

WSR 21-19-124
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed September 21, 2021, 8:12 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 19-17-071.

Title of Rule and Other Identifying Information: Proposed changes to the factory assembled structures (FAS) rules under chapter 296-150I WAC, Manufactured home installer training and certification program, and chapter 296-150M WAC, Manufactured Homes.

Hearing Location(s): On October 27, 2021, at 9:00 a.m., virtual and telephonic hearing only. Please join on your computer or mobile app (Microsoft Teams), or visit [Date of Intended Adoption: December 21, 2021.](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NGRhOGMyMTUtM2I0My00M2Y4LTg5NzUtM2NhMDQ4NjEwNzkx%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%220id%22%3a%22acb1df6f-3588-43aa-b503-63aebce21ddc%22%7d; or call in (audio only), 1-253-372-2181, Phone Conference ID 616 416 458# (pound sign must be entered). The virtual/telephonic hearing starts at 9:00 a.m. and will continue until all oral comments are received.</p></div><div data-bbox=)

Submit Written Comments to: Alicia Curry, Department of Labor and Industries (L&I), Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, email Alicia.Curry@Lni.wa.gov, fax 360-902-5292, by 5 p.m., on October 27, 2021.

Assistance for Persons with Disabilities: Contact Alicia Curry, phone 360-902-6244, fax 360-902-5292, email Alicia.Curry@Lni.wa.gov, by October 13, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: L&I is proposing amendments to the FAS rules that apply to manufactured homes, installations, and installer training and certification. The purpose of this rule making is to update the existing rules for consistency with United States Department of Housing and Urban Development (HUD) regulations.

In 2017, SEBA Professional Services, LLC (SEBA), a contractor for HUD Office of Manufactured Housing, reviewed and audited the FAS installer program rules and standards to ensure the state's compliance with HUD regulations. The SEBA report identified six findings in the FAS rules and standards for manufactured homes, three of which require changes to the rules for L&I to meet its contractual obligations and be fully compliant with HUD regulations. This rule making addresses those findings to ensure the rules are consistent with the federal regulations.

In addition, L&I is proposing updates, clarification, housekeeping, and other changes to the rules under chapter 296-150I WAC, to bring the rules up-to-date and improve public safety.

The proposed rules will:

- Amend rules to address HUD findings from the 2017 audit report. This includes, but is not limited to:
 - Adds requirements that homeowners installing their own manufactured or mobile home must become an "approved homeowner" and meet other requirements to do their own installation work in the state of Washington. This also includes, but is not limited to:

- Making homeowners attend and pass an installer training class to become "approved" prior to starting the installation work;
- Making homeowners purchase "installer certification tags" for use on their home and responsible for complying with security, use, and reporting requirements;
- Adding a new definition to define the meaning of "approved homeowner"; and
- Adding homeowners to the fees payable to L&I for testing and approval.
- Adds requirements that certified installers must verify and acknowledge site preparations for new manufactured homes before commencing any installation work; and
- Replaces the American National Standards Institute (ANSI) A225.1 standard with the Model Manufactured Home Installation 24 Code of Federal Regulations (C.F.R.) Part 3285 standards that are used to federally regulate all manufactured home installations in the United States.
- Amend rules to adopt new 2021 HUD codes for mobile and manufactured housing and to align with state building codes, for example:
 - Adds requirements that carbon monoxide detectors must be installed in some relocated manufactured homes and allowing the devices to be battery operated;
 - Eliminates the ability of local jurisdictions to impose regulations on carbon monoxide detectors, as this is regulated by the federal standards; and
 - Adds requirements for manufactured homes designed to support an "attached accessory building or structure."
- Amend rules for general updates, for example:
 - Adds requirements that manufactured homes in storage or on display for more than ninety days must have support under the floor to prevent damage to the home prior to installation;
 - Adds requirements that installers must provide an affidavit to L&I when the federal installation standard is used in lieu of the manufacturer's installation manual to assist building inspectors with installation inspections;
 - Clarifies that local jurisdictions can impose the installation of fire sprinklers for manufactured homes if they require sprinklers for all homes in their jurisdiction;
 - Adds requirements that Design Approval Primary Inspection Agency (DAPIA) design plans used for repairs must be submitted to L&I for plan review to verify the repair work is being done correctly;
 - Adds requirements that drainage systems must be installed to divert groundwater from the underside of the home if a home is pit set; and
 - Allows an alternative location to place installer certification tags where the tag will be better protected from long-term weather exposure.
- Amend rules pertaining to permit requirements, for example:
 - Prohibits manufactured home installation work without the issuance of a permit by the local building department to allow for consistency with building code requirements and for process improvement; and

- Eliminates the requirement for L&I permits when re-leveling a home, installing new skirting and other work for inspections that is the jurisdiction of the local building department.
- Amend the fees payable to L&I, for example:
 - Creates a new fee for L&I manufactured home installation inspection permits that applies to local enforcement agencies and cities and counties with L&I inspection contracts;
 - Removes "training" from the existing fees to allow for on-line training that is now available to the public free of charge; and
 - Clarifies the existing fees that apply to manufactured home installers and inspectors for testing and certification.
- Amend rules to incorporate L&I's existing policies and practices into rule, for example:
 - Removes the ability for local enforcement agencies to sell installer certification tags, as this process is no longer in use;
 - Removes the ability of manufactured home retailers to issue installer certification tags to certified manufactured home installers, as this process is no longer in use;
 - Clarifies that L&I may investigate complaints about "installer certification tag" usage, when enforcing compliance with the installer certification rules;
 - Clarifies that relocated manufactured homes must be installed according to the manufacturer's installation instructions; and
 - Clarifies that installer certification tags must be placed on a home upon completion of each installer's portion of the work, so it is available to local authorities having jurisdiction (AHJ) when doing inspections.
- Amend rules for consistency with statute, for example:
 - Clarifies that L&I has the discretion to revoke installer certification based on the severity of infractions;
 - Creates new definitions for clarity of terms used throughout the chapter, such as "notice of infraction," "mobile homes," and "local enforcement agency"; and
 - Creates a new section to clarify that L&I monitors the installation and inspection of manufactured homes in Washington state to assure [ensure] compliance with statute and federal regulations.
- Amend, repeal, and create new definitions to the chapter, for example:
 - Defines "approved homeowner" for consistency with federal regulations;
 - Defines "DAPIA," "HUD," and "IBTS" for clarity of acronyms used throughout the chapter;
 - Defines "installation" to provide clarity on the process of installation;
 - Amends "manufactured/mobile home dealer" for consistency with department of licensing (DOL) law;
 - Repeals "compliance inspector," as this is one of several persons who may be issuing corrections and infractions; and
 - Repeals "extension of the pressure relief valve for the water heater" and "mobile or manufactured home installation," as these are requirements and not definitions.

- Amend rules for clarity, simplicity, and to streamline the rules, for example:
 - Replaces "mobile or manufactured home" with "manufactured or mobile home" and "manufactured home" throughout the chapter for consistency with current industry terminology;
 - Replaces "on-site work and equipment installation" for use of the newly defined term of "installation" under the definitions, which serves as a global term that is clearer;
 - Eliminates the "Washington installer code" throughout the chapter, as the installation requirements are not installation code; and
 - Clarifies that on-site structures are only those that are adjacent structures.
- Amend rules for general housekeeping, such as punctuation, amending the chapter title, eliminating the question and answer format in section titles, relocating requirements to other rules, typographical and reference corrections, formatting, removal of obsolete language, etc.

Reasons Supporting Proposal: L&I contracts with HUD to administer several parts of the federal manufactured home program within Washington state. In addition to installer and factory inspection functions, L&I also administers the consumer complaint program for Washington manufactured home owners. As part of L&I's contract with HUD, their subcontractors regularly audit the various functions of the FAS program. This rule making is necessary to address HUD's findings from the 2017 audit that required revisions to the rules to ensure consistency with the federal standards. This rule making is also necessary to update rules to improve public safety.

Statutory Authority for Adoption: Chapter 43.22 RCW, Department of labor and industries, and chapter 43.22A RCW, Mobile and manufactured home installation.

Statute Being Implemented: Chapter 43.22 RCW, Department of labor and industries, and chapter 43.22A RCW, Mobile and manufactured home installation.

Rule is necessary because of federal law, Titles 24 C.F.R. 3282, 3285 and 3286.

Name of Proponent: L&I, governmental.

