

information _____ February 2016**MANUFACTURED HOMES REGULATIONS
AND INDUSTRY PERSONNEL RESPONSIBILITY**

Federal Law, the “Manufactured Housing Improvement Act of 2000 (PL106-157)”, gives states the option to establish regulations that would provide enhanced protection for consumers of manufactured homes. In states that opt not to establish such regulation, the U.S. Department of Housing and Urban Development (HUD) becomes directly responsible to provide the necessary protection to consumers, i.e., ensure that manufactured homes are properly installed through their dispute resolution process. By enactment of Article 21-B of the Executive Law, New York State has chosen to establish a regulation that has been approved by HUD known as 19 NYCRR Part 1210, Manufactured Homes. This action was in part driven by participants of the manufactured home industry including installers.

Part 1210 requires among other things that all manufacturers, retailers, installers and mechanics of manufactured homes be certified to manufacture, sell, install, or service any manufactured home in New York State. Certification is issued only after applicants have shown industry specific experience, completed required training courses, and satisfied stringent financial as well as insurance responsibilities. The certifications shall be valid for a term of two years. Continuing education requirements must be met before the certification renewal can be granted.

A business entity or individual engaged in both the retail sale and installation of manufactured homes must be certified as both a retailer and an installer. Likewise a business entity or individual engaged in retail sales at more than one location must be certified at each location.

A Limited Certification shall only be issued to an individual who is in the employment of a business entity holding certification or another individual holding certification. Part 1210 also requires that certified business entities must employ at least one certified individual at all times. Employment of a person holding Limited Certification shall satisfy this requirement. Should the only certified individual leave your company you will no longer be in compliance with the regulations and legally unable to conduct business.

The certification requirement applies to individuals installing their own home as well. An Owner-Occupant Certificate shall be issued on a one time basis to an individual for the installation of his/her own home. That individual must complete the 13 Hour Installer Course, and provide the Department of State specific information regarding the home to be installed. This type of certification is valid only for the home indicated and shall not be transferred or renewed.

The experience and education requirements are as follows:

Certification Level	Education	Manufactured Housing Experience	Training
Manufacturer	High School or GED OR US Armed Forces educational report showing successful completion high school level education	HUD Certification	3 Hour - 21B Course
Retailer		1 Year	
Installer		2 Years or 20 Home Sets	13 Hour - Installers Course
Mechanic		1 Year	6 Hour - Mechanics Course
Limited		Same as above	Same as above

The financial requirements are as follows:

Certification Level	Instrument	Amount	Certification Fee
Manufacturer	Article 21-B Surety Bond OR a deposit account control agreement OR a letter of credit in the sum indicated	\$50,000	\$200
Retailer		\$25,000	\$200
Installer		\$10,000	\$200
Mechanic		\$5,000	\$100
Limited	Employer responsibility	Not required	\$25

Part 1210 requires both the manufacturer and installer to warranty manufactured homes and affix a NYS Warranty Seal in a specific location within the home. By affixing a Warranty Seal, a manufacturer attests that the home was constructed in accordance with HUD standards, and an installer attests that the installation has been completed as prescribed by and in compliance with the NYS Uniform Fire Prevention and Building Code (Uniform Code).

Under Workers Compensation and Disability Benefits Law the Department of State must require applicants applying for certification provide proof of compliance with applicable insurance coverage provisions.

In addition, Part 1210 provides for penalties to any person found guilty, after a hearing, of violation of any provision of Article 21-B or Part 1210 in an amount up to \$1,000 for each such violation.

To download Part 1210, find a training opportunity, obtain a certification application or for more information visit the Department of State, Manufactured Housing Unit website at: www.dos.ny.gov/dcea/manuf.html.



**Building Standards
and Codes**

phone 518.474.4073
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email codes@dos.ny.gov

information

September 2022

MANUFACTURED HOUSING WARRANTY SEAL AND QUARTERLY REPORTING UPDATE

According to Article 21-B of the Executive Law, manufacturers and installers of manufactured homes (HUD Code) are required to affix a NYS manufacturer’s warranty seal upon each home manufactured and a NYS installer’s warranty seal upon each home installed.

Previously, the Department of State issued a multi-copy warranty seal with various carbon copies. The design of both the manufacturer’s and installer’s warranty seals has changed and will more closely resemble those utilized by the Department with its modular home program. The new warranty seals will not utilize carbon copies, are approximately 3 inches by 3 inches, and will be available and be issued to certified entities beginning September 2022.



Warranty seals (installers seal shown, at left) will be provided with the name of the certified entity and certification number pre-populated. The remaining information shall be completed by certified entities and should be clearly visible and legible. Utilization of an ultra-fine point permanent marker is strongly recommended.

The Installer’s Quarterly Report Form has also been modified to accommodate the information previously detailed on the old installer’s warranty seal. The new reporting form will be available on the webpage, for third quarter 2022 filings. Prior versions of the form held by certified installers should be discarded.

Reporting period, report due dates, and filing requirements remain unchanged.

