350 3900 to 1350 5700 are not adequate under the approved plan or an order of the commissioner, the manufacturer may be required to provide additional notifications or corrections to satisfy the plan or order.

Subp 4 Report. The manufacturer shall, within 30 days after the deadline for completing any notifications and required corrections, under an approved plan or under an order of the commissioner, or any corrections required to obtain a waiver under part 1350 4500, subpart 7, or 1350 4800, subpart 5, provide a complete report of the action taken to the commissioner who approved the plan under part 1350 4500,

subpart 4, granted the waiver, or issued the order under part 1350 4800, subpart 3, and to any other state administrative agency or the secretary that forwarded a relevant complaint or information to the manufacturer under part 1350 4400

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.5500 MANUFACTURED HOMES IN THE HANDS OF DEALERS AND DISTRIBUTORS.

Subpart 1 Responsibility of manufacturer. The manufacturer is responsible for correcting any failures to conform and imminent safety hazards which exist in manufactured homes which have been sold or otherwise released to a distributor or dealer but which have not yet been sold to a purchaser. Generally this responsibility does not extend to failures to conform or imminent safety hazards that result solely from transit damages that occur after the manufactured home leaves the control of the manufacturer when the home is released by the manufacturer. This part sets out the procedures to be followed by dealers and distributors for handling manufactured homes in these cases. Regardless of whether the manufacturer is responsible for repairing a manufactured home, no dealer or distributor may sell a manufactured home if it contains a failure to conform or an imminent safety hazard.

Subp 2 Notification and record. Whenever a dealer or distributor finds a problem in a manufactured home which the manufacturer is responsible for correcting, the dealer or distributor shall contact the manufacturer, provide full information concerning the problem, and request appropriate action by the manufacturer in accord with subpart 4. Where the manufacturer agrees to correct, the manufacturer shall maintain a complete record of its actions. Where the manufacturer authorizes the dealer to make the necessary corrections on a reimbursable basis, the dealer or distributor shall maintain and submit a complete record of its actions to the manufacturer.

[For text of subp 3, see MR]

Subp 4 Manufacturer's option. Upon a final determination by the commissioner under part 1350 4800, or upon a determination by the secretary or a court of competent jurisdiction that a manufactured home fails to conform to the standard or contains an imminent safety hazard after the manufactured home is sold or otherwise released by a manufacturer to a distributor or a dealer and prior to the sale of the manufactured home by the distributor or dealer to a purchaser, the manufacturer shall have the option to either

[For text of item A, see MR]

B immediately repurchase, at the manufacturer's expense, the manufactured home from the distributor or dealer at the price paid by the distributor or dealer, plus all transportation charges involved and a reasonable reimbursement of not less than one percent per month of the price paid prorated from the date of receipt by certified mail of notice of the imminent safety hazard, serious defect, defect, or noncompliance to the distributor. The value of the reasonable reimbursements shall be fixed by mutual agreement of the parties or by a court in an action brought under section 613(b) of the act.

This part does not apply to any manufactured home purchased by a dealer or distributor which has been leased by the dealer or distributor to a tenant for purposes other than resale. In that instance the dealer or distributor has the remedies available to a purchaser under parts 1350 3900 to 1350 5700.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.5800 RECIPROCITY.

Upon a showing that another state provides for the sealing of manufactured homes upon compliance with standards which are at least equal to those provided in the code, the commissioner may provide that a construction seal affixed under the authority of

1350.5800 MANUFACTURED HOMES

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the state shall have the same effect as a seal affixed under authority of this state, and thereafter any manufactured home which bears the seal of such state shall not be required to bear the seal of this state as provided in part 1350.0400. The commissioner may make such reciprocity contingent upon such other granting reciprocal effect to seals affixed under authority of this state. Pursuant to this part, the commissioner has established reciprocity with the following states which have granted reciprocity to Minnesota: Indiana, Illinois, and Wisconsin. This reciprocity applies to manufactured homes manufactured after July 1, 1972, and prior to June 14, 1976.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.5900 APPEALS.

Any person aggrieved by application of parts 1350.3900 to 1350.5700 may, within 30 days of the time when the grievance arose, appeal to the commissioner. Upon receipt of a timely appeal and the submission of the appropriate fee pursuant to part 1350.6600 by appellant, the commissioner shall review the matter de novo and submit written findings to appellant.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.6300 HEARINGS.