Name of Agency Personnel Responsible for Drafting: Shane Daugherty, Program Manager, Tumwater, Washington, 360-902-5218; Implementation and Enforcement: Steve Reinmuth, Assistant Director, Tumwater, Washington, 360-902-6348.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Alicia Curry, L&I, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, fax 360-902-5292, email Alicia.Curry@Lni.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Citation of the specific federal statute or regulation and description of the consequences to the state if the rule is not adopted: Titles 24 C.F.R. 3282, 3285 and 3286. If these rules are not adopted, then Washington state

will not be in conformance with preemptive federal regulations regarding manufactured housing and its installation. Is exempt under RCW 19.85.025(3) as the rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; rule content is explicitly and specifically dictated by statute; rules set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045; and rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. Most of the proposed rule changes are exempt from the small business economic impact analysis [statement] (SBEIS) requirements under RCW 19.85.025. For those changes that are not exempt, L&I assessed those significant legislative rule amendments for their potential cost implication to impacted businesses. This includes:

- Adding a new definition for "approved homeowner";
- Requiring a homeowner to pass the installer training class to become "approved" to install their own manufactured home;
- Requiring certified manufactured home installers to verify and acknowledge the adequacy of site preparations for new manufactured homes prior to installation of the home;
- Removing the allowance for local cities and counties to sell installer certification tags;
- Making "approved homeowners" purchase an "installer certification tag" for use on their home;
- Making "approved homeowners" who purchase an "installer certification tag" responsible for complying with security, use, and reporting requirements;
- Requiring "approved homeowners" to send an application to L&I in order to purchase an installer certification tag;
- Removing the allowance for applications for installer certification tags to be sent to cities and counties;
- Clarifying that manufactured home retailers do not issue certification tags to certified installers;
- Revising the locations for placement of installer tags;
- Adding "approved homeowners" to the requirements that local building departments cannot issue final approval of an installation until the installer certification tags have been affixed to the home;
- Requiring "approved homeowners" to send a monthly report to L&I of installer certification tag usage;

- Clarifying that L&I may investigate complaints about "installer certification tag" usage;
- Adding fire sprinklers to the list of requirements that jurisdictions can impose on manufactured homes;
- Replacing the American National Standards Institute (ANSI) A225.1 standard for manufactured home installations with the Model Manufactured Home Installation Standards (MMHI) Title 24 C.F.R. Part 3285;
- Requiring the installation of carbon monoxide (CO) alarms in some relocated manufactured homes in accordance with HUD requirements and allowing CO alarms to be battery operated;
- Requiring that manufactured homes being stored or displayed for longer than 90 days to have additional support under the floor;
- Requiring homeowners to be "approved" in order to install their own manufactured home;
- Disallowing manufactured home installation work to start until the local building department has issued the permit;
- Requiring an installer provide an affidavit to the local building inspector stating which installation instructions have been used when the original instructions are not available for a secondary installation;
- Requiring that repair plans approved by the manufacturer's DAPIA be sent to L&I plan review for verification when a home is damaged during transit or setup;
- Making the installer "training" fee applicable to "installer testing and certification";
- Making the fee for "training only for 10 hours" applicable to "homeowner testing and approval"; and
- Making the "manufactured/mobile home installation inspector training" fee applicable to "manufactured home installation inspector testing and certification."

To calculate costs, the cost to small businesses were first estimated for the cost of site verification by determining the number of installations, and the time and cost required to complete a site verification. Second, L&I estimated the cost to support homes on display and homes in storage for 90 days or more by determining the number of homes that would be subject to this requirement and the cost to support each home. Third, L&I allocated the assumed share of each cost to the respective industries. Currently, there is a lack of specific information on how many installations are completed by businesses within NAICS 321991 and those in NAICS 453930. In addition, there is some overlap in installations where some manufactured home dealers also engage in installation work. Without knowing this exact ratio, L&I relies upon best knowledge and reasonable assumptions to estimate the per-business-cost to businesses in these cost-bearing industries. When compared to the minor-cost threshold (one percent of annual payroll), this clearly indicates the average per-business cost of the proposed rule amendments (for each respective industry) is far below the threshold for businesses in any of the affected industries identified in the SBEIS as potentially impacted by the rule. As such, L&I is exempt from conducting an SBEIS for this rule making.

September 21, 2021
Joel Sacks
Director

OTS-2099.8

Chapter 296-150I WAC
MANUFACTURED (~~(HOME INSTALLER TRAINING AND CERTIFICATION PROGRAM)~~) AND
MOBILE HOME INSTALLATION

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0010 Authority, purpose, scope. This chapter is authorized by chapter 43.22A RCW, (~~Mobile and manufactured home installation,~~) which requires the department to train and certify manufactured home installers and by chapter 43.22 RCW which authorizes the director of L&I to set installation standards for manufactured and mobile homes. For the purposes of this chapter references to manufactured homes include mobile homes.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0010, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0020 (~~What~~) Definitions that apply to this chapter(~~?~~). (1) "**Administrative law judge**" is any person appointed by the chief administrative law judge (as defined in RCW 34.12.020(~~(+2)~~)) (1) to preside at a notice of infraction appeal hearing convened under chapter 43.22A RCW.

(2) "**Appeal hearing**" is any proceeding in which an administrative law judge is empowered to determine legal rights, duties or privileges of specific parties on behalf of the director.

(3) "**Appellant**" means any person, contractor, firm, partnership, corporation, or other entity that has filed an appeal.

(4) "**Approved homeowner**" is an individual person who owns a manufactured home and who also has passed the departments' installer training class and test, with the intention of installing their home and residing in that home upon completion of the installation work.

(5) "**Authorized representative**" means an employee of a state agency, city, or county acting on behalf of the department.

(6) "**Bottom board**" means the close up material on the bottom side of the manufactured home floor that protects it from rodents and transportation damage and meets the requirements of 24 C.F.R. Part 3280.305 (g) (6).

(7) "**Certified manufactured home installer**" means a person who is in the business of installing manufactured or mobile (~~or manufac-tured~~) homes and who has been issued a certificate by the department as provided in this chapter.

~~((5) "Compliance inspector" refers to the departmental staff responsible for investigating potential violations of chapter 43.22A RCW.~~

~~(6-))~~ (8) "Contractor" is as defined in chapters 18.27, 18.106, and 19.28 RCW.

~~((7-))~~ (9) "DAPIA" is a design approval primary inspection agency as approved by the United States Department of Housing and Urban Development and defined by 24 C.F.R. Part 3286.3.

(10) "Dealer" is the same as "manufactured/mobile home dealer" below.

(11) "Department" refers to the department of labor and industries.

~~((8) "Extension of the pressure relief valve for the water heater" means extension to the outside of the home as described in the Uniform Plumbing Code.~~

~~(9-))~~ (12) "Final infraction" means an infraction that was not appealed during the time period required by RCW 43.22A.200, or was affirmed by an administrative law judge or any court.

(13) "HUD" is the U.S. Department of Housing and Urban Development, Office of Manufactured Housing Programs, Washington D.C. 20140-8000.

(14) "IBTS" is the Institute for Building Technology and Safety, 45207 Research Place, Ashburn, VA 20147.

~~(15) "Infraction" means a violation of chapter 43.22A RCW ((as cited by the department's compliance inspectors.~~

~~(10-))~~ (16) "Installation" means all on-site work necessary for the setting up and completion of a manufactured or mobile home, starting with the preparation of the building site through final permit approval by the local enforcement agency.

(17) "Local enforcement agency" means any agency of the governing body of any city, county, or state which enforces laws or ordinances governing the construction of buildings.

(18) "Manufactured home" means a single-family dwelling built in accordance with the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.

~~((11-))~~ (19) "Manufactured/mobile home dealer" is a vehicle dealer as defined in ((chapter 46.70)) RCW 46.70.011.

~~((12-))~~ (20) "Manufacturer" refers to a manufacturer of single-family dwellings built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.

~~((13) "Mobile or manufactured home installation" as defined in RCW 43.22A.010 does not include installation of electrical wires and equipment that convey electrical power to the home or to an outlet in the home, and does not include the ground crossover. Installation of electrical wires and equipment that convey electrical power to the home or to an outlet in the home must be performed by a journeyman or specialty electrician as defined in chapter 19.28 RCW. Equipment does not include plug-in household appliances.~~

~~(14-))~~ (21) "Mobile home" means a factory-built dwelling built before June 15, 1976, to standards other than the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), and acceptable under applicable state codes in effect at the time of construction or introduction of the home into this state.

(22) "Notice of infraction" means a form used by the department to notify contractors or homeowners that an infraction under this chapter has been filed against them.

(23) "Other equivalent experience" means six months of hands-on experience installing manufactured homes under the guidance of a reputable, recognized manufactured home installer; or two years experience in residential or commercial construction.

~~((15))~~ (24) "Retailer" means the same as "dealer" for the purposes of this section.

(25) "Site" means the parcel of land ~~((designed))~~ approved by the local enforcement agency to accommodate the dwelling and auxiliary structures.

(26) "Vapor retarder" means a ground cover material of 6 mil black polyethylene sheeting or equivalent.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0020, filed 5/30/08, effective 6/30/08.]

MANUFACTURED HOME INSTALLER REQUIREMENTS

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0030 ~~((What should))~~ The manufactured home installer training program ~~((include?))~~ requirements. The training program must contain instruction and a written examination. The program curriculum includes, but is not ~~((be))~~ limited to, the following topics:

- Relevant federal, state and local laws and standards;
- Supports, footings, anchors, site preparation, placement, closing in, plumbing, electrical, combustion appliances, skirting, interior, and exterior finishing;
- Operational checks and adjustments;
- Auxiliary or adjacent structures; and
- Alterations.