Manufacturers and installers are reminded that pursuant to Part 1210 warranty seals are required to be installed in the largest closet of the largest (master) bedroom of the manufactured home.

For questions on warranty seals and quarterly reporting contact the Department of State, Division of Building Standards and Codes on the web at www.dos.ny.gov/code/manufactured-homes, via phone at 518-474-4073, or email at manufactured.housing@dos.ny.gov.




New Installer Warranty Seal Directions.

Warranty Seal below shown actual size.



STATE OF NEW YORK
DEPARTMENT OF STATE
INSTALLER'S
WARRANTY SEAL



New manufactured home
 Relocated manufactured home

A. Warranty Seal Number: _____

B. Name of Installer: _____

C. Installer Certification Number: _____

D. Date of Installation: _____

E. Home Serial Number: _____

F. HUD Label Number: _____

G. Municipality issuing permit: _____

H. Installation address: _____

I. City, State Zip: _____

Signature: _____
(Certified representative)

Printed name of above: _____

VOID IF REMOVED. This SEAL certifies installer's compliance with the Regulations for Manufactured Homes in accordance with Title 19 New York Codes, Rules and Regulations Part 1210.

Use of an ultra-fine point permanent marker is recommended.

- Check appropriate box for new or relocated manufactured home.
- Lines A – C: will be completed by Department of State at Warranty Seal Issuance.
- Line D: Complete date of completed installation
- Line E: Complete manufactured home serial number
- Line F: Complete HUD Label Number(s) from each label associated with home
- Line G: Complete name of municipality issuing building permit and certificate of

occupancy/compliance.

- Line H: Complete installation street address (911) style.
- Line I: City, State, and Zip Code for installation.
- Signature of Certified Installer or Limited Installer responsible for supervising installation of manufactured home.
- Printed name of person above.

Upon completion of the seal and prior to affixation of the seal to the home retain a photocopy of the seal for your records and to assist in your completion of installers quarterly report. The information contained will need to also be completed on the revised quarterly report sent to the Department of State.



**Building Standards
and Codes**

information February 2016

MANUFACTURED HOMES INSTALLERS QUARTERLY REPORTING

According to the Manufactured Housing Advancement Act of 2005, manufacturers and installers of HUD Code manufactured homes are required to complete quarterly reporting.

Previously the Department of State had relied on installers to return copies of installed warranty seals. This practice has not been successful as a portion of installers are either not returning or failing to return warranty seals in a timely manner.

Therefore, the Department of State has created a form for the purpose of reporting manufactured homes installed. Form titled INSTALLER'S QUARTERLY WARRANTY SEAL REPORT (DOS-1835). Reporting periods and due dates are as such:

January 1 – March 31	Postmarked by April 30 th
April 1 – June 30	Postmarked by July 30 th
July 1 – September 30	Postmarked by October 30 th
October 1 – December 31	Postmarked by January 30 th

Installers are required to file reports for all quarters, even those with no installations. Failure to file required quarterly reports will result in an assessed fine of \$100 per quarter and a delay in recertification or suspension of warranty seal purchasing privileges.

For more information regarding quarterly reporting contact the Department of State.



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Building Standards and Codes

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 Albany, NY 12231-0001
 (518) 474-4073
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 www.dos.ny.gov

Installer's Quarterly Warranty Seal Report

Installer's Certification Number ▶	
Name (as it appears on the Certification)	
DBA (doing business as) Name	
Number and Street	
City, State, ZIP Code	

REPORTING PERIODS
Mark an X in the box for the quarter reported 1 st Quarter: January 1 – March 31 <input type="checkbox"/> Postmarked by: April 30 th 2 nd Quarter: April 1 – June 30 <input type="checkbox"/> Postmarked by: July 30 th 3 rd Quarter: July 1 – September 30 <input type="checkbox"/> Postmarked by: October 30 th 4 th Quarter: October 1 – December 31 <input type="checkbox"/> Postmarked by: January 30 th Indicate year: _____ Failure to complete quarterly reporting may be subject to penalties as prescribed by Article 21-B.

No Homes Installed this Quarter?	If you have not installed any homes in the State of New York for this reporting period mark an X in the box and mark NONE in Schedule of Installed Units section and then mail this report.	<input type="checkbox"/>
Has your address or business information changed?	If so, call the Dept. of State at (518) 474-4073 or mark an X in the box and enter new information above.	<input type="checkbox"/>
Final Report?	If so, mark an X in the box if you are discontinuing your business operations and this is your final report. Attach your Certification and unused warranty seals to this report.	<input type="checkbox"/>
Accountability for Unused Warranty Seals Physical count of unused warranty seals remaining ▶ <input style="width: 150px; height: 20px;" type="text"/>		

The undersigned Installer certifies that it is certified as an installer by the New York State Department of State pursuant to Article 21-b of Executive Law, that the information contained herein is correct to the best of its knowledge, information and belief and this report is filed pursuant to 19 NYCRR 1210, Manufactured Homes. The undersigned further certifies that all homes listed herein are installed in accordance with all applicable federal, state, and local statutes, laws, codes, rules, and regulations.