Whenever the commissioner determines that a formal hearing is necessary in order to resolve the presentation of adversary views on matters governed by parts 1350.0100 to 1350.9200, the hearing shall be conducted according to Minnesota Statutes, chapter 14, governing contested case hearings and applicable provisions of the administrative rules of the Office of Administrative Hearings.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.6400 FORM AND REMITTANCE OF FEES.

All remittances shall be in the form of checks or money orders payable to "Minnesota State Treasurer", and addressed to State of Minnesota Building Codes and Standards Division, 121 Seventh Place East, Suite 408, Saint Paul, Minnesota 55101.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.6500 FEES FOR ACCESSORY STRUCTURE SEALS, REPLACEMENT CONSTRUCTION SEALS, CERTIFICATES, AND LABELS.

Subpart 1 Construction seal fees. Replacement manufactured home or accessory structure construction seal fees are \$30 per seal. Fees include certificates.

Subp 2 Installation seal fees. Manufactured home installation seal fees are \$8 for a support/utility seal and \$8 for an anchoring system seal. Fees include certificates.

Subp 3 Temporary installation certificate fee. A temporary installation certificate fee is \$2 per certificate.

Subp 4 Label fee. The United States Department of Housing and Urban Development monitoring (label) fee shall be paid by the manufacturer to the secretary.

Subp 5 Seal order shipping and handling fee. The shipping and handling fee for each order of seals is current postage rate plus a \$3 handling fee.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.6600 APPEAL FEE.

The appeal fees are as stated in Minnesota Statutes, section 16B 67

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.6700 ANNUAL REGISTRATION REQUIREMENT.

An installer shall provide a copy (proof) of a manufactured home installer's annual license issued by the Department of Commerce prior to obtaining installation certificates and seals under parts 1350 0600, subpart 2, and 1350 6500, subpart 2

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.6800 OTHER FEES.

For all other work performed by the Department of Administration including, but not limited to, the review of plans, specifications, and independent agency reports, and quality control evaluation, a fee as specified under part 1302 0600, subpart 1, item B, shall be charged

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.7000 AUTHORITY.

Parts 1350 7000 to 1350 9200 are adopted by the commissioner pursuant to Minnesota Statutes, section 327B 10, to implement and administer the provisions of Minnesota Statutes, sections 327B 01 to 327B 12, relating to the licensing of manufactured home manufacturers, dealers, limited dealers, and dealers' subagencies

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.7100 DEFINITIONS.

Subpart 1 **Scope.** The terms used in parts 1350 7000 to 1350 9200 have the meanings given them in this part and in Minnesota Statutes, section 327B.01

Subp 2 **Applicant.** "Applicant" means a person who is applying for a manufactured home manufacturer or dealer license or limited dealer license

Subp 3 **Commissioner.** "Commissioner" has the meaning given it in part 1350 0100, subpart 12

Subp. 4 **Distributor.** "Distributor" has the meaning given it in part 1350 0100, subpart 19

Subp 5 **Length of a manufactured home.** "Length of a manufactured home" has the meaning given it in part 1350 0100, subpart 34

[For text of subps 6 and 7, see MR]

Subp 7a **Manufactured home park.** "Manufactured home park" means a licensed manufactured home park as required in Minnesota Statutes, section 327 15, and defined in Minnesota Statutes, section 327 14

Subp 8 **Width of a manufactured home.** "Width of a manufactured home" has the meaning given it in part 1350 0100, subpart 60

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.7200 LICENSE APPLICATION.

Subpart 1 **Forms; requirements.** An applicant shall apply for a manufacturer, dealer, limited dealer, or dealer subagency license on forms furnished by the commissioner and shall comply with Minnesota Statutes, section 327B 04

[For text of subp 2, see M R]

Subp 3 **Fee.** An applicant shall submit, with the application, the required fee established in part 1350 8300, item A

[For text of subp 4, see M R]

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.7205 LIMITED LICENSE APPLICATION.

An applicant shall apply for a limited dealer license pursuant to Minnesota Statutes, section 327B 04, subdivision 8

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.7300 ESTABLISHED PLACE OF BUSINESS.