As part of the training program, the department will provide a training manual to each applicant ~~((as part of the training program)),~~ with the contents of ~~((which will include, but not be limited to,))~~ the above ~~((topics))~~ curriculum.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0030, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0040 ~~Examination—Failure—Retaking.~~ The examination ~~((must))~~ will only include topics covered in the training program. In order to pass the examination, applicants must answer seventy percent of the questions correctly. An applicant who fails the exami-

nation will be permitted to retake the training course and/or the examination as often as is necessary to secure a passing rate of seventy percent.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0040, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0050 ((What is the)) Manufactured home installer certification—Application process(?). A person ((desiring)) wanting to be certified as a manufactured home installer under chapter 43.22A RCW must submit a signed application form and the fee specified in WAC 296-150I-3000 to the department((, which)). The application must contain((s)) the following information:

(1) The applicant's full name, date of birth, driver's license number or other government identification number, and Social Security number. Social Security numbers are required on applications for professional licenses pursuant to RCW 26.23.150 and federal law PL 104-193, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(2) Written affidavit documenting evidence of experience as required under RCW 43.22A.040.

(3) Business name, phone number, and contractor registration number, if applicable. Status of applicant, i.e., owner or employee.

(4) Training/examination location and date preference.

(5) If the application is denied by the department as a result of the applicant's failure to meet the requirements of chapter 43.22A RCW and this chapter, the department will attempt to notify the applicant prior to the date the applicant is scheduled to attend the training and examination.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0050, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0050, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0070 Manufactured home installer certification renewal—Application process. (1) A certified ((manufactured home)) installer ((desiring to)) may renew their certification as a manufactured home installer under chapter 43.22A RCW ((must file)) by filing a certification renewal application with the department.

(2) The application must:

(a) Be received by the department on or before the installer's certification expiration date.

(b) Be accompanied by the certification renewal fee specified in WAC 296-150I-3000.

(3) If a certified installer fails to apply for renewal and provide proof of continuing education within ninety days prior to the expiration of the installer's current certification, the installer must reapply for installer certification and meet all requirements for installer certification as set forth in chapter 43.22A RCW and this chapter.

(4) Before a ~~((new))~~ certification ~~((is))~~ renewal will be issued, the certified installer must provide proof to the department that the certified installer has met the continuing education requirements set forth in this chapter.

(5) The department will attempt to notify installers prior to expiration; however, it is the installer's responsibility to ensure timely renewal.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0070, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0070, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0080 Installer certification—Revocation. (1) The department ~~((will))~~ may revoke an installer's certification if they receive three or more "final infractions" during their current three-year certification period. The department ~~((will))~~ may judge the installer to be incompetent due to multiple infractions of the state manufactured home installer requirements and the manufactured home installation ~~((code))~~ requirements. Revocation of the installer certification will be valid for two years from the effective date of the revocation.

(2) Where applicable, the department must send notice to the certificate holder's employer regarding revocation of an installer certification.

(3) A person may reapply for a manufactured home installer certification two years after the effective date of the revocation by submitting a completed application and payment for training and examination. Upon passing the written examination, a ~~((certificate of))~~ new manufactured home ~~((installation))~~ installer certification will be issued.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0080, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0080, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0090 Requirement for applicable licenses and registrations. The issuance of a ~~((certificate of))~~ manufactured home ~~((installation))~~ installer certification by the department under chap-

ter 43.22A RCW and these rules does not exempt the certified installer from compliance with any local, state, or federal requirements relative to any business or occupational licenses or registrations.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0090, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0100 Manufactured home (~~on-site work and equipment~~) installation—Manufactured home installer certification required. (~~On-site work or equipment~~) Manufactured home installation work which falls within the scope (~~of installation as~~) set forth in RCW 43.22A.010(6) shall not be performed on a manufactured home (~~at any time after the initial installation of a manufactured home~~) without the on-site supervision of a certified manufactured home installer (~~(-~~

~~On-site work and equipment installation work shall not be performed until a permit for such work has been issued by the local enforcement agency. On-site work and equipment installation work must be inspected upon completion by the local enforcement agency in the same manner initial home installations are inspected.~~

~~On-site work and equipment installation work include, but are not limited to:~~

- ~~(1) Releveling a home such as installing all new pier blocks or footings;~~
- ~~(2) Complete skirting replacement;~~
- ~~(3) Installing earthquake resistant bracing systems; and~~
- ~~(4) Any other work described in RCW 43.22A.010(6).~~

~~On-site work and equipment installation work does not include routine maintenance or other routine repairs such as periodic adjustments to piers, replacement of a damaged pier, or skirting repair).~~ Some categories of installation work are exempt from certification requirements in accordance with RCW 43.22A.120, WAC 296-150I-0105 and 296-150I-0110.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0100, filed 5/30/08, effective 6/30/08.]

NEW SECTION

WAC 296-150I-0105 Manufactured home installation—Specialty work by licensed electricians and plumbers. Specialty work performed within the scope of their licenses by licensed plumbers and electricians is exempt from the installer certification requirements of this chapter.

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AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0110 Manufactured home installation (~~(, on-site work or equipment installation)~~)—Homeowner performing work on their own home—Exceptions. (1) The owner of a (~~(mobile or)~~) manufactured home may install or perform (~~(on-site work or equipment)~~) installation work on his or her own home without obtaining certification from the department as a certified manufactured home installer if the home is intended for use as the homeowner's primary residence. For the installation of a manufactured home the homeowner must attend and pass an installer training class prior to starting the work.

(2) The installation(~~(, on-site work or equipment installation)~~) work must be performed in compliance with this chapter(~~(, Washington installation code)~~) and be permitted and inspected by the local enforcement agency.

(3) If the owner of a manufactured home hires any individual or business to assist the owner in the installation(~~(, on-site work, or equipment installation)~~) work, a certified installer is required to be on-site supervising such work and must meet all the requirements of this chapter.

(4) For the purposes of this chapter, an "owner" of a manufactured home does not include a manufactured/mobile home dealer, distributor, park owner or manager, contractor, or developer who installs or performs (~~(on-site work or equipment)~~) installation work on a manufactured home intended for resale or rental.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0110, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0120 Manufactured home installation permit and inspections—Obligation of the dealer and certified installer. (1) (~~(If)~~) A certified installer (~~(obtains)~~) must assure that a placement permit for the manufactured home installation (~~(or placement permit)~~) has been purchased from the local enforcement agency(~~(7)~~). The certified installer shall ensure that all required installation inspections, relative to the work performed by the certified installer, are completed.

(2) Installer certification (~~(requirements do)~~) does not eliminate any contractor registration requirements of chapter 18.27 RCW (~~(to become a registered contractor)~~).

(3) An out-of-state (~~(mobile/manufactured)~~) manufactured/mobile home dealer who performs (~~(the set-up,)~~) installation(~~(, or repair)~~) work must (~~(be an active registered)~~) comply with the contractor registration requirements of chapter 18.27 RCW. The (~~(mobile/manufactured)~~) manufactured/mobile home dealer must employ at least one certified installer to supervise the installation.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0120, filed 2/23/10, effective 4/1/10. Statutory

Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0120, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0130 Manufactured home installer—Responsibilities to the consumer. A certified manufactured home installer shall:

- (1) Verify the acceptability of the site preparation before beginning any installation work;
- (2) Ensure all phases of the installation work performed by the installer or crew being supervised are complete and in compliance with this chapter (~~(Washington installation code~~ ~~(2))~~);
- (3) Notify the local enforcement agency upon completion of the installation work; and
- ~~((3))~~ (4) Correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0130, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0140 Manufactured home installation—Installer certification tags required. Prior to installing (~~(r)~~) or performing (~~on-site work or equipment~~) installation work on a manufactured home, certified manufactured home installers or the retailers by whom they are employed must obtain an "installer certification tag" from the department (~~or from the local enforcement agency who participates in tag sales~~). The installer certification tag shall be in the form approved by the department.

No manufactured home may be installed by a certified installer without (~~an~~) the installer affixing their certification tag (~~affixed~~) thereto. The certified installer must indicate the installation work they have performed or supervised on the installer tag.

Only currently certified manufactured home installers (~~shall~~) will be issued installer certification tags.

Approved homeowners performing the installation (~~on-site work or equipment installation~~) work on their own manufactured home (~~are not required to acquire and affix~~) are required to purchase an installer certification tag for use on their home.

(1) Installer certification tags may only be purchased by a certified manufactured home installer, an approved homeowner, or by a manufactured home retailer licensed by the Washington state department of licensing.

(a) The certified manufactured home installer, approved homeowner, or manufactured home retailer purchasing the installer certifica-

tion tag is responsible for complying with the security, use, and reporting requirements of this chapter.

(b) Manufactured home retailers may purchase installer certification tags (~~in bulk~~) and issue them to certified manufactured home installers employed by the manufactured home retailer.

(2) In order to purchase installer certification tags, the certified manufactured home installer, approved homeowner, or manufactured home retailer (~~shall~~) must submit an application to the department (~~or local enforcement agency~~) on a form approved by the department. The application shall be accompanied by the appropriate installer certification tag fee as set forth in WAC 296-150I-3000.

(3) The department (~~or manufactured home retailer~~) may issue a maximum of thirty certification tags to a certified manufactured home installer. A certified manufactured home installer may not have more than thirty installer certification tags issued at any one time for which the reporting requirements of this section have not been met.

(4) Installer certification tags cannot be transferred or assigned without the written approval of the department. Fees paid for installer certification tags are not refundable.

(a) If a certified manufactured home installer's certification is suspended, revoked, or expires, all unused installer certification tags assigned to the certified manufactured home installer must be returned to the department.

(b) If a certified manufactured home installer or manufactured home retailer ceases to do business, all unused installer certification tags must be returned to the department.

