

DRAFT FAS RULES - Version 1

Chapter 296-150I WAC

~~MANUFACTURED HOME INSTALLER TRAINING AND CERTIFICATION~~

~~PROGRAM~~ MANUFACTURED AND MOBILE HOME INSTALLATION

Last Update: ~~12/4/18~~ 12/2019

WAC

296-150I-0010 Authority, purpose, scope.

296-150I-0020 What definitions apply to this chapter?

MANUFACTURED HOME INSTALLER REQUIREMENTS

296-150I-0030 What should the training program include?

296-150I-0040 Examination-Failure-Retaking.

296-150I-0050 What is the application process?

296-150I-0060 Manufactured home installer-Continuing education requirements.

296-150I-0070 Manufactured home installer certification renewal-Application process.

296-150I-0080 Installer certification-Revocation.

Commented [SCL(1): This new title wording matches [RCW 43.22A](#) and reflects that this WAC includes installation requirements in addition to installer training requirements.

Commented [SCL(2): References in comments to SEBA report mean the SEBA Professional Services, LLC audit of "Washington State's Dept. of L&I Rules and standard for Manufactured Housing Installation" dated 10/24/2017.

Commented [SCL(3): Rules updated December 2019 to address issues identified in HUD SEBA report, general clean up and housekeeping. CR-101 filing was in August 2019.

Commented [SCL(4): Adds header for clarity. There are actually two major sets of rules in this chapter, those related to installer training and those for installation requirements.

296-150I-0090 Requirement for applicable licenses and registrations.

296-150I-0100 Manufactured home ~~on-site work and equipment~~ installation—Manufactured home installer certification required.

Commented [SCL(5): Global change. Current wording is confusing. Changes all use of "on-site work and equipment installation" to just "installation". There is no definition or explanation of what on-site work is, what kind of work would be not on-site, and what equipment is included in equipment installation. Added a definition of "installation" below.

296-150I-0105 Manufactured home installation-specialty work by licensed electricians and plumbers.

Commented [SCL(6): Adds a new section. The existing rule is embedded as part of a definition for "manufactured home installation". It is being moved from definition into rule.

296-150I-0110 Manufactured home installation, ~~on-site work or equipment installation~~ Homeowner performing work on their own home—Exceptions.

Commented [SCL(7): Same as above - global change.

296-150I-0120 Manufactured home installation permit and inspections—Obligation of certified installer.

296-150I-0130 Manufactured home installer—Responsibilities to the consumer.

296-150I-0140 Manufactured home installation—Installer certification tags required.

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

Commented [SCL(8): Repeals the rule. No cities or counties have ever sold Washington Installer labels. The rule is obsolete. There are no statutory requirements that L&I make provisions for this.

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296-150I-0160 Installer certification tag-Placement-Removal.

296-150I-0170 Monthly certification tag report.

296-150I-0180 Alternative education providers-Approval process
and compliance.

296-150I-0190 Legal action-Installer certification required.

296-150I-0200 How does the department ensure compliance with
the requirements of chapter 43.22A RCW?

296-150I-0210 What violations of RCW 43.22A.130 can result in
the issuance of a notice of infraction?

296-150I-0220 What information must be included in a notice of
infraction?

296-150I-0230 Who can be issued a notice of infraction?

296-150I-0240 How does a person, firm, contractor, partnership,
corporation or certified installer appeal a notice
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296-150I-0250 Who presides over an appeal hearing and where is
it held?

296-150I-0260 Who will represent the appellant and the department at the appeal hearings?

296-150I-0270 How is the appeal hearing conducted?

296-150I-0280 What does the department do with the appeal notices that they receive?

296-150I-0290 When must a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent pay assessed monetary penalties?

Commented [SCL(9)]: This instance of "mobile" is not deleted as Department of Licensing (DOL) still refers to them as mobile home dealers. Also, it provides clarity that mobile home dealers are still covered.

MANUFACTURED HOME INSTALLATION REQUIREMENTS

296-150I-0300 Who establishes standards for installation of manufactured homes?

Commented [SCL(10)]: Adds header for clarity. There are actually two major sets of rules in this chapter, those related to installer training and those for installation requirements.

296-150I-0310 What instructions are used for a manufactured home installation?

296-150I-0320 How may I obtain a copy of ~~the American National Standards Institute (ANSI) A225.1 - Manufactured Homes Installation~~ the Model Manufactured Home Installation Standards 24 CFR Part 3285?

