

661—16.620(103A) Manufactured home construction. (Previously called mobile home.)

16.620(1) Authority to promulgate rules. Pursuant to Public Law 93-383, Section 604, of the National Manufactured Home Construction and Safety Act of 1974, specified in 42 U.S.C. 5403 and signed into law on August 22, 1974, the authority to promulgate rules and regulations in order to establish federal manufactured home construction standards and procedures of enforcement were established by Congress and subsequent provisions for their implementation were so granted to the United States Department of Housing and Urban Development (HUD). Title VI of this Act authorizes the secretary of HUD to promulgate the federal standards and to issue the rules and regulations to ensure adequate administration and enforcement of such standards.

16.620(2) Scope and applicability.

a. Provisions contained within Part 2 shall apply to all factory-built structures defined as a “manufactured home” in subrule 16.620(4) of Part 2. These regulations shall govern manufactured homes that enter the first stage of production on or after June 15, 1976, and manufactured homes that entered the first stage of production prior to June 15, 1976, to which HUD (Department of Housing and Urban Development) labels were affixed. These provisions supersede all local, state, or other governmental regulations for manufactured home standards and are applicable for every manufactured home unit newly manufactured and offered for sale in the United States and its governing territories. These provisions do not apply to the following:

(1) Factory-built structures which comply with the requirements of Division VI, Part 1 of the state building code.

(2) Manufactured homes manufactured for installation in the state of Iowa on or after February 1, 1973, and prior to June 15, 1976.

b. Construction of multifamily manufactured homes, manufactured home add-on units, and temporary field construction offices will be covered by the provisions of Division VI, Part 2, however, the administration and the enforcement of the rules and regulations will apply as specified in Division VI, Part 1 for modular structures. These units will not bear a seal issued by the Department of Housing and Urban Development, but will bear an Iowa seal and be governed by all seal provisions outlined accordingly in Division VI, Part 1.

16.620(3) Manufacture of units prior to June 15, 1976. Manufactured home units, add-on units, multifamily manufactured homes and temporary field construction offices that were manufactured for installation in Iowa prior to June 15, 1976, which established the effective date of the HUD standard, shall have been constructed to the standards of manufactured homes of the Iowa state building code which was in effect at the time of manufacture.

16.620(4) Definitions and terms. Terms and definitions for purposes of clarification when used in Part 2. (See also subrule 16.610(3).)

“Anchoring equipment.” Straps, cables, turnbuckles, clamps, clips, and other fasteners including tensioning devices, which are used with ties to secure a manufactured home to ground anchors.

“Anchoring system.” A combination of ties, anchoring equipment, and ground anchors that will, when properly designed and installed, resist overturning and lateral movement of the manufactured home from wind forces.

“Approved installer.” Approval by the commissioner or the commissioner’s designated representative of a person, dealer, agency or organization, qualified to inspect, or install ground anchoring and support systems for manufactured homes or other manufactured structures, who installs units, for others, at a site of occupancy by attaching support and anchoring systems, and is familiar with and has agreed to comply with these installation procedures.

“Certificate, installation.” The certificate provided by the installer to both the commissioner and the owner which warrants that the installation system complies with these rules. When an installer installs only the support system or anchorage system, an installation certificate shall also be completed and copies distributed accordingly for each installation and with the applicable information completed on the certificate pertinent to that type of installation (see subrule 16.623(5)).

“DAPIA.” A design inspection agency approved by HUD to perform in-plant design reviews on all drawings and specifications in order to provide compliance to the HUD standard for manufactured home construction.

“Diagonal tie (frame tie).” A tie intended primarily to resist horizontal or shear forces and which may secondarily resist vertical, uplift, and overturning forces.

“Ground anchor.” Any device at the manufactured home site designed to transfer manufactured home anchoring loads to the ground.

“IPIA.” A production inspection agency approved by HUD to perform the in-plant quality assurance inspection programs within manufactured home manufacturing facilities.

“Label or certification label.” The approved form of certification by the manufacturer that is affixed to each transportable section of each manufactured home manufactured for sale to a purchaser in the United States or its governing territories.

“Main frame” (Chassis). The structural component on which is mounted the body of the manufactured home.