(c) If a manufactured home retailer changes ownership, unused installer certification tags may be transferred to the new ownership if the department approves the transfer following receipt of a written request for transfer from the manufactured home retailer.

(5) Issuance of installer certification tags may be denied if:

(a) The certified manufactured home installer's certification has been revoked or suspended pursuant to chapter 43.22A RCW;

(b) The certified manufactured home installer has failed to comply with the reporting requirements of this chapter;

(c) The department has evidence that the certified manufactured home installer has misused the installer certification tag by not complying with the requirements of this chapter;

(d) The certified manufactured home installer possesses installer certification tags in excess of the quantity authorized by subsection (3) of this section for which the reporting requirements of this chapter have not been met; or

(e) The certified manufactured home installer is not an active registered contractor or an employee of a manufactured home retailer or active registered contractor licensed in Washington.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0140, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0140, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0160 Installer certification tag—Placement—Removal. (1) The installer certification tag must be placed on the home upon completion of ~~((the installation))~~ each installer's portion of the work and prior to inspection by the local enforcement agency.

(2) The installer certification tags must be placed on the end of a home section directly above or below the HUD certification tag or ~~((temporarily located in plain sight within three feet of the home's front entry))~~ placed on the chassis main I-beam directly adjacent to and visible from the crawl space access.

(3) The local enforcement agency may not issue final approval of a home installation until one or more installer certification tags have been affixed to the home indicating all installation work was performed by a certified manufactured home installer or approved homeowner.

(EXCEPTION: Installation work performed by a homeowner on his or her own residence does not require an installer certification tag.)

(4) The installer certification tag ~~((must))~~ may only be removed ~~((only))~~ by the owner of the home following final approval of the installation of the home by the local enforcement agency.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0160, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0170 Monthly certification tag report. Certified manufactured home installers, approved homeowners, and manufactured home retailers who purchase installer certification tags from the department must submit a monthly report to the department on a form approved by the department relative to all installer certification tags issued.

(1) The report is due no later than the **15th day of each month** following the month of installation work being performed on a home. A certification tag report is not required for those months in which no installation work was performed.

(2) A manufactured home retailer who assigns tags to a certified manufactured home installer is responsible for ensuring completion of the monthly report. The manufactured home retailer must file a separate report for each certified manufactured home installer to whom the manufactured home retailer assigned installer certification tag(s).

(3) The installer certification tag report must contain the following information for each installation:

- (a) The installer certification tag number;
- (b) The address of the installation;
- (c) The date of the installation;
- (d) The name and certification number of the certified manufactured home installer; and
- (e) Any other information required by the department.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0170, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0200 (~~(How does the department ensure)~~) **Departmental assurance of installer compliance with the requirements of chapter 43.22A RCW(?)**. The department of labor and industries will ensure installers comply with the requirements of RCW 43.22A.130 which requires a certified (~~(manufactured/mobile)~~) manufactured home installer to be present for each phase of the installation being performed by all members of the installation crew by:

(1) Random site inspections of manufactured home installations and verification of installer certification and supervision; (~~(and)~~)

(2) Investigations of complaints and violations reported to the department; and

(3) Audit of installers certification tag reports and usage.

(~~(The certified installer must enter their Washington installer certification number on the installer tag for each element they are supervising.)~~)

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0200, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0200, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 17-23-173, filed 11/21/17, effective 1/1/18)

WAC 296-150I-0210 (~~(What)~~) **Violations of RCW 43.22A.130 that can result in the issuance of a notice of infraction(?)**. (1) Under RCW 43.22A.130, the department can issue a notice of infraction to a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent for:

(a) Failure to have a certified installer on the installation site whenever installation work is being performed;

(b) Failure to correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same;

(c) Failure by a certified installer to affix a certification tag to an installed (~~(manufactured/mobile)~~) manufactured home;

(d) Transfer of certification tag(s) from a certified installer to another certified installer without prior written approval of the department;

(e) Transfer of certification tag(s) from a certified installer to a noncertified installer(~~(~~

~~(f) Transfer of unused installer certification tags by a manufactured home retailer to a new ownership without prior written approval of the department).~~

(2) Each worksite and day at which a violation occurs constitutes a separate infraction.

(3) Once a violation of chapter 43.22A RCW or this chapter becomes final, any additional violations within three years become a "second," "third," or "additional" violation subject to an increased penalty as set forth in WAC 296-150I-3000.

(4) See WAC 296-150I-3000 for the specific monetary penalties associated with each of the violations discussed in this section.

[Statutory Authority: Chapter 43.22A RCW. WSR 17-23-173, § 296-150I-0210, filed 11/21/17, effective 1/1/18. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0210, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0220 ((What)) Information that must be included in a notice of infraction(?). When an installer violates chapter 43.22A RCW, the department may issue a notice of infraction (~~which must contain the following:~~).

(1) The department shall prescribe the form of the notice of infraction issued under this chapter.

(2) The notice of infraction must include the following:

(a) A statement that the notice represents a determination that the infraction has been committed by the person named in the notice and that the determination is final unless contested as provided in this chapter;

(b) A statement that the infraction is a noncriminal offense for which imprisonment may not be imposed as a sanction;

(c) A statement of the specific infraction for which the notice was issued;

(d) A statement of a monetary penalty that has been established for the infraction;

(e) A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;

(f) A statement that, at a hearing to contest the determination, the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed, and that the person may subpoena witnesses including the authorized representative who issued and served the notice of the infraction; and

(g) A statement that failure to respond to a notice of infraction is a misdemeanor and may be punished by a fine or imprisonment in jail.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0220, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0230 ((Who can be issued)) Issuance of a notice of infraction(?). A person, firm, contractor, partnership, or corporation may be issued a notice of infraction for violations of chapter 43.22A RCW and this chapter.

The department must send the written notice, by certified mail, of civil penalties imposed under chapter 43.22A RCW and this chapter to the last known address of the party named in the notice.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0230, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0240 (~~(How does a person, firm, contractor, partnership, corporation or certified installer appeal)~~) **Appealing a notice of infraction(?)**. A person, firm, contractor, partnership, corporation or certified installer may appeal a notice of infraction by:

- (1) (~~File~~) Filing two copies of an appeal notice, specifying the reasons for the appeal, at the office designated on the notice of infraction; and
- (2) (~~File~~) Filing the appeal notice within twenty days of the date the infraction is mailed.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0240, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0250 (~~(Who presides over an)~~) **Appeal hearings** (~~(and where is it held?)~~). An administrative law judge from the office of administrative hearings will preside over the hearing and give a decision. The hearing shall be conducted in the county where the infraction occurred. However, both the appellant and the department have a right to ask the administrative law judge to change the hearing's location.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0250, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0260 (~~(Who will represent the appellant and the department)~~) **Representation at the appeal hearings(?)**. Appellants may either represent themselves or be represented by an attorney. The department will be represented by the office of the attorney general.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0260, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0270 ((How is the)) Appeal hearing ((conducted?)) process. The hearing process shall be conducted according to chapter 34.05 RCW, Administrative Procedure Act and chapter 10-08 WAC. All appeals of the hearing decision shall be to the superior court according to chapter 34.05 RCW.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0270, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0280 ((What does the department do with the)) Departmental review and consideration of appeal notices ((that they receive?)). (1) Appeal notices that are received timely are first reviewed by the department for purposes of reconsideration.

(2) Appeal notices that are not received timely will be returned to the appellant with appeal rights stated.

(3) Appeal notices that are received timely and are not reconsidered according to subsection (1) of this section are recorded and forwarded to the office of the attorney general, then to the office of administrative hearings.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0280, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0290 ((When must a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent pay)) Payment of assessed monetary penalties((?)). (1) If a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent named in a notice of infraction does not choose to appeal the notice, then ((the person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent)) they must pay the department the amount of the penalty prescribed for the infraction.

(2) After an administrative law judge decides that an infraction has been committed, a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent who does not appeal the decision to a superior court has thirty days to pay any outstanding monetary penalties.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0290, filed 5/30/08, effective 6/30/08.]

MANUFACTURED HOME INSTALLATION REQUIREMENTS

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0300 ~~((Who establishes standards for))~~ **Installation** ~~((of))~~ **standards for manufactured homes** ~~((?))~~. (1) The director of labor and industries is responsible for establishing uniform ~~((installation))~~ standards ~~((where possible and practical for persons or entities engaged in performing))~~ **and requirements for** the installation of manufactured homes within the state.

(2) Local jurisdictions may adopt additional installation requirements only for those installation situations not covered by federal standards. For example, local jurisdictions may impose **fire sprinkler requirements**, noise control construction ordinances, prescribe the frost depth and soil bearing capacity at the installation site, and adopt requirements to protect manufactured homes in hazardous areas (see WAC ~~((296-150I-0310))~~ **296-150I-0340**).

Also, local jurisdictions may impose their requirements for snow loads as long as all structures within their jurisdiction are required to comply with the same standard and provided those installing the manufactured home are given options in satisfying that standard. Such an option might include, but not be limited to, allowing an installer to erect an additional structure, which meets local standards, and protects the manufactured home. For example, an installer could erect a ~~((free-standing ramada))~~ **freestanding roof structure** over a manufactured home to protect it from local snow loads.

Local jurisdictions **may not**:

(a) Dictate **alternate** foundation design and construction ~~((which))~~ **when a foundation** is built according to either the manufacturer's installation instructions or a design created by an engineer or architect licensed in Washington state.