Signature of Installer or Authorized Representative	Title
Printed Name of Installer or Authorized Representative	Daytime Telephone

Where to mail reports and attachments
 New York State Department of State
 Division of Building Standards and Codes
 One Commerce Plaza, Suite 1160
 99 Washington Avenue
 Albany, NY 12231
 Or via email to: quarterlyinstallerreports@dos.ny.gov

For office use only

Installer's Quarterly Warranty Seal Report

Installer's Certification Number ▶	
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SCHEDULE OF INSTALLED UNITS

Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		
Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		
Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		
Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		
Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		
Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		
Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		
Warranty Seal No.:	Unit Serial No.:	Name of owner:
Date of installation:	<input type="checkbox"/> Single section <input type="checkbox"/> Multi section Manufacturer Name and City, State	(911) Address of installation:
<input type="checkbox"/> New home <input type="checkbox"/> Relocated home		

Attach additional sheets if necessary. Be sure to enter your certification number at the top of each additional sheet.

IMPORTANT HEALTH NOTICE

Some of the building materials used in this home emit formaldehyde. Eye, nose, and throat irritation, headache, nausea, and a variety of asthma-like symptoms, including shortness of breath, have been reported as a result of formaldehyde exposure. Elderly persons and young children, as well as anyone with a history of asthma, allergies, or lung problems, may be at greater risk. Research is continuing on the possible long-term effects of exposure to formaldehyde.

Reduced ventilation resulting from energy efficiency standards may allow formaldehyde and other contaminants to accumulate in the indoor air. Additional ventilation to dilute the indoor air may be obtained from a passive or mechanical ventilation system offered by the manufacturer. Consult your dealer for information about the ventilation options offered with this home.

High indoor temperatures and humidity raise formaldehyde levels. When a home is to be located in areas subject to extreme summer temperatures, an air-conditioning system can be used to control indoor temperature levels. Check the comfort cooling certificate to determine if this home has been equipped or designed for the installation of an air-conditioning system.

If you have any questions regarding the health effects of formaldehyde, consult your doctor or local health department.

This Important Health Notice has been provided by the NY Department of State, Division of Building Standards and Codes.



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Phone 518.474.4073
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Building Standards and Codes

April 7, 2020

Dear Manufactured Housing Industry Partners,

On December 6, 2019, the State Fire Prevention and Building Code Council (the “Code Council”) adopted rules that updated the New York State Uniform Fire Prevention and Building Code (the “Uniform Code”) and the State Energy Conservation Construction Code (the “Energy Code”). The Department of State, acting on behalf of the Code Council, filed Notices of Adoption of these rules which appeared in the February 12, 2020 edition of the New York State Register.

The effective date of the new codes will be May 12, 2020 and which may be viewed by clicking <https://codes.iccsafe.org/category/New%20York?year%5b%5d=2020&page=1>. Copies of the codes may also be purchased through the International Code Council (the “ICC”) by clicking <https://codes.iccsafe.org/category/New%20York?year%5b%5d=2020&page=1>. Be advised that the 2020 Uniform Code books are New York specific with this recent code adoption.

I send this email to advise you of the above and that code changes have occurred which will change the requirements relative to carbon monoxide alarm locations for any homes constructed for installation in New York on and after May 12th. Until such time as the proposed changes to 24 CFR Part 3280, Manufactured Home Construction and Safety Standards, take effect addressing carbon monoxide alarms the requirements of the New York Uniform Code shall be applicable.

Let me remind also remind you that any and all approved alternative foundation designs should be reviewed for conformance to and any necessary revisions made for the implementation of the 2020 Uniform Code on May 12th. Should you have any questions regarding New York Uniform Code requirements do not hesitate to contact our Technical Services Unit via email at: codes@dos.ny.gov.

Be well, stay safe and healthy.

Warm regards,

William Sherman

Administrator, Manufactured Housing
Division of Building Standards & Codes

New York State Department of State



By April 1, 2020, your home should receive an invitation to participated in the Census. Please respond: online, by phone or by mail.

<https://2020census.gov/en/ways-to-respond.html>

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Manufactured Housing

information

February 2016

RETAILER DISPUTE RESOLUTION NOTIFICATION

Effective February 2008, the U.S. Department of Housing and Urban Development (HUD) requires that retailers of manufactured homes provide a notice to purchasers of the availability of the Dispute Resolution Program available to them.

The text of the notice should be as follows:

The U.S. Department of Housing and Urban Development (HUD) Manufactured Home Dispute Resolution Program is available to resolve disputes among manufacturers, retailers, or installers concerning defects in manufactured homes. Many states also have a consumer assistance or dispute resolution program. For additional information about these programs, see sections titled “Dispute Resolution Process” and “Additional Information-HUD Manufactured Home Dispute Resolution Program” in the Consumer Manual required to be provided to the purchaser. These programs are not warranty programs and do not replace the manufacturers, or any others persons, warranty program.

