

June 25, 2004

Mr. Mark Brunner
Minnesota Manufactured Housing Association
1540 Humboldt Ave., Suite 205
West St. Paul, MN 55118-3481

Re: Manufactured Home Installations

Dear Mr. Brunner:

The Minnesota Building Codes and Standards Division has received and reviewed your letter dated June 18, 2004. You are requesting an extension of the July 1, 2004 effective date for installation of manufactured homes in parks in strict compliance with home manufacturers Federally required installation instructions. Currently the consumer may sign an installation waiver if the manufacturers instructions required installation on footing supports below the local frost depths.

The May 13, 2004, letter from this division state that as of July 1, 2004, all HUD labeled manufactured homes set-up/sited after that date in Minnesota would be required to be installed in accordance with manufacturers installation instructions. HUD Code of Federal Regulations (CFR) 3280.306 requires these instructions for support and anchoring and Minnesota State Building Code (MSBC) 1350.2600 requires installers to follow the manufacturers DAPIA approved installation instructions.

As of the date of this letter eight (8) manufacturers have submitted possible addendums or options (currently submitted for approval or approved by their DAPIA) they intend to include in their installation manuals. The proposed or approved addendums/options would allow the installation of their manufactured homes in established manufactured home parks without the use of frost depth footings if certain conditions were met.

Your letter indicated that licensed park owners may choose to increase the lease price to consumers for lots to incorporate the cost of changes required to the infrastructure (utilities) and to cover the cost of possible footing supports or engineered slabs required by manufacturers approved installation requirements. MS 327C.02 requires that residents be given a minimum 60-day notice of lease notification.

This division may not grant extensions to installation of manufacturer homes in violation of the manufacturers DAPIA approved installation manuals. However, if manufacturers provide a waiver as in current practice, stating the warranty items on the manufactured home shall be

covered in accordance with State Warranty Laws MS 327B.02 and 372B.03, and the homeowner is presented and signs a waiver agreeing to allow the home to be installed differently than the approved manual, the waivers may be used **until September 1, 2004**. Licensed dealers and installers shall retain a consumer-signed copy of the waiver in their records and consumer shall be given a copy of the waiver. In cases where manufacturers have received DAPIA approvals for addendums or options to their installation manuals requirements of frost depth support footings those shall be used with copies being given to the consumers to notify the consumers of the DAPIA approved addendum/option.

If a HUD labeled home is re-installed in a park, after the effective date, it shall be installed in accordance with the installation manual that was approved at the time the home was manufactured (check data plate in home for date of manufacture). HUD rules and regulations require a manufacturer to include one approved method of installation for the home. A licensed dealer, installer, or park owner may obtain the services of licensed Minnesota professional engineer to design alternate methods of support systems for the HUD labeled manufactured homes. If the manufacturer will allow all manufactured homes manufactured by them (regardless of the date of manufacture) to be installed in accordance with addendum/option for park installation then the dealer, installer, or park owner shall obtain a statement to that effect from the home manufacturer.

This division will work with the industry in obtaining compliance to Federal and State installation laws and rules. As you suggested some of the items for specific issues may be discussed by this divisions Manufactured Home Advisory Committee with consensus views and ideas from the committee presented to the State Building Official. Hopefully this will answer the key questions you presented in your letter.

Please contact this division if your association has other items requiring clarification or questions.

Yours truly,
BUILDING CODES AND STANDARDS DIVISION



Stephen P. Hernick
Assistant Director

c: Amy V. Kvalseth, Special Assistant, Attorney Generals Office