(b) Impose regulations on smoke detectors **and carbon monoxide detectors** because they are regulated by federal standards.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0300, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0310 ~~((What))~~ **Instructions** ~~((are used))~~ **for** ~~((a))~~ **manufactured home installation** ~~((?))~~. ~~((To the extent that the installation of a manufactured home is not covered by a manufacturer's, engineer's, or architect's instructions,))~~ **The installation of all** manufactured homes shall comply with the ~~((installation))~~ requirements of this section.

(1) Installation of a new manufactured home.

(a) The ~~((initial))~~ installation of a new manufactured home ~~((in-stallation))~~ must be conducted according to the manufacturer's instructions.

(b) If the manufacturer's instructions do not address an aspect of the installation, you may request:

- (i) Specific instructions from the manufacturer; or
- (ii) Specific instructions from a professional engineer or architect licensed in Washington state.

For example:

- A manufactured home is installed over a basement and the manufacturer's instructions do not address this application;
- A manufactured home is installed on a site where the specific soil bearing capacity is not addressed in the manufacturer's instructions.

(c) All manufactured homes installed in Washington state must be permanently anchored except for those installed on dealer lots. On dealer lots, temporary sets are permitted without anchoring being installed. A manufactured home must be anchored according to the manufacturer's installation instructions or according to the design of a professional engineer or architect licensed in Washington state. Local jurisdictions **may not** prescribe anchoring methods.

(d) A manufactured home must have a skirting around its entire perimeter. ~~((It))~~ Skirting must be installed ~~((per))~~ in accordance with the manufacturer's installation instructions or if the manufacturer is not specific, to the standards in this section. Do not enclose with skirting, areas under recessed entries, porches or decks, (whether constructed as part of the home or added ~~((on-site))~~ on site) unless skirting is of the fully vented type and installed so as to allow water to freely flow out from under the home. Porch areas open to the crawl space area of the home must have ~~((ground cover))~~ the vapor retarder removed~~((+))~~ and the ground directly below the porch must slope away from the home. ~~((It))~~ Skirting must be vented and allow access to the under floor area ~~((per))~~ in accordance with the manufacturer's installation instructions or ~~((per the standards))~~ as required below if the manufacturer's instructions are not available.

If the manufacturer's skirting and access instructions are not specific, skirting, ventilation and access shall be installed as follows:

- (i) Skirting:
 - Must be made of materials suitable for ground contact.
 - Metal fasteners must be made of galvanized, stainless steel or other corrosion-resistant material.
 - Ferrous metal members in contact with the earth, except those made of galvanized or stainless steel, must be coated with an asphaltic emulsion.
 - Must not trap water between the skirting and siding or trim.
 - Must be recessed behind the siding or trim.

(ii) Ventilation:

For homes sited in a flood plain, contact the local jurisdiction regarding proper skirting ventilation. Except for those manufactured homes sited in a flood plain, all skirting and vent openings must:

- Be covered with corrosion-resistant wire mesh to prevent the entrance of rodents. The size of the mesh opening cannot exceed 1/4 inch.
- Have a net area of not less than one square foot for each one hundred fifty square feet of under floor area.

• Be located as close to corners and as high as practical and ~~((they must))~~ provide cross ventilation on at least two opposite sides.

(iii) Access:

• The under floor area of a manufactured home must have a finished opening at least eighteen inches by twenty-four inches in size.

• Opening must be located so that all areas under a manufactured home are available for inspection.

• Opening must be covered ~~((and that))~~. The cover must be made of ((metal, pressure treated wood or vinyl)) material suitable for skirting or venting as required in this chapter.

(e) A manufactured home site must be prepared ~~((per))~~ in accordance with the manufacturer's installation manual or ((per ANSI A225.1, 1994 edition, section 3)) to the requirements of the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285, Subpart C.

(f) If the home is pit set, a drainage system must be installed to divert groundwater from the underside of the home.

(g) Heat duct crossovers must be installed ~~((per))~~ in accordance with the manufacturer's installation instruction manual or ((per ANSI A225.1 or the following instructions if the manufacturer's instructions are not available:)) if the manufacturer's instructions are not available, to the requirements in the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285.606.

Heat duct crossovers ~~((must be supported at least one inch above the ground by strapping or blocking. They))~~ must be installed to avoid standing water ~~((. Also, they must be))~~ and installed to prevent compression, sharp bends, and to minimize stress at the connections. In all cases, the duct must be supported at least one inch off the ground (exception to the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285).

~~((g))~~ (h) Dryer vents must exhaust to the exterior side of the wall or skirting. Dryer ducts outside the manufactured home shall comply with the dryer manufacturer's specifications or shall be made of metal with smooth interior surfaces.

~~((h))~~ Hot water tank pressure relief lines must exhaust to the exterior side of the exterior wall or skirting and must exhaust downward. The end of the pipe must be at least six inches but not more than two feet above the ground.)

(i) Water heater pans are only required where the installation instructions ~~((are specific))~~ specifically require a pan for warranty or the home was produced after ((June 2006)) May 31, 2006. The ((pressure relief)) water heater pan drain line must ((exit the skirting)) drain to the exterior of the home ((as well as the relief line for any pan installed and not to)). The water heater pan drain line and the PRV drain line must not be interconnected.

~~((ii))~~ (j) Water heater expansion tanks are not required by the department; however, you ~~((may want to))~~ should check with your local jurisdiction for their requirements prior to installation ((of your water heater)).

~~((i))~~ (k) Water piping must be protected against freezing ~~((as per))~~ in accordance with the manufacturer's installation instructions or by use of a heat tape listed for use with manufactured homes and installed ((per)) as required by the heat tape manufacturer's installation instructions.

~~((j))~~ (l) The testing of water lines, waste lines, gas lines, and electrical systems must ~~((be as per))~~ comply with the manufacturer's installation instructions. If the manufacturer's installation in-

structions require testing of any of these systems, the local jurisdiction is responsible for verifying that the tests have been performed and passed. Electrical connections and testing are the responsibility of the electrical section of labor and industries except where a city has assumed the electrical inspection responsibilities for their jurisdiction. In that case, the city's electrical inspectors are responsible for the electrical connections and testing.

~~((k) During the installation process, a ground cover))~~ (m) A vapor retarder must be installed under all manufactured homes. ((The ground cover must be a minimum of six mil **black** polyethylene sheeting or its equivalent (exception to ANSI A225.1 (3.5.2)). The ground cover may be omitted if the under floor area of the home has a concrete slab floor with a minimum thickness of three and one-half inches.

~~(l))~~ Joins in vapor retarders must overlap a minimum of twelve inches. Voids, cuts, and tears in the vapor retarder must be patched or repaired with an approved method.

(n) Clearances underneath manufactured homes must be maintained at a minimum of eighteen inches beneath at least seventy-five percent of the lowest member of the main frame (I-beam or channel beam) and the ground or footing. ((No more than twenty-five percent of the lowest member of the main frame of the home shall be less than eighteen inches above the ground or footing.)) In no case shall clearance be less than twelve inches anywhere under the home ((exception to ANSI A225.1 (4.1.3.3))) and eighteen inches at the heat duct cross over locations.

~~((m))~~ (o) Heat pump and air conditioning condensation lines must be extended to the exterior of the manufactured home.

(p) Roof ridge cap or ridge vent must be installed as required by the manufacturer's installation instructions.

(2) Installation of a relocated manufactured ~~((mobile))~~ home.

(a) A relocated manufactured home ~~((installation should be conducted))~~ must be installed according to the manufacturer's installation instructions.

(b) If the manufacturer's instructions are ~~((unavailable))~~ not available, you may use either:

(i) The ~~((American National Standard Institute (ANSI) standard ANSI A225.1 — Manufactured Homes Installation, 1994 edition instructions))~~ Model Manufactured Home Installation Standards 24 C.F.R. Part 3285; or

(ii) The instructions of a professional engineer or architect licensed in Washington state.

(c) ~~((If either (b)(i) or (ii) of this subsection is used))~~ For the installation of a relocated manufactured home, all of the requirements of subsection (1)(c) through ~~((m))~~ (p) of this section must also be followed.

(d) Hot water tank pressure relief valve (PRV) drain lines must be installed in accordance with Sec. 3280.609 of the Manufactured Home Construction and Safety Standards Act (Title 24 C.F.R. Part 3280).

(e) Carbon monoxide alarms shall be installed in accordance with Sec. 3280.211 of the Manufactured Home Construction and Safety Standards Act (Title 24 C.F.R. Part 3280). Carbon monoxide detectors installed in relocated homes are permitted to be battery operated.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0310, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0310, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0320 ~~How ((may I)) to obtain a copy of the ((American National Standards Institute (ANSI) A225.1)) Model Manufactured Home((s)) Installation((?)) Standards 24 C.F.R. Part 3285.~~ ((Contact the department at 1-800-647-0982.)) The standard may be obtained from the Institute for Building Technology and Safety (IBTS) or the U.S. Government Publishing Office (GPO).