In New York State, complaints for the resolution of disputes should be directed to the Manufactured Housing Unit of the New York State Department of State, Division of Building Standards and Codes, One Commerce Plaza, 99 Washington Ave., Suite 1160, Albany, NY 12231-0001. Telephone 518-474-4073, Fax 518-486-4487

Revised.



**Building Standards
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Manufactured Housing

information

September

2022**CONSUMER INSTALLATION DISCLOSURE - UPDATED**

Prior to the execution of a sales contract or lease agreement for a manufactured home, the retailer must provide the purchaser or lessee with a consumer installation disclosure. This disclosure must be in a document separate from the sales or lease agreement. The disclosure must include the following information:

The New York State Uniform Fire Prevention and Building Code regulates the requirements for the installation of manufactured homes. All manufactured homes (new or pre-owned) are required to be installed in compliance with all New York State installation requirements. All manufactured homes constructed prior to July 12, 2021, are required to have carbon monoxide alarms installed in accordance with the Uniform Code in effect at the time of its construction; homes constructed on or after this date shall have carbon monoxide alarms in accordance with the HUD Code. Building permits from the local jurisdiction are required for all installations of new or pre-owned manufactured homes. A Code Enforcement Official must inspect the installation of every manufactured home prior to issuing a Certificate of Occupancy (required) from the local jurisdiction. An example of these installation requirements is that all footers shall be at or below frost line. The footer/foundation design must be submitted to and inspected by the local Code Enforcement Official. Any "Alternative Tie-Down and/or Foundation Systems" that deviate from the manufacturer's installation manual must be designed by a NYS Design Professional (pre-owned and new homes) and approved by the manufacturer and Design Approval Primary Inspection Agency (DAPIA) (new homes only). All manufactured homes must be installed under the supervision of a Certified New York State Installer and when completed must receive a New York State Installer's Warranty Seal. Local municipalities may also have certain zoning and land use requirements unique to their jurisdiction. Compliance with any additional federal, state, or local requirements, including inspection of the installation, may involve additional costs to the purchaser or lessee. Additional information regarding New York State installation requirements can be obtained from the retailer or from the Manufactured Housing Unit of the New York State Department of State, Division of Building Standards and Codes, One Commerce Plaza, 99 Washington Ave., Suite 1160, Albany, N.Y. 12231-0001.

Rev 9/28/2022 (24 CFR 3286.7)


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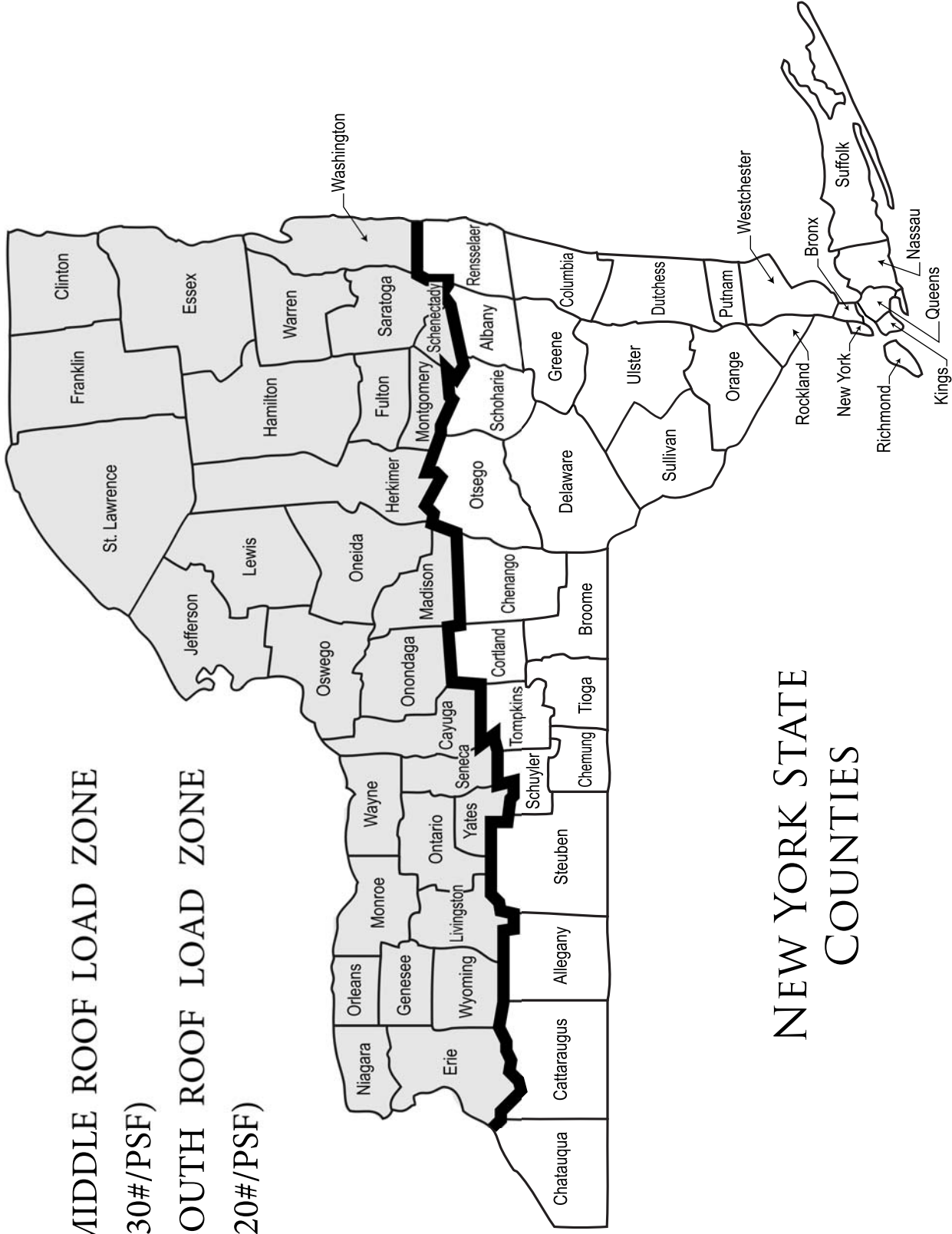
fax 518.486.4487