Subpart 1 **Proof required.** The commissioner shall not grant a dealer license until the applicant has furnished the commissioner with proof that the applicant has an established place of business, as required by Minnesota Statutes, section 327B 04, subdivision 4, and that the requirements in subparts 2 to 7 have been met

Subp 2 **Building or office space.** An applicant for a dealer license must have a permanent enclosed building, other than a residence, or a commercial office space for the principal place of business and for each subagency location

A manufactured home, other than a residence, qualifies as an established place of business if it is set up in a permanent manner, it is connected to sewer, water, and electricity, it is skirted, it is owned by the applicant, and it is not being offered for or subject to sale while being used as an office. The owner of a licensed manufactured home park who resides in or adjacent to the park may use the residence as the established place of business required by this subpart, unless prohibited by local zoning ordinance

Subp 3. **Unimproved sales lots.** Unimproved lots and premises may be used for sale and display of manufactured homes if they are in proximity to a licensed dealer's principal place of business or subagency location so as to avoid confusion or uncertainty as to their relationship to the business. A photo or drawing must be submitted to the commissioner clearly indicating the relationship of the unimproved lot or premises to the business location

Subp 4 **Unimproved storage lots.** Unimproved lots and premises may be used for storage of manufactured homes. The licensed dealer shall notify the commissioner of the location of the unimproved lot or premises prior to storage of manufactured homes there

Subp 5 **Photograph.** The licensed dealer shall submit a current photograph which accurately depicts the principal place of business, each subagency location, and unimproved lots to be used for sales and display for which the applicant is requesting a license

Subp 6 **Deed, contract, or lease.** The licensed dealer shall submit a copy of a valid warranty deed, contract for deed, or lease for a term of not less than one year for the premises housing the principal place of business and each subagency

Subp 7 **Sole licensed occupant.** Only one licensee, as licensed dealer may own or lease and occupy an established place of business or commercial office space. Two or more licensees may occupy one established place of business if they are related by means of ownership or are one legal entity

Statutory Authority: *MS s 327B 01 to 327B 12*

History: 24 SR 1846

1350.7700 POSTING OF LICENSE.

A current license must be posted at the principal place of business and at each subagency and at each manufactured home park location in a conspicuous place and clearly visible to all consumer customers. The posted license must be the license issued for the specific location at which it is posted. Only valid licenses may be posted.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.7900 CLOSING OF PRINCIPAL PLACE OF BUSINESS OR SUBAGENCY.

When a dealer or limited dealer closes a principal place of business or dealer subagency, the dealer or limited dealer must notify the commissioner and return the appropriate license certificate within 14 days of the closing.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.8000 LICENSE RENEWAL.

Subpart 1 Date of renewal. Licensees must renew their licenses pursuant to Minnesota Statutes, section 327B 04 and this part. The commissioner shall send out renewal notices by November 15 of the year a license expires. The renewal must be submitted on forms furnished by the commissioner for principal places of business and subagencies, accompanied by the fees in part 1350.8300. License renewal applications must be received by the commissioner no later than December 15 of the year a license expires. All licenses expire at midnight, December 31 of the year of expiration.

Subp 2 Limited dealer license renewal. A limited dealer, upon application for renewal, shall renew a limited dealer license pursuant to Minnesota Statutes, section 327B 04, subdivision 8.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.8100 LIMITED DEALER AND DEALER'S RECORDS.

Subpart 1 Dealer records. A dealer shall retain copies of all records as required by Minnesota Statutes, section 327B 06, subdivision 1. All records must be retained in one centralized place designated by the dealer. The dealer shall notify the commissioner as to the location of the records either at the principal or subagency location. All records shall be on file at the dealers designated location within 14 days after the closing of the sales transaction.

Subp 2 Limited dealer's records. A limited dealer shall retain copies of all records as required by Minnesota Statutes, section 327B 06, subdivision 1. All records must be retained at the limited dealer's licensed place of business.

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.8300 FEES.

Fees for licenses and services associated with parts 1350.7000 to 1350.9200 are as follows:

A. initial dealer license for principal location, (remainder of calendar year), \$200. Fee is not refundable,

B. initial dealer license for subagency location, \$40. Fee is not refundable,

C. dealer license biennial renewal, principal location, \$400, dealer subagency location, \$80. Subagency license renewal must coincide with the principal license date,

D. limited dealer license, \$100. Fee is not refundable,

E. limited dealer license annual renewal from date of issue, \$100,

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F change of bonding company, \$10 A corrected duplicate license or limited license is required,

G reinstatement of bond after cancellation notice has been received, \$10,

H duplicate license or limited license, \$10,

I checks returned without payment, \$15 and a corrected duplicate license or limited license is required, and

J change of address, \$10

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.8500 NOTICE TO COMMISSIONER.