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0320, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0330 ~~((What are the)) Requirements for temporary placement of manufactured ((mobile)) homes((?)).~~ Manufactured ~~((mobile))~~ homes placed on temporary display or in storage by a manufacturer, dealer or distributor in excess of thirty days shall be:

(1) Supported under each main frame beam by supports located within two feet of each end and within four feet of the front and rear axle and other supports so that no span shall exceed sixteen feet; ~~((and))~~

(2) Made weather tight at any marriage line joint at the roof and wall lines; and

(3) In addition to subsections (1) and (2) of this section, manufactured homes in storage or on display longer than ninety days must also be supported at each centerline column and along each rim joist at the manufacturer's identified support points.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0330, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0340 ~~((Do)) Special requirements of local enforcement agencies ((have special requirements)) for installing manufactured homes in hazardous areas((?)).~~ (1) Local enforcement agencies may have special installation requirements for manufactured homes installed in hazardous areas.

(2) A hazardous area is:

(a) An area recognized as a flood plain by the local jurisdiction; or

(b) An area considered hazardous due to the probability of earthquake. In such areas, local jurisdictions may require an earthquake resistant bracing system designed for the earthquake zone in which the home is located by the home manufacturer or by a registered professional engineer or architect.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0340, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0350 (~~(Who may install)~~) **Certification requirements for installing a manufactured home(?)**. (1) A manufactured home may be installed by:

- ((A)) An approved homeowner;
- A certified installer;
- An individual who is supervised by an on-site certified installer; or
- A specialty trades person(~~(, such as a plumber or electrician, for certain aspects of installation)~~) as specified in WAC 296-150I-0105.

(2) A certified installer must be a registered contractor, an employee of a registered contractor, or an employee of a ((registered)) licensed dealership. (~~(See chapter 43.22A RCW for details about which aspects of installation require the presence of a certified installer.))~~)

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0350, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0350, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0360 (~~(Does a person who installs a)~~) **Manufactured home ((need an)) installation permit(?) requirements.** (1) A dealer, owner or agent must not deliver a manufactured home to its site without verifying that an installation permit has been obtained; ((and))

(2) Manufactured home installation work shall not be performed until a permit for such work has been issued by the local enforcement agency; and

(3) Any permit fees set by the local enforcement agency must be paid in full and included with the permit application.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0360, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0370 (~~(Does a)~~) **Manufactured home installation ((require an)) inspections(?)**. All manufactured home installations must be inspected and approved by the local enforcement agency as required by regulations established by HUD for manufactured housing.

Local enforcement agencies may enter into interagency agreements with the department to perform ((on-site)) installation inspections on their behalf (~~(of the authority having jurisdiction (AHJ))~~). A permit must be purchased with the department for these inspections.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0370, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0370, filed 5/30/08, effective 6/30/08.]

NEW SECTION

WAC 296-150I-0375 State monitoring of manufactured home installations and inspections. The department monitors the installation and inspection of manufactured homes within the state to assure compliance with the regulations established by HUD, for manufactured housing.

[]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0380 ~~((How does the local enforcement agency gain access to the))~~ **Manufacturer's installation instructions** ~~((?))~~. A manufacturer's installation manual must be provided for the inspecting jurisdiction ~~((whenever any portions of the manufacturer's installation instructions have been used for any portion of the installation))~~ When the manufacturer's original installation instructions are not available for a secondary installation, the installer shall provide an affidavit in lieu of the installation instruction manual, that the home is installed to the provisions of this chapter.

(1) The installation instructions must be located between the I-beam and the bottom board within five feet of the main electrical feeder when the skirting has not been installed.

(2) When the skirting has been installed, the installation instructions shall be located between the I-beam and the bottom board within five feet of the access opening.

(3) Instructions must be returned to ~~((such))~~ this location when the inspection is completed.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0380, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0390 ~~((What are the))~~ **Requirements for** ~~((on-site))~~ **structures adjacent to manufactured homes and who regulates them** ~~((?))~~. ~~((On-site))~~ Adjacent structures ~~((, sometimes referred to as auxiliary structures,))~~ such as, but not limited to, ~~((earports))~~ additions, decks, porches, and ~~((steps))~~ awnings should be self-supporting, unless the manufacturer has designed the manufactured home to support an "attached accessory building or structure" as indicated on the HUD data plate posted in the home.

(1) Local enforcement agency jurisdiction.

~~(a) ((On-site)) Adjacent self-supporting structures that do not use any of the systems in the manufactured home are ((inspected by)) under the authority of the local enforcement agency ((and they should be contacted for specific on-site structure requirements.~~

~~(b) Awnings and carports that are self-supported by a beam next to a manufactured (mobile) home are inspected by the local enforcement agency.~~

Note: ~~The awning or carport may be flashed to the manufactured (mobile) home.)~~

for all permitting, review and inspections.

Adjacent self-supporting structures may be attached and flashed to the manufactured home and do not require an L&I permit.

(b) Accessory structure ready homes:

(i) When a manufactured home is designed to support an "attached accessory building or structure," typically a garage or carport, the manufacturer's installation instructions will address the requirements for fire separation, protection of openings, duct penetrations, allowable loads, attachment points, support and anchorage requirements. The garage or carport may be either site built or built in the factory. The design and construction of a site built accessory structure is subject to regulation by the local enforcement agency.

(ii) Extension of one or more of the systems of the manufactured home, and other alterations to the home not covered by the installation instructions require a permit and inspection by the department in accordance with chapter 296-150M WAC.

(2) Department of labor and industries jurisdiction.

~~((a) On-site)) Adjacent structures that are ((not self-supporting or)) supported by the manufactured home, use one or more of the systems of the manufactured home, or have other structural alterations to the home, require ((an)) a permit and inspection by the department ((and)) in accordance with chapter 296-150M WAC. They may also require permits, review and inspection by the local enforcement agency.~~

~~((b) Awnings and carports that are attached to the manufactured (mobile) home without the benefit of a self-supported beam require approval and inspection by the department.~~

Note: ~~This attachment must be designed and approved by an engineer or an architect licensed in Washington state. Furthermore, these stamped plans must be submitted to the department and approved before an inspection can be conducted.~~

~~(c) Attached garages:~~

~~(i) If the manufactured (mobile) home is built "garage ready" (one hour fire wall, dormer, etc.) at the factory **and** is installed by the manufacturer, an alteration inspection may not be required.~~

~~(ii) If the manufactured (mobile) home is not built "garage ready" at the factory, an alteration inspection is required for all changes made to it.)~~

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0390, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 08-12-040, filed 5/30/08, effective 6/30/08)

WAC 296-150I-0400 ((What happens if a)) Dispute ((arises)) concerning an installation requirement((?)). (1) If a dispute arises between any person, business, or local enforcement agency concerning an installation requirement of ((ANSI A225.1)) the Model Manufactured

Home Installation Standards 24 C.F.R. Part 3285 or this chapter, the issue may be submitted to the factory assembled structures advisory (FAS) board.

(2) The board may provide an opinion on the requirement.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0400, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 10-06-043, filed 2/23/10, effective 4/1/10)

WAC 296-150I-0410 ((What are the)) Requirements if a home is damaged ((during transit)) prior to, or during ((set-up?)) installation. (1) Manufactured ((and mobile)) homes that are ((structurally)) damaged ((during transportation or when being set up on a new or secondary set-up)) prior to, or during installation and are repaired at a location other than the manufacturer's facility ((shall)) require ((an)) permits, inspections, and approval ((with)) of the repairs from labor and industries. Permits are not required for the repair of minor damage such as shingle repairs, broken window(s), paint damage, minor siding damage and damaged bottom board or similar.

Electrical and plumbing repairs to the damaged home shall be performed by a Washington state licensed electrician and/or plumber, except as exempted by RCW 18.27.090 and 18.106.150.

The repair and inspection shall be performed to either:

(a) Plans approved by the manufacturer's ((design approval primary inspection agency)) DAPIA and verified by the FAS plan review section; or

(b) Plans approved by an engineer or architect licensed in Washington and ((have the plans)) approved by the FAS plan review section((+)).

(2) ((Electrical and plumbing alterations to the damaged manufactured/mobile home shall be performed by a Washington state licensed electrician and/or plumber.

EXCEPTIONS: Damaged home is taken back to the factory. Minor damage such as shingles, broken window(s), paint damage, minor siding damage, torn bottom paper etc., would not require a permit-))

Manufactured homes that are repaired at the manufacturer's facility do not require an L&I permit.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0410, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0410, filed 5/30/08, effective 6/30/08.]

AMENDATORY SECTION (Amending WSR 21-07-126, filed 3/23/21, effective 4/23/21)

WAC 296-150I-3000 Penalties, fees, and refunds.