email: manufactured.housing@dos.ny.gov

MANUFACTURED HOME ROOF LOAD MAP

PER 24 CFR 3280.305(c)(3) - Effective May 30, 2006

-  MIDDLE ROOF LOAD ZONE
(30#/PSF)
-  SOUTH ROOF LOAD ZONE
(20#/PSF)



NEW YORK STATE
COUNTIES

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Building Standards and Codes

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TB-MH001-HUD

TECHNICAL BULLETIN

Code Effective Date:	October 31, 2017¹
Source Document:	19NYCRR 1210 – Manufactured Housing² 19NYCRR 1220 – Residential Construction³ 24 CFR Part 3285 – Model Manufactured Home Installation Standards⁴
Topic:	Foundation Systems for Manufactured Housing Installations

This document is intended to assist the code users with the requirements applicable to foundation systems for Manufactured Homes.

“Manufactured home” means “a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term shall include any structure that meets all of the requirements of this subdivision except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States secretary of housing and urban development and complies with the standards established under Title 42 of the United States code; and except that such term shall not include any self-propelled recreational vehicle.” See Executive Law §601(7); 10 NYCRR §1210.2(ad)(6).

The scope of this document is limited to Manufactured Homes which are not located in flood hazard areas as established by Table R301.2(1) of the 2015 International Residential Code (2015 IRC), as amended by the 2017 Uniform Code Supplement (the Supplement). When a manufactured home is proposed for installation within a flood hazard area, the installation must comply with Section R322 of the 2015 IRC.

Approved Foundation Systems

Foundations for manufactured home installations are subject to Appendix E of the 2015 IRC titled “*Manufactured Housing Used as Dwellings*”, which is amended in its entirety by the Supplement. Section AE401.1 requires the installation of a manufactured home “on a foundation system designed and constructed to” comply with the Uniform Code, “and the installation instructions provided by the manufacturer.” The U.S. Department of Housing and Urban Development (HUD) standards requires that the manufacturer’s installation instructions, as approved by the manufacturer’s Design Approval Primary Inspection Agency (DAPIA), be provided with each new manufactured home.

¹ The “Code Effective Date” for this Technical Bulletin is October 31, 2017, which is the effective date of the current version of the New York State Uniform Fire Prevention and Building Code (the Uniform Code).

² Part 1210 of Title 19 of the New York Codes Rules and Regulations (NYCRR) implements the provisions of Article 21-B of the Executive Law.

³ The 2015 International Residential Code (2015 IRC) is a publication incorporated by reference in 19 NYCRR Part 1220. The 2017 Uniform Code Supplement is a publication incorporated by reference in 19 NYCRR Parts 1219 through 1228. The 2015 IRC, as amended by the 2017 Uniform Code Supplement, is part of the Uniform Code.

⁴ U.S. Department of Housing and Urban Development 24 Code of Federal Regulations Title 24 Subtitle B, Chapter XX, Part 3285. The document published in 2008 with 2016 updates is incorporated by reference in Chapter 10 of the 2017 Uniform Code Supplement.

These installation instructions include specific foundation system designs for the manufactured home and are typically included in the consumer manual provided. Installing manufactured homes on foundation systems included in the installation instructions ensures the homes will be supported and anchored to meet or exceed the design loads required by the HUD standards.

Section AE402.3 of the Supplement requires that the footings and foundations for manufactured homes “*extend below the frost line as specified on Table R301.2(1).*”

The Use of Shallow Foundation Systems

There is an exception to Section AE402.3 of the Supplement for foundation systems protected from the effects of frost as designed by “*a registered design professional in accordance with the design requirements of the Manufactured Home Standards and the*” Uniform Code. Several manufacturers have DAPIA-approved shallow foundation system designs included in the installation instructions, as an addendum to installation instructions, or readily available upon request. These foundation systems are acceptable for use within the conditions specified in the design. It is the responsibility of the certified installer to obtain and provide such foundation designs to the Code Enforcement Official (CEO) prior to their installation, per Section 3285.2(c) of 24 CFR Part 3285.