[For text of subps 1 and 2, see MR]

Subp 3 Civil judgment. A licensee shall notify the commissioner in writing within ten days of any decision of a court regarding a proceeding in which the dealer or limited dealer was named as a defendant, and in which fraud, misrepresentation, or the conversion of funds was found to have been committed by the licensee

Subp 4 Disciplinary action in another state. A licensee shall notify the commissioner in writing within ten days of the suspension or revocation of the licensee's manufactured home dealer license or limited dealer or other occupational license issued in another jurisdiction

Subp 5 Criminal offense. A dealer or limited dealer shall notify the commissioner in writing within ten days if the dealer or limited dealer is found guilty of a felony, gross misdemeanor, misdemeanor, or any comparable offense related to manufactured home sales, improper business practices, fraud, misrepresentation, misuse of funds, or violation of the consumer laws

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.8600 REQUIRED DOCUMENTS.

A dealer or limited dealer shall furnish to the parties to a transaction at the time the documents are signed or become available, true and accurate copies of listing agreements, earnest money receipts, purchase agreements, contracts for title, option agreements, disclosure statements, statement of sale, energy audits, the formaldehyde warning which is required by Minnesota Statutes, section 325F 18, and other records, instruments, or documents which are material to the transaction and which are in the dealer's possession

The format of the disclosure statement must conform to that contained in sample forms provided by the commissioner and the statement must be signed by the dealer or the dealer's authorized salesperson, the buyer, and the seller A copy of the disclosure must be kept on file by the dealer

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

History: *24 SR 1846*

1350.8700 STANDARDS OF CONDUCT.

The methods, acts, or practices in part 1350 8800 are standards of conduct governing the activities of a dealer or limited dealer. Failure to comply with those standards is a ground for denial, suspension, or revocation of the license

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.8800 RESPONSIBILITIES OF DEALERS AND LIMITED DEALERS.

Subpart 1 Supervision of personnel. Dealers or limited dealers shall closely supervise the activities of their salespersons and employees which are related to the sale of manufactured homes Supervision includes the ongoing monitoring of listing

agreements, purchase agreements, and other manufactured home documents which are prepared or drafted by the dealer's or limited dealer's salespersons or employees or which are otherwise received by the dealer's or limited dealer's office, and the review of all dealer's trust account books and records

Subp 2 **Preparation and safekeeping of documents.** Dealers or limited dealers are responsible for the preparation, custody, safety, and accuracy of all manufactured home contracts, documents, and records, even though another person may be assigned these duties by the dealer or limited dealer

Subp 3 **Resolution of complaints.** Dealers or limited dealers shall investigate and attempt to resolve complaints made regarding the practices of individuals employed by them

Subp 4 **Supervision of place of business.** Each principal place of business and each subagency shall be under the direction and supervision of a manager. The dealer or limited dealer shall furnish the commissioner with the name of each manager responsible for a licensed location. Designation of a manager does not relieve the dealer or limited dealer of overall responsibility for the actions of salespersons or the manager

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.8900 DISCLOSURES BY SALESPERSON.

All dealers or limited dealers shall require their salespersons to conduct business only under the licensed name of and on behalf of the dealer or limited dealer by whom they are employed or to whom they are under contract and to disclose in every transaction the name of the dealer or limited dealer by whom they are employed or to whom they are under contract

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.9000 LENGTH AND WIDTH.

The length and width of a manufactured home when shown on sales contracts, documents, and records is the length and width to the nearest foot as defined in part 1350 0100, except on an application or permit to transport a manufactured home if the total length of the manufactured home is required to include drawbars, couplings, or hitches. Room additions must be noted and measured separately

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.9100 DISCLOSURE.

If a manufactured home being sold is located in a manufactured home park, the dealer or limited dealer, prior to the buyer's signing of the purchase agreement, shall obtain a written statement signed by the buyer acknowledging the dealer's or limited dealer's disclosure of the contents of Minnesota Statutes, section 327C 07, regarding in-park sales of manufactured homes

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*

1350.9200 ENFORCEMENT.

Any authorized representative of the commissioner may at any reasonable time enter the premises where manufactured homes are manufactured, or where new or used manufactured homes are sold, solicited, brokered, or advertised for sale, and may examine the manufacturer's or dealer's or limited dealer's records to the extent necessary to enforce the provisions of parts 1350 0100 to 1350 9200

Statutory Authority: *MS s 327B 01 to 327B 12*

History: *24 SR 1846*