Penalties

(1) Monetary penalties for infractions listed in WAC 296-150I-0210 ((shall)) may be assessed for each violation of chapter 43.22A RCW in the following amount:

(a) Failure to have a certified installer on the installation site whenever installation work is being performed:

First Final Violation	\$250.00
Each Additional Final Violation	\$1,000.00

(b) Failure to correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same:

First Final Violation	Warning
Second Final Violation	\$250.00
Third Final Violation	\$500.00
Each Additional Final Violation	\$1,000.00

(c) Failure by a certified installer to affix a certification tag to an installed ((manufactured/mobile)) manufactured or mobile home:

First Final Violation	Warning
Second Final Violation	\$250.00
Third Final Violation	\$500.00
Each Additional Final Violation	\$1,000.00

(d) Transfer of certification tag(s) from a certified installer to another certified installer without prior written approval of the department:

First Final Violation	Warning
Each Additional Final Violation	\$250.00

(e) Transfer of certification tag(s) from a certified installer to a noncertified installer:

First Final Violation to Each Contractor in Violation	\$250.00
Each Additional Final Violation to Each Contractor in Violation	\$1,000.00

~~**((f) Transfer of unused installer certification tags by a manufactured home retailer to a new ownership without prior written approval of the department:**~~

First Final Violation	Warning
Each Additional Final Violation	(\$250.00)

Fees and Refunds

The following fees are payable to the department in advance:

((Training)) <u>Installer test and certification</u>	\$286.30
((Training only 10 hours)) <u>Homeowner test and approval</u>	\$143.10
((Manufactured/mobile)) <u>Manufactured home installation inspector ((training)) test and certificate</u>	\$143.10
Refund	\$28.50
Certification renewal	\$143.10
Continuing education class	\$57.10

Retake failed examination and training at scheduled class	\$42.80
Manufactured home installer training manual (on thumb drive)	\$14.20
Installer certification tag	\$9.90
<u>L&I manufactured home installation inspection permit*</u>	See WAC 296-150M-3000 for fee

* Only available when L&I has an interagency agreement with the local enforcement agency in accordance with WAC 296-150I-0370.

(2) The department shall refund fees paid for training and certification or certification renewal as a manufactured home installer if the application is denied for failure of the applicant to comply with the requirements of chapter 43.22A RCW or these rules.

(3) If an applicant has paid fees to attend training or to take an examination and is unable to attend the scheduled training or examination, the applicant may:

- (a) Change to another scheduled training and examination; or
- (b) Request a refund.

(4) An applicant who fails the examination shall not be entitled to a refund.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 21-07-126, § 296-150I-3000, filed 3/23/21, effective 4/23/21. Statutory Authority: Chapters 18.27, 70.87, 43.22, and 43.22A RCW. WSR 18-24-102, § 296-150I-3000, filed 12/4/18, effective 1/4/19. Statutory Authority: Chapter 43.22A RCW. WSR 17-23-173, § 296-150I-3000, filed 11/21/17, effective 1/1/18. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-3000, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-3000, filed 5/30/08, effective 6/30/08.]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-150I-0150 Installer certification tag—Issuance by local enforcement agency.

OTS-2098.3

AMENDATORY SECTION (Amending WSR 16-01-163, filed 12/22/15, effective 2/1/16)

WAC 296-150M-0020 What definitions apply to this chapter? "Alteration" is the replacement, addition, modification, or removal of any equipment or installation that affects the construction, planning considerations, fire safety, or the plumbing, mechanical, and electrical systems of a manufactured home. The installation of whole-house

water treatment equipment that requires cutting into the existing plumbing is considered an alteration and requires a permit, an inspection and an alteration insignia.

"Alteration insignia" is an insignia issued by the department of labor and industries to verify that an alteration to a manufactured home meets the requirements of federal law 24 C.F.R. 3280 and this chapter.

"Anchoring system" is the means used to secure a mobile home to ground anchors or to other approved fastening devices. It may include straps, cables, turnbuckles, bolts, fasteners, and other components.

"ANSI" is the American National Standards Institute, Inc., (~~and the institute's rules applicable to manufactured homes, ANSI A225.1 Manufactured Homes Installation, 1994 edition, except section 3.5.2 Ground Cover and section 4.1.3.3 Clearance~~) 1899 L Street, N.W., 11th Floor, Washington D.C. 20036.

"Authority having jurisdiction" means that either the department of labor and industries or the local jurisdiction is responsible for establishing specific manufactured home standards. The authority for specific manufactured home standards is divided as follows:

- The department of labor and industries establishes standards for manufactured home installation and alterations and performs alteration inspections;
- The local jurisdiction establishes standards for manufactured homes governing the building site and performs installation inspections.

"Building site" is a tract, parcel, or subdivision of land on which a manufactured home is installed.

"DAPIA" is a Design Approval Primary Inspection Agency as approved by the United States Department of Housing and Urban Development.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Factory Assembled Structures, P.O. Box ((44440)) 44430, Olympia, WA 98504-((4440)) 4430.

"Design plan" is a design submitted to the department for approval of a manufactured home structural alteration. This also includes other types of work and installations (plumbing, electrical, etc.) that are incidental to the structural alteration.

"Equipment" means the appliances used in the alteration or installation of a manufactured home.

Examples that require an alteration inspection include:

- Furnace;
- Water heater;
- Air conditioner;
- Heat pump; and
- New and extended electrical circuits.

Examples that do not require an alteration inspection include:

- Washer;
- Dryer; and
- Dishwasher and range that are connected to their source of power by a plug-in cord.

"Equivalent air conditioning/heat pump components" is equipment that performs the same function and is compatible with the equipment of another manufacturer, sometimes referred to as mix and match.

"Footing" is the portion of a support system that transmits loads from the manufactured home to the ground.

"Foundation skirting" or **"skirting"** is the material that surrounds and encloses the space under the manufactured home.

"Homeowner" is an individual who owns a manufactured home. Dealers, distributors, and developers are not regarded as homeowners.

"HUD" is the United States Department of Housing and Urban Development with headquarters located in Washington, D.C.

"Indigent" means a person receiving an annual income, after taxes, of one hundred twenty-five percent or less of the most recently published federal poverty level.

"Installation" is the activity needed to prepare a building site and to set a manufactured home within that site. Site means a tract, parcel, or subdivision of land including a mobile home park.

"Installed manufactured or mobile home" is a manufactured or mobile home that has been placed on either private property or in a park and has been installed for occupancy. Installation includes the approval of the blocking of the home, and the connection of the home to all of the utilities, including water, sewer and electrical.

"IPIA" is a manufactured home production Inspection Primary Inspection Agency approved by the United States Department of Housing and Urban Development. The department of labor and industries is the IPIA for Washington state.

"Local enforcement agency" is an agency of city or county government with power to enforce local regulations governing the building site and installation of a manufactured home.

"Manufactured home" is a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:

- Includes plumbing, heating, air conditioning, and electrical systems;
- Is built on a permanent chassis; and
- Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater (see RCW 46.04.302).

Note: Total square feet is based on exterior dimensions measured after installation using the longest horizontal projections. Dimensions may not include bay windows but may include projections containing interior space such as cabinets and expandable rooms.

Exception: A structure that meets the requirements of a manufactured home as set out in 24 C.F.R. 3282.7(u), except the size requirements is considered a manufactured home, if the manufacturer files with the secretary of HUD a certificate noted in C.F.R. 3282.13.

"Mobile home" is a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. For the purposes of this chapter references to manufactured homes include mobile homes.

"Park site" is the installation location of a manufactured home within a residential area for manufactured homes.

"Repair" is to restore an item to sound condition, to fix.

"Replacement" is the act or process of replacing, to substitute.

"State administrative agency (SAA)" the department of labor and industries shall perform all the consumer complaint and related functions that are required for purposes of complying with the regulations established by the federal department of housing and urban development for manufactured housing including the preparation and submission of the state administrative plan.

"Structural alteration-custom design" is a design that can only be used once.

"Structural alteration-master design" is a design plan that can be used more than once. The master plan expires when there is a code change applicable to the design.

"System" is part of a manufactured home designed to serve a particular function such as structural, plumbing, mechanical, or electrical functions.

[Statutory Authority: Chapter 43.22 RCW. WSR 16-01-163, § 296-150M-0020, filed 12/22/15, effective 2/1/16; Chapter 43.22 RCW. WSR 08-12-041, § 296-150M-0020, filed 5/30/08, effective 6/30/08. Statutory Authority: RCW 43.22.340, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.480, and 43.22.485, 2002 c 268, and chapter 43.22 RCW. WSR 03-12-044, § 296-150M-0020, filed 5/30/03, effective 5/30/03. Statutory Authority: RCW 43.22.340, 43.22.350, 43.22.432, 43.22.434, 43.22.440, and 2001 c 335. WSR 02-03-048, § 296-150M-0020, filed 1/9/02, effective 1/9/02. Statutory Authority: RCW 43.22.340, 43.22.350, 43.22.355, 43.22.360, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.450, 43.22.480, and 43.22.485. WSR 00-17-148, § 296-150M-0020, filed 8/22/00, effective 9/30/00. Statutory Authority: RCW 43.22.340 and 43.22.480. WSR 99-13-010, § 296-150M-0020, filed 6/4/99, effective 7/5/99. Statutory Authority: Chapter 43.22 RCW. WSR 98-14-078, § 296-150M-0020, filed 6/30/98, effective 7/31/98. Statutory Authority: RCW 43.22.340, [43.22.]355, [43.22.]360, [43.22.]432, [43.22.]440 and [43.22.]480. WSR 96-21-146, § 296-150M-0020, filed 10/23/96, effective 11/25/96.]

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-150M-0100 What happens if I disagree with your decision regarding my compliance with the federal standards, ((ANSI-)) or this chapter? (1) If we determine that you are in violation with the federal standards, ((ANSI A225.1,)) or this chapter, you will receive a notice of noncompliance.

(2) If you disagree with our decision, you can submit a written request for a hearing, stating why you disagree.

(3) After we receive your hearing request, we will:

(a) Schedule a hearing within thirty days after we receive your request.

(b) Notify you of the time, date, and place for the hearing. If you fail to appear, your case will be dismissed.