When a shallow foundation system designed by a registered design professional is to be used, Section AE402.3 requires the approval of both the manufacturer’s DAPIA and the CEO prior to the issuance of a building permit. This is because deviations from the installation instructions may inadvertently make manufactured homes noncompliant with the HUD standard to which they were constructed. All manufacturer’s installation instructions are required to include an explanation of how manufactured home installers must handle variations from those instructions, including foundation systems designed by registered design professionals.

Alternate Foundation Systems

Section AE 402.4 of the Supplement states that:

When a design is provided that is an alternative to the installation instructions provided by the manufacturer, such design shall be in accordance with the applicable structural provisions of this code and shall be designed to minimize differential settlement. Where a design is not provided, the minimum foundation requirements shall be as set forth in this code.

Any alternative foundation shall be designed and constructed to conform to the applicable provisions of the “Model Manufactured Home Installation Standards” (24 CFR 3285)

Section 3285.301(a) of 24 CFR 3285, requires foundations to “*be designed and constructed in accordance with this subpart and must be based on site conditions.*” The New York Department of State, Division of Building Standards and Codes (the Division) considers “site conditions” to include all the applicable provisions of the Uniform Code, including the air freezing index, positive site drainage requirements, and soil type identification.

The Division recently became aware that DAPIA -approved alternative foundation designs incorrectly referencing the 2010 Uniform Code of New York State are being provided to installers and CEO’s for use in manufactured housing installations. Both sets of regulations: 24 CFR 3285 and Appendix AE of the 2017 Supplement, require that all NY-specific DAPIA-approved designs intended to remain part of a manufacturer’s installation manual be modified to reflect the local conditions, as specified by the current Uniform Code in effect at the time a building permit application is submitted.

Summary

Manufactured homes must be placed on foundations that comply with the current version of the Uniform Code, as well as the specific foundation system design requirements included in the manufacturer’s installation instructions manual(s). While the code requires the footings and foundation systems to extend below the frost line, there is an exception for foundation systems protected from the effects of frost designed by registered design professionals. Variations from the foundation system designs found in the installation instructions – such as a foundation system protected from the effects of frost designed by registered design professional – require the approval of the home manufacturer and their DAPIA. Shallow foundation systems are acceptable when:

- Included in the installation instructions,
- Offered by the manufacturer and approved by their DAPIA, or

- Designed by a registered design professional and approved by the manufacturer and their DAPIA

Be reminded that the installation standards contained in 24 CFR 3285 are in addition to, and not in lieu of, the Uniform Code requirements. Accordingly, any installation design must meet or exceed not only the federal standard but also the 2015 IRC as amended by the 2017 Uniform Code Supplement.

Definitions

[24 CFR Part 3285] **Design Approval Primary Inspection Agency (DAPIA).** A state or private organization that has been accepted by the Secretary in accordance with the requirements of Part 3282, Subpart H of this chapter, which evaluates and approves or disapproves manufactured home designs and quality control procedures.

[24 CFR Part 3285] **Foundation system.** A system of support that is capable of transferring all design loads to the ground, including elements of the support system, as defined in this section, or a site-built permanent foundation that meets the requirements of 24 CFR 3282.12.

[24 CFR Part 3285] **Installation instructions.** DAPIA-approved instructions provided by the home manufacturer that accompany each new manufactured home and detail the home manufacturer requirements for support and anchoring systems, and other work completed at the installation site to comply with these Model Installation Standards and the Manufactured Home Construction and Safety Standards in 24 CFR part 3280.

[24 CFR Part 3285] **Support system.** Pilings, columns, footings, piers, foundation walls, shims, and any combination thereof that, when properly installed, support the manufactured home.

**John R. Addario, PE, Director
Division of Building Standards and Codes**

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STATE OF NEW YORK
DEPARTMENT OF STATE

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WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

March 16, 2015

Dear Manufactured (HUD) Housing Industry Professionals,

The Department of State (DOS), Division of Building Standards and Codes, has recently released a notice in regard to a new regulation for “Truss type, pre-engineered wood and timber construction in Residential Structures” (Effective January 1, 2015).

Truss type, pre-engineered wood and timber construction in Residential Structures

Executive Law § 382-b, as added by Chapter 353 of the Laws of 2014, provides that any person utilizing truss type, pre-engineered wood or timber construction for the erection of any new residential structure, for any addition to an existing residential structure, or for any rehabilitation of an existing residential structure must (1) notify the local government that will issue the building permit that truss type, pre-engineered wood or timber construction is being utilized and (2) affix a sign or symbol to the electric box, if any, on the exterior of the structure indicating that truss type, pre-engineered wood or timber construction has been used.

