

CHAPTER 374
MANUFACTURED HOUSING INSTALLER CERTIFICATION
[Prior to 7/2/08, see rule 661—16.622(103A)]

661—374.1(103A) Certification program. There is established in the building code bureau of the fire marshal division a manufactured housing installer certification program. The program may be contacted by E-mail at mhinfo@dps.state.ia.us, by telephone at (515)725-6145, or by mail at the following address:

Manufactured Housing Installer Certification Program
Building Code Bureau
Fire Marshal Division
Iowa Department of Public Safety
215 East 7th Street
Des Moines, Iowa 50319

661—374.2(103A) Certified installer required. There shall be at least one person certified as a manufactured housing installer present at the installation of any manufactured home in Iowa. The installation of a manufactured home shall be under the direct supervision of a certified manufactured housing installer, who shall be present at all times at the installation site while any installation work is proceeding.

EXCEPTION: Installation of a manufactured home may be completed by the owner of the home, if the home is the primary residence of the person completing the work, whether or not the person is certified as a manufactured housing installer, provided that the work is inspected as required and that a state-certified installer certifies compliance with appropriate provisions of this chapter, 661—Chapter 16, and 661—Chapter 322.

661—374.3(103A) Requirements for installer certification. An applicant for certification must meet all of the following requirements:

374.3(1) The applicant must be at least 18 years old.

374.3(2) The applicant must have a minimum of one year of experience in the installation, construction or inspection of manufactured homes. Proof of experience shall be submitted on a notarized affidavit submitted with the application to the commissioner.

374.3(3) The applicant must successfully complete a minimum of eight hours of training approved by the commissioner. Training shall be based on the manufactured housing installation standards published by the U.S. Department of Housing and Urban Development and material approved by the commissioner.

374.3(4) The applicant must have received a passing grade on an examination approved by the commissioner.

661—374.4(103A) Certification fee. The certification fee shall be \$300, payable at the time of application, and shall cover certification for three years. Fees shall be remitted in the form of a check or money order, payable to the Iowa Department of Public Safety – Building Code Bureau. The following should be written in the memo portion of the check: “Manufactured Housing Installer Certification.” Applications and fees received after July 1 of any year will cover the remainder of the fiscal year in which they are received and the following two state fiscal years. Applications and fees received prior to July 1 of any year shall cover the period through June 30 of the third year following.

EXCEPTION: If as of June 1, 2009, statutory language regarding fees collected for certification and recertification of manufactured housing installers does not clearly provide that any such fees collected are exempt from reversion to the state treasury pursuant to Iowa Code section 8.33, then all current certificate holders who paid the \$300 fee shall have \$200 of the fee refunded.

661—374.5(103A) Certification period. Installer certifications and recertifications shall be issued for three years and shall expire on June 30 of the third year of the certification period. Certifications and

recertifications issued after July 1 shall cover the remainder of the fiscal year in which they are issued and the following two state fiscal years.

EXCEPTION: If as of June 1, 2009, statutory language regarding fees collected for certification and recertification of manufactured housing installers does not clearly provide that any such fees collected are exempt from reversion to the state treasury pursuant to Iowa Code section 8.33, then all current certificates shall be modified to expire after one year rather than three years from their effective dates.

661—374.6(103A) Review of application for certification. Upon receipt of an application for certification or recertification, staff of the building code bureau shall review the application and recommend approval or denial to the building code commissioner. If an application is approved, the certificate shall be issued to the applicant. If an application is denied, the applicant shall be notified and given an explanation of the reason or reasons for denial. Denials of applications by the building code commissioner may be appealed according to the contested case provisions of 661—Chapter 10. An appeal may be filed as a request for contested case proceeding as provided in rule 661—10.304(17A). An appeal must be filed within 30 days of the date of the denial.

661—374.7(103A) Certification renewal and continuing education.

374.7(1) A certification may be renewed if the installer applying for recertification has completed 12 hours of continuing education, approved by the commissioner, during the three-year certification period. Such training shall be submitted to the commissioner for review and approval prior to the date the training is received. Requests for approval shall be submitted on a form supplied by the commissioner, with supporting documentation.

374.7(2) Any installer who has not been recertified by the expiration date of the installer's certification shall not be allowed to work as an installer until a valid certification is obtained.

374.7(3) Failure to renew a certification within 60 days of its expiration shall require successful completion of an approved examination.

374.7(4) The recertification fee shall be \$300, payable at the time of application. Fees shall be remitted in the form of a check or money order, payable to the Iowa Department of Public Safety – Building Code Bureau. The following shall be written in the memo portion of the check: “Manufactured Housing Installer Certification.” Applications and fees received after July 1 shall cover the remainder of the fiscal year in which they are received and the following two years.