(c) Hear your case.

(d) Send you written notice of our decision.

If you disagree with our decision, you may appeal it under the Administrative Procedure Act (chapter 34.05 RCW).

[Statutory Authority: RCW 43.22.340 and 43.22.420. WSR 97-16-043, § 296-150M-0100, filed 7/31/97, effective 12/1/97. Statutory Authority: RCW 43.22.340, [43.22.]355, [43.22.]360, [43.22.]432, [43.22.]440 and [43.22.]480. WSR 96-21-146, § 296-150M-0100, filed 10/23/96, effective 11/25/96.]

AMENDATORY SECTION (Amending WSR 21-07-126, filed 3/23/21, effective 4/23/21)

WAC 296-150M-3000 Manufactured/mobile home fees.

DESIGN PLAN FEES:	
STRUCTURAL ALTERATION	\$192.20
RESUBMITTAL FEE	\$84.90
ADDENDUM (Approval expires on the same date as original plan.)	\$84.90
ELECTRONIC PLAN SUBMITTAL FEE \$5.90 per page for the first set of plans and \$1.00 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
DEPARTMENT INSPECTION FEES:	
Combination permit - Mechanical and electrical inspections	\$210.00
Heat pump	\$210.00
Air conditioning	\$210.00
Air conditioning with replacement furnace	\$210.00
Gas furnace installation includes gas piping	\$210.00
Fire safety inspection	\$210.00
MECHANICAL	
Gas*** piping	\$93.30
Wood stove	\$93.30
Pellet stove	\$93.30
Gas*** Room heater	\$93.30
Gas*** Decorative appliance	\$93.30
Range: Changing from electric to gas***	\$93.30
Gas*** Water heater replacement	\$69.90
ELECTRICAL	
Electric water heater replacement	\$116.80
Electric water heater replacing gas*** water heater	\$116.80
Each added or modified 120 volt circuit (maximum charge is two circuits)	\$116.80
Each added 240 volt circuit (for other than heat pumps, air conditioners, furnaces, water heaters, ranges, hot tubs or spas)	\$116.80
Hot tub or spa (power from home electrical panel)	\$116.80
Replace main electrical panel/permanently installed transfer equipment	\$116.80
Low voltage fire/intrusion alarm	\$116.80
Any combination of furnace, range and water heater changing from electric to gas***	\$116.80
PLUMBING	
Fire sprinkler system	\$262.40
Each added fixture	\$69.90
Replacement of water piping system (this includes two inspections)	\$234.20
STRUCTURAL	
Inspection as part of a mechanical/fire safety installation (cut truss/floor joist, sheet rocking)	\$104.70
Reroofs (may require a plan review)	\$187.10
Changes to home when additions bear loads on home per the design of a professional (also requires a plan review)	\$187.10
Other structural changes (may require a plan review)	\$187.10
MISCELLANEOUS	
OTHER REQUIRED INSPECTIONS (per hour*)	\$76.60
ALL REINSPECTIONS (per hour*)	\$76.60

Manufactured home installation inspection permit (only available in cities and counties with L&I inspection contract)	\$536.20
Refund	\$23.10
INSIGNIA FEES:	
REISSUED - LOST/DAMAGED	\$23.10
IPIA	
DEPARTMENT AUDIT FEES	
REGULARLY SCHEDULED IPIA AUDIT:	
First inspection on each section (one time only)	\$38.40
Second and succeeding inspections of unlabeled sections (per hour*)	\$84.90
OTHER IPIA FEES:	
Red tag removal during a regularly scheduled IPIA audit (per hour* separate from other fees)	\$84.90
Red tag removal at a time other than a regularly scheduled IPIA audit (per hour* plus travel time* and mileage**)	\$84.90
Increased frequency surveillance (per hour* plus travel time* and mileage**)	\$84.90
Attendance at manufacturers training classes (per hour* only)	\$84.90
Subpart "I" investigations (per hour* plus travel time* and mileage**)	\$84.90
Alterations to a labeled unit (per hour* plus travel time* and mileage**)	\$84.90
IPIA Issues/Responses (per hour* plus travel time* and mileage**)	\$84.90
Monthly surveillance during a regularly scheduled IPIA audit (per hour* plus travel time* and mileage**)	\$84.90
Monthly surveillance at a time other than a regularly scheduled IPIA audit (per hour* plus travel time* and mileage**)	\$84.90
Plant certifications, recertifications and addenda updates (per hour* plus travel time* and mileage** per each inspector)	\$84.90
Response to HBT audit during a regularly scheduled IPIA audit (per hour*)	\$84.90
Response to HBT audit at a time other than a regularly scheduled IPIA audit (per hour* plus travel time* and mileage**)	\$84.90
Alternative construction (AC) letter inspections at placement site (per hour* plus travel time* and mileage**)	\$84.90
Replacement of HUD labels (per hour* plus travel time* and mileage**)	\$84.90
State administrative agency (SAA) inspection fee (per hour* plus travel time* and mileage**)	\$84.90
State administrative agency (SAA) dispute resolution filing fee	\$84.90
State administrative agency (SAA) dispute resolution (per hour*)	\$84.90
OTHER FEES:	
FIELD TECHNICAL SERVICE (per hour plus travel time* and mileage**)	\$78.90
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (one free copy per year upon request)	\$15.40
VARIANCE INSPECTION FEE	\$187.10
HOMEOWNER REQUESTED INSPECTION	\$187.10
DECERTIFICATION OF A MOBILE/MANUFACTURED HOME	\$187.10
DEMOLITION OF A MOBILE/MANUFACTURED HOME	\$187.10
ENERGY CONSERVATION PERMIT	\$31.80

NOTE: Local jurisdictions may have other fees that apply.

*Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.

**Per state guidelines.

***Gas means all gases; natural, propane, etc.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 21-07-126, § 296-150M-3000, filed 3/23/21, effective 4/23/21; WSR 20-04-081, § 296-150M-3000, filed 2/4/20, effective 3/6/20. Statutory Authority: Chapters 18.27, 70.87, 43.22, and 43.22A RCW. WSR 18-24-102, § 296-150M-3000, filed 12/4/18, effective 1/4/19. Statutory Authority: Chapter 43.22 RCW and 2011 1st sp.s. c 50. WSR 12-06-069, § 296-150M-3000, filed 3/6/12, effective 4/30/12. Statutory Authority: Chapters 18.106, 43.22 RCW, 2008 c 285 and c 329. WSR 08-12-042, § 296-150M-3000, filed 5/30/08, effective 6/30/08. Statutory Authority: Chapters 18.27, 18.106, 43.22, and 70.87 RCW. WSR 07-11-128, § 296-150M-3000, filed 5/22/07, effective 6/30/07. Statutory Authority: Chapter 43.22 RCW. WSR 07-05-063, § 296-150M-3000, filed 2/20/07, effective 4/1/07. Statutory Authority: Chapters 18.106, 43.22, and 70.87

RCW. WSR 06-10-066, § 296-150M-3000, filed 5/2/06, effective 6/30/06. Statutory Authority: Chapter 43.22 RCW and 2005 c 399. WSR 05-24-020, § 296-150M-3000, filed 11/29/05, effective 1/1/06. Statutory Authority: Chapters 18.27, 43.22, and 70.87 RCW. WSR 05-12-032, § 296-150M-3000, filed 5/24/05, effective 6/30/05. Statutory Authority: Chapters 18.27 and 43.22 RCW. WSR 04-12-048, § 296-150M-3000, filed 5/28/04, effective 6/30/04. Statutory Authority: RCW 43.22.340, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.480, and 43.22.485, 2002 c 268, and chapter 43.22 RCW. WSR 03-12-044, § 296-150M-3000, filed 5/30/03, effective 5/30/03. Statutory Authority: RCW 43.22.350, 43.22.434, 43.22.480, 43.22.500, 18.27.070, 18.27.075, 70.87.030, 19.28.041, 19.28.051, 19.28.101, 19.28.121, 19.28.161, 19.28.201, 19.28.211, 19.28.341, 2001 c 159, and chapters 43.22, 19.28, 18.27, and 70.87 RCW. WSR 01-12-035, § 296-150M-3000, filed 5/29/01, effective 6/29/01. Statutory Authority: RCW 43.22.340, 43.22.350, 43.22.355, 43.22.360, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.450, 43.22.480, and 43.22.485. WSR 00-17-148, § 296-150M-3000, filed 8/22/00, effective 9/30/00. Statutory Authority: Chapters 43.22, 18.27, 70.87 and 19.28 RCW. WSR 99-12-080, § 296-150M-3000, filed 5/28/99, effective 6/28/99. Statutory Authority: Chapters 18.106, 18.27 and 43.22 RCW. WSR 98-12-041, § 296-150M-3000, filed 5/29/98, effective 6/30/98. Statutory Authority: RCW 70.87.030, 18.27.070, [18.27.]075, 43.22.350, [43.22.]355, [43.22.]434 and [43.22.]480(2). WSR 97-11-053, § 296-150M-3000, filed 5/20/97, effective 6/30/97. Statutory Authority: RCW 43.22.340, [43.22.]355, [43.22.]360, [43.22.]432, [43.22.]440 and [43.22.]480. WSR 96-21-146, § 296-150M-3000, filed 10/23/96, effective 11/25/96.]