A new Part 1265 to Title 19 of the New York Codes, Rules and Regulations (NYCRR) has been adopted. The new Part 1265 prescribes (1) the form to be used to notify code enforcement officials that truss type, pre-engineered wood or timber construction is to be used in a residential structure; (2) the sign or symbol to be affixed to the exterior of a residential structure that has been constructed, added to or rehabilitated using truss type, pre-engineered wood or timber construction.

New Executive Law § 382-b does not apply, and this rule will not apply, in New York City.

The following is a hyperlink to the notice of emergency rule adoption for “Truss type, pre-engineered wood and timber construction in Residential Structures”, which is available on our website at:

<http://www.dos.ny.gov/DCEA/noticadopt.html>

Please read the notice and then use the hyperlinks or go to the DOS website to download and review the full rule text of Title 19 NYCRR Part 1265.

The Required Notice

Manufactured (HUD) Home Manufacturers will be responsible to provide the technical information required in Part 1265, Section 1265.3 “Notice to be given to authority having jurisdiction”.

The Manufacturer will be required to identify the technical information (see the red italic note) on the format entitled “NOTICE OF UTILIZATION OF TRUSS TYPE CONSTRUCTION, PRE-ENGINEERED WOOD CONSTRUCTION AND/OR TIMBER CONSTRUCTION”, shown below in Section 1265.3 (b) (1).

Manufacturers will need to provide a separate page to submit with permit information typically given to local Authority Having Jurisdiction (AHJ).

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**Department
of State**

The Permit Applicant submitting the permit set and application for permit approval to the local AHJ will be responsible for completing the rest of the information (see the red italic notes). In the case of Manufactured Home construction, typically either the Retailer or Installer (“who may be the owner’s duly authorized representative”), or sometimes even the owner, will be the Permit Applicant.

The local AHJ is allowed to customize the form described in Section 1265.3(b) (1). They will likely have their own form which the Permit Applicant must fill out using the Manufacturer’s technical information and completing the site related information that the manufacturer may not know in advance, particularly if the home may first be headed for a Retail Sales Lot.

Below is the recommended format for Modular Manufacturers to pass on information to the local AHJ and the Permit Applicant, as required in Part 1265 Residential Structures with Truss Type Construction, Pre-Engineered Wood Construction and/or Timber Construction. The format essentially includes the entire Section 1265.3 regarding the required “Notice to be given to the authority having jurisdiction”, with instructions for the Manufacturer and the Permit Applicant added in red italics.

Manufacturer’s Reporting Format – Section 1265.3 reads:

Section 1265.3 Notice to be given to authority having jurisdiction.

(a) When truss type construction, pre-engineered wood construction, and/or timber construction is to be utilized in the construction of a new residential structure or in an addition to or rehabilitation of an existing residential structure, the owner of such structure, or the owner’s duly authorized representative, shall notify the authority having jurisdiction of that fact. Such notice shall be in writing and shall be provided to the authority having jurisdiction with the application for a building permit. **In the case of a construction, addition or rehabilitation project commenced prior to January 1, 2015 and not completed prior to January 1, 2015, such notice shall be given as soon as practicable after January 1, 2015 and in any event prior to the issuance of the certificate of occupancy or certificate of compliance for such project.**

(b) (1) The form to be used to give the notice required by subdivision (a) of this section shall be substantially similar to the following, with all applicable lines checked and all blanks filled in with the appropriate information:

NOTICE OF UTILIZATION OF TRUSS TYPE CONSTRUCTION, PRE-ENGINEERED WOOD CONSTRUCTION AND/OR TIMBER CONSTRUCTION

(Information to be completed by the Permit Applicant, on the local AHJ’s notification form.)

To: [insert name of authority having jurisdiction]
Owner: [insert name of owner of the subject property]
Subject Property: [insert street address and tax map number, if any, of the subject property]

(Information to be completed by Manufacturer, and transferred to the local AHJ’s notification form by the Permit Applicant.)

Please take notice that the (check applicable line):

- new residential structure
- addition to existing residential structure
- rehabilitation to existing residential structure

to be constructed or performed at the subject property reference above will utilize (check each applicable line):

- truss type construction (TT)
- pre-engineered wood construction (PW)
- timber construction (TC)

in the following location(s) (check applicable line):

- floor framing, including girders and beams (F)
- roof framing (R)
- floor framing and roof framing (FR).

(Information to be completed by Permit Applicant, on the local AHJ's notification form.)

Date: [insert date form is signed]

Signature: [signature of person submitting form to the authority having jurisdiction]

Name: [print or type name of person signing and submitting form]

Capacity: [insert "Owner" or "Owner's Representative" as applicable]

(2) An authority having jurisdiction shall be permitted to prescribe its own form to be used to give the notice required by subdivision (a) of this section, provided that such form requests at least same information as the form prescribed in paragraph 1 of this subdivision.

The required sign - (Section 1265.4. Sign or symbol.)