“Manufactured home.” (Previously called mobile home.) A structure transportable in one or more sections which when erected on site measures 8 body feet or more in width and 40 body feet or more in length or when erected on site is 320 or more square feet in area, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein.

“Manufactured home add-on.” A structure which is designed and produced and to be made an integral part of a manufactured home and will be considered part of the manufactured home, when attached thereto.

“Manufacturer’s statement of origin” means a certification signed by the manufacturer or importer that the manufactured home described has been transferred to the person or dealer named and that the transfer is the first transfer of the manufactured home in ordinary trade and commerce. In addition to the information required by the Iowa Department of Transportation definition 761—subrule 421.1(2), the label number required by the federal regulations Section 3282.362(c)(2) 24 CFR Chapter XX shall be included. (This number is commonly known as the HUD number.) The terms “manufacturer’s certificate,” “importer’s certificate,” “MSO” and “MCO” shall be synonymous with the term “manufacturer’s statement of origin.”

“Multifamily manufactured home.” Manufactured homes designed and manufactured with more than one living unit.

“Pier.” That portion of the support system between the pier foundation and the manufactured home exclusive of caps and shims.

“Pier foundation (footing).” That portion of the support system that transmits loads directly to the soil, and shall be sized to support the loads shown herein.

“SAA.” A state administrative agency approved by the Department of Housing and Urban Development to participate in the enforcement of all provisions to which a manufactured home is regulated under the HUD standard.

“Seal, installation.” Is an insignia issued by the commissioner which is attached to a manufactured home by the installer to certify that the installation is in compliance with the requirements of the state building code.

“Stabilizing system (tie-down system).” A combination of the anchoring system and the support system when properly installed. Therefore, components of the anchoring and support systems such as piers, pier foundations, ties, anchoring equipment, anchors, or any other equipment which supports or secures the manufactured home to the ground, shall be defined as stabilizing devices. For the purposes of this code the definition of a stabilizing system and the definition of a tie-down system shall be one and the same.

“Support system.” A combination of pier foundations, piers, caps, and shims that will, when properly installed, support the manufactured home.

“Temporary field construction office.” A factory-built structure used at a construction site as an office facility by the personnel engaged in the construction of another structure or project. The intent of this structure is to remain on the job site only as long as necessary during the construction and then be removed before construction is completed.

“Tie.” Strap, cable or securing device used to connect the manufactured home to ground anchors.

“Tie-down system (stabilizing system).” Means a ground support system and a ground anchoring system used in concert to provide anchoring and support for a manufactured home.

“Vertical tie (over-the-top).” A tie intended to resist the uplifting and overturning forces. This tie may continue over-the-top but if properly attached may only extend partway up each side.

16.620(5) *Administration.* This section covers the basic requirements for constructing manufactured homes and all of the administrative procedures under which the manufactured home program functions including information pursuant to certification, approval and manufacturing requirements. This section also applies to those structures defined in subrule 16.620(4) of Part 2 as manufactured home add-on units, temporary field construction offices and multifamily homes. There are also included within Part 2, (661—16.621(103A)) sections dealing with installation procedures and information pursuant to the handling of consumer complaints (16.620(15)) consistent with the duties of the state of Iowa to be performed as a State Administrative Agency (SAA) in conjunction with the manufactured home program.

16.620(6) *Manufactured home construction requirements.* All factory-built structures that are defined as a manufactured home under subrule 16.620(4) of Part 2, shall be constructed to the standards as promulgated by the United States Department of Housing and Urban Development hereafter referred to as HUD. These standards were published as final rules in the December 18, 1975, issue of the Federal Register, Volume 40, No. 244, and will be amended from time to time. These standards are herein adopted and apply to all manufactured homes manufactured after June 15, 1976. All provisions for manufactured home procedural and enforcement regulations are covered within the May 13, 1976, Federal Register, Volume 41, No. 94. All factory-built structures defined as a manufactured home by the federal standard shall be manufactured and so regulated by these documents.

16.620(7) *Procedures of approval for manufactured homes.* Every manufactured home unit or structure approval will follow the method of third-party certification approval with all approvals obtained through the HUD secretary. All manufactured home plans, specifications, documentation, plant facilities and in-plant inspections must be submitted to and approved by a third-party certification agency so designated by the HUD secretary. Rules and regulations pursuant to these procedures are outlined in the manufactured home procedural and enforcement regulations, Parts 3282.201 through 3282.204 which set out requirements to be met by states or private organizations which wish to qualify as primary inspection agencies (see subrule 16.620(4) of Part 2 definitions for IPIA and DAPIA).