661—374.8(103A) Suspension or revocation of certification. An installer certification may be suspended or revoked for cause pursuant to a recommendation by the staff of the building code bureau to the building code commissioner. Suspension or revocation of an installer certification may be appealed subject to the provisions of 661—Chapter 10 for contested case proceedings. An appeal may be filed as a request for contested case proceeding as provided in rule 661—10.304(17A). An appeal must be filed within 30 days of the date of the suspension or revocation.

661—374.9(103A) Civil penalties. In addition to possible suspension or revocation of a certification, a person who violates the rules governing manufactured housing installation may be subject to civil penalties. Civil penalties may be assessed by the building code commissioner based on recommendation from staff of the building code bureau. Assessments of civil penalties may be appealed subject to the provisions of 661—Chapter 10 for contested case proceedings. An appeal may be filed as a request for contested case proceeding as provided in rule 661—10.304(17A). An appeal must be filed within 30 days of the date of the assessment of the civil penalty.

661—374.10(103A) Inspections.

374.10(1) The installation of any manufactured home as defined in Iowa Code section 103A.51 shall be subject to inspection by a representative of the building code bureau.

374.10(2) Any person planning to install a manufactured home shall notify the building code bureau of the person's intent to install a home at least three business days prior to the date of installation.

374.10(3) A manufactured home shall not be occupied until approval has been given by the building code bureau. If the inspection of the home is not completed within the three-business-day notification period, approval may be given by the building code bureau to proceed with the installation.

661—374.11(103A) Temporary certification during proclaimed disaster emergencies. The commissioner may issue a temporary certification which shall be valid for a period of 90 days only, for use only in areas which are currently subject to a disaster emergency proclamation issued by the governor pursuant to Iowa Code section 29C.6. The fee for a temporary emergency certification shall be \$50. The following conditions must be met in order for a certification to be issued.

374.11(1) The applicant must be at least 18 years old.

374.11(2) The applicant must have general and complete operations liability insurance in the amount of at least \$1 million for all work performed that requires certification pursuant to this chapter.

a. The carrier of any insurance coverage maintained by a certificate holder to meet this requirement shall notify the board 30 days prior to the effective date of cancellation or reduction of the coverage.

b. The certificate holder shall cease operation immediately if the insurance coverage required by this subrule is no longer in force and other insurance coverage meeting the requirements of this subrule is not in force. A certificate holder shall not initiate any installation work which cannot reasonably be expected to be completed prior to the effective date of the cancellation of the insurance coverage required by this subrule and of which the certificate holder has received notice, unless new insurance coverage meeting the requirements of this subrule has been obtained and will be in force upon cancellation of the prior coverage.

374.11(3) The applicant shall submit a completed application form to the certification program as specified in rule 661—374.1(103A), accompanied by a cover letter stating that the applicant is seeking temporary emergency certification and the applicant is certified or licensed to install manufactured homes in another state or states, and proof of insurance as required by subrule 374.11(2). The other state or states in which the applicant is certified or licensed shall be specified in the letter.

374.11(4) The application shall be accompanied by a check or money order for \$50 to cover the certification fee. This fee is nonrefundable. The check or money order shall be made out to “Iowa Department of Public Safety,” and the memo portion of the check or money order shall say “Manufactured Housing Installer Certification.”

374.11(5) The application shall be accompanied by a copy of each license or certificate from other states cited in the letter required by subrule 374.11(1). The copy shall clearly display the name of the applicant and any unique identifying number assigned to the certificate or license.

374.11(6) A temporary emergency certificate may be renewed once, and the renewal certification shall be valid for 90 days beyond the expiration of the original temporary emergency certificate. The renewal application shall comply with subrules 374.11(1), 374.11(2), and 374.11(3). If a renewal application is received for a holder of a temporary emergency certificate which has previously been renewed once, the application shall be denied.

374.11(7) A holder of a temporary emergency certificate may apply at any time for a regular certificate issued pursuant to rules 661—374.2(103A) through 661—374.4(103A) by complying with all of the provisions of those rules.

374.11(8) A temporary emergency certificate may be suspended or revoked pursuant to rule 661—374.8(103A) or if the certificate holder fails to maintain compliance with any provision of this rule.

374.11(9) A decision to deny, suspend, or revoke a temporary emergency certificate may be appealed as provided in rule 661—374.8(103A).

These rules are intended to implement Iowa Code section 103A.59.

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