The Permit Applicant submitting the permit set and application for permit approval to the local AHJ will be responsible for obtaining the sign described in Section 1265.4 (e). Ultimately the sign will be affixed in a location approved by the local AHJ according to Section 1265.4(b). Therefore, the sign should not be applied before shipping.

[Sample Truss sign](#) is available [here](#) (PDF format).



Please contact us with any questions.

Sincerely,

Gerard A. Hathaway, R.A.
 Assistant Director for Technical Services
 Division of Building Standards and Codes
 Email: Gerard.Hathaway@dos.ny.gov

UNDER FLOOR VENTILATION CHARTS

Example Only: The number of panels required shall be determine by calculations made for the specific ventilation product used and that products ventilation rate.

SQFT Cond. Floor	6mil Poly	SQFT Vent Required	SQIN Vent Required	# 32" Center Vent (13sqin/panel)	8"x16" Block Vent (45sqin/vent)
1000	1500	0.7	96	7	2 ^a
1100	1500	0.7	105.6	8	2 ^a
1200	1500	0.8	115.2	9	3 ^a
1300	1500	0.9	124.8	10	3 ^a
1400	1500	0.9	134.4	10	3 ^a
1500	1500	1.0	144	11	3 ^a
1600	1500	1.1	153.6	12	3 ^a
1700	1500	1.1	163.2	13	4
1800	1500	1.2	172.8	13	4
1900	1500	1.3	182.4	14	4
2000	1500	1.3	192	15	4
2100	1500	1.4	201.6	16	4
2200	1500	1.5	211.2	16	5
2300	1500	1.5	220.8	17	5
2400	1500	1.6	230.4	18	5
2500	1500	1.7	240	18	5
2600	1500	1.7	249.6	19	6
2700	1500	1.8	259.2	20	6
2800	1500	1.9	268.8	21	6

NOTE: a. R408.1 "...One such ventilating opening shall be within 3 feet of each corner of the building."

•SEE MANUFACTURER’S INSTALLATION MANUAL FOR SPECIFIC VENTILATION AND GROUND MOISTURE RETARDER REQUIREMENTS

REMEMBER: When configuring skirting to install “skirting along the perimeter of the home’s heated, conditioned space. Do not enclose with skirting areas under recessed entries, porches or decks (whether constructed as part of the home or added on site) unless skirting is of the fully vented type and installed so as to allow water to freely flow out from under home.” (Champion Homes Installation Manual, Jun 2015, p. 90)



STATE OF NEW YORK
DEPARTMENT OF STATE

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ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

November 29, 2017

Dear Modular Industry Professional:

Questions have come from the Modular Industry regarding the final location of Modular Structures serving as One and/or Two Family Dwellings used as lot models, and their eventual sale and relocation as a One or Two Family Residence on a permanent foundation.

Relocated or moved buildings are regulated by the 2017 Uniform Code Supplement, Section AJ10. Section AJ10 requires the moved building to be in compliance with applicable provisions of the 2015 International Fire Code and the 2015 International Property Maintenance Code (as modified by the 2017 Uniform Code Supplement). Requirements for the addition of smoke detectors and carbon monoxide detectors are subject to requirements of the 2015 International Fire Code, in addition to the requirements contained in Section AJ10. Smoke and carbon monoxide detectors are to be provided as for new construction. Additionally, the final location of the building on the lot, the distance to lot line with respect to combustible construction, the distances to other structures on the lot, as well as all field fabricated elements must comply with all applicable elements of the Code.

The design parameters of the original construction documents under which the original Insignia was issued will have the effect of limiting where the Modular building in question can be geographically relocated. In other words, a Modular building designed for Ground snow load of 50 psf, Wind Zone 90 mph (now 115 mph) and B Seismic loading (as an example) can be relocated to any area which has these same design parameters. It should be noted that applicable adjustments for specific geographic location must be considered, (i.e. Wind speed up at the top of a hill or Special Wind Regions, as examples). It should be noted that the 2017 Uniform Code Supplement, *Section AJ10 Relocated or Moved Buildings* allows for a 5% increase in Wind, Snow and Seismic loading with modifications to the existing Modular building.

Modular buildings can be relocated to geographic locations of higher Snow, Wind and Seismic loading. However, in these cases, the structure must be modified for the specific load increase as is required by Section AJ1004 Structural. If the design parameters of the final location vary from the original construction documentation of the Modular building, the building would be subject to modification to comply with the appropriate code parameters of geographic location where it is to be located. The permanent foundation, and any modification to the Modular Building including any additional structures to be added either as an Additional Modular portion or site-built portions, are strictly outside the scope of the original Insignia. These items shall be subject to separate permits and inspections. Site constructed elements remain under the purview of the Authority having Jurisdiction.

I hope that this explains the conditions under which Modular lot models may be relocated to a permanent, final location. As always, please contact our office with any questions concerning this letter.

Sincerely,



Joseph Hill, RA, Assistant Director for Code Administration
Division of Building Standards & Codes

Enclosures

cc: Quality Assurance Agencies and associated Architects/Engineers



**Department
of State**

Training Notes