16.620(8) *Compliance certification.* Every manufactured home unit or structure must conform to the certification requirements within section 3282.205 of the manufactured home procedural enforcement regulatory document.

16.620(9) *Certification seals (labels) and other seal requirements.* Every manufactured home unit or structure must conform to the requirements within the manufactured home procedural and enforcement regulatory document section 3282.362(c)(2) in lieu of Iowa insignias. Other types of units manufactured under the requirements of Division VI, Part 2, will be labeled as prescribed in subrules 16.620(10), 16.620(11) and 16.620(12).

16.620(10) *Manufactured home add-on units.* Every factory-built structure manufactured as a manufactured home add-on unit as defined in subrule 16.620(4) of Part 2 shall be constructed to the standards set forth in subrule 16.620(6) of Part 2 except that these units will bear an Iowa seal in accordance with the provisions of the Iowa state building code, Division VI, Part 1. Manufacturers of manufactured home add-on units with the exception of constructing to the HUD standard, which has been herein adopted for these units, must comply with all other provisions of the Iowa state building code as described within Division VI, Part 1, for the factory-built structures.

16.620(11) *Multifamily homes.* Every factory-built structure manufactured as a multifamily home within the definition contained in subrule 16.620(4) of Part 2 shall be constructed to the standards set forth in subrule 16.620(6) of Part 2 except that these units will bear an Iowa seal in accordance with the provisions of the Iowa state building code, Division VI, Part 1. Manufacturers of multifamily homes, with the exception of constructing units to the HUD standard which has herein been adopted for these units, must comply with all other provisions of the Iowa state building code as described within Division VI, Part 1, factory-built structures.

16.620(12) *Temporary field construction offices.* Every factory-built structure manufactured as a temporary field construction office within the definition as contained in subrule 16.620(4) of Part 2 shall be constructed to the standards set forth in subrule 16.620(6) of Part 2 except that these units will bear an Iowa seal in accordance with the provisions of the Iowa state building code, Division VI, Part 1. Manufacturers of temporary field construction offices, with the exception of constructing units to the HUD standard which has herein been adopted for these units, must comply with all other provisions of the Iowa state building code as described within Division VI, Part 1, factory-built structures.

16.620(13) *Seal types for manufactured home add-on units, temporary field construction offices and multifamily homes.* When ordering seals for manufactured home add-on units, temporary field construction offices or multifamily manufactured homes, each manufacturer will indicate the number of each type of seal requested and the letter prefix required. Examples of seals issued are as follows: (A00-0000MH), (B00-0000MH), C, D, and E, etc. Single units are without prefix letters (00-0000MH). For more details, see Division VI, Part 1, subrule 16.610(21).

It is noted that manufactured home type seals shall be attached to all of these type units. All other procedures for seal issuance, removal, damage, repossession and return are to conform with provisions of this code as outlined in Division VI, Part 1.

16.620(14) *Noncompliance.* Failure to conform to the provisions of Part 2 as they apply to the federal standard for the construction of manufactured homes is subject to the penalties where applicable as set forth within Division VI, Part 1. The state of Iowa having adopted the federal standard and the enforcement regulations shall participate in the federal program as an agent of HUD thereby providing assurances to ensure code compliance when these units are offered for sale for subsequent installation within the state of Iowa.

16.620(15) *Consumer complaints.* The state building code bureau serving as an approved State Administrative Agency (SAA) for the Federal Department of Housing and Urban Development shall receive complaints and process them in accordance with the requirements of the federal regulations as outlined in subpart I, paragraph 3282.401, entitled, "Consumer Complaint Handling and Remedial Actions of the Manufactured Home Procedural and Enforcement Document." These specific complaints are categorized as possible imminent safety hazards or possible failures to conform to the federal standard. Imminent safety hazards shall be those items that could result in an unreasonable risk of injury or death to the occupants of the manufactured homes. Failures to conform to the federal standard are those items that do not result in an unreasonable risk of injury or death to the occupants of manufactured homes, but nevertheless do not meet the provisions of the federal standard in some specific manner.