Commented [SCL(11)]: SEBA audit finding 2. Global change to replace obsolete ANSI reference to Model Manufactured Home Installation Standard.

296-150I-0330 What are the requirements for temporary placement of manufactured ~~(mobile)~~ homes?

Commented [SCL(12): Changes for global clean-up. Instances of mobile removed except in relation to dealers and in the definitions where it adds clarity to the definition.

296-150I-0340 Do local enforcement agencies have special requirements for installing manufactured homes in hazardous areas?

296-150I-0350 Who may install a manufactured home?

296-150I-0360 Does a person who installs a manufactured home need an installation permit?

296-150I-0370 Does a manufactured home installation require an inspection?

296-150I-0375 Does the state monitor the installation and inspections of manufactured homes?

Commented [SCL(13): Adds a new section. Authority [RCW 43.22A 140](#). This partially addresses SEBA audit finding 6.

296-150I-0380 How does the local enforcement agency gain access to the manufacturer's installation instructions?

296-150I-0390 What are the requirements for ~~on-site~~ structures adjacent to manufactured homes and who regulates them?

Commented [SCL(14): Changes for clarity and to plain talk the rule.

296-150I-0400 What happens if a dispute arises concerning an installation requirement?

296-150I-0410 What are the requirements if a home is damaged during transit or during set-up?

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

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

WAC 296-150I-0020 What definitions 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 (21))

Commented [SCL(15): RCW 43.22A cleanup draft is noted to revise this if the title of the RCW is changed.

Commented [SCL(16): Changes to clarify scope, in accordance with RCW 43.22A and RCW 43.22.440 which directs the agency to set installation requirements. Further, this chapter already includes installation requirements which is not reflected in the current scoping language.

Commented [SCL(17): Changes for clarity and so that we do not have to reference mobile homes in other sections of the rule.

Commented [CAR(18): Adds the chapter providing L&I the authority to make rules.

Commented [SCL(19): Changes to updated the reference and to align with current numbering in RCW 34.12.020.

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

Commented [SCL(20): Adds a new definition and new "approved homeowner" language in the rules to address SEBA audit finding 1.

Commented [SCL(21): Added definition for term already used in rules. Includes anyone with delegated or contractual authority to regulate manufactured home installation and installer certification.

rodents and transportation damage and meets the requirements of
24 CFR 3280.305(g)(6).

Commented [SCL(22)]: Added definition for term used in these rules.

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

Commented [SCL(23)]: This instance of "mobile" is not deleted for clarity of definition.

Commented [SCL(24)]: Changes for cleanup. Terms reversed for consistency of word order in the rest of the document.

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

Commented [SCL(25)]: Deletes obsolete definition. See definition of "authorized representative". Compliance inspector is only one of several persons who may be issuing corrections and infractions. Only other reference to "compliance inspector" has been removed from the definition of "Infraction".

(68) "Contractor" is as defined in chapters 18.27, 18.106, and 19.28 RCW.

Commented [SCL(26)]: These references are still accurate.

(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 CFR 3286.3.

Commented [SCL(27)]: Adds a new definition for clarity. This acronym used below, same as WAC 296-150M-0020.

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

Commented [SCL(28)]: Adds new definition for clarity. Term with non-standard meaning used throughout the rules.

(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.~~

Commented [SCL(29): Deletes definition. This is not a definition. These requirements have been incorporated into the rules.

(912) "Final infraction" means an infraction that was not appealed during the time period required by 43.22A.200, or was unsuccessfully contested via the appeal process allowed by law.

Commented [SCL(30): Adds a new definition for terms used throughout the chapter.

(13) "HUD" is the US Department of Housing and Urban Development, Office of Manufactured Housing Programs, Washington DC 20140-8000

Commented [SCL(31): Adds a new definition for acronym used throughout the chapter.

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

Commented [SCL(32): Adds a new definition for acronym used throughout the chapter.

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

Commented [SCL(33): Removes language for clarity. An infraction is a violation of the law. See added definition of authorized representative and the provisions in WAC 296-150I-0210 for the issuance of a notice of infractions (also added definition).

(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. Some categories of installation work may be exempt from certification requirements.

Commented [SCL(34): Adds a new definition for clarity. While this is defined in RCW 43.22A.010 (6), that definition needs further clarification in rule.

(17) "Local enforcement agency" is the governing body of each city, town or county with the power to enforce local regulations governing the use, location and construction of buildings in that jurisdiction.

Commented [SCL(35): Adds a new definition for clarity. Aligns with [RCW 19.27](#). See realignment with [WAC 296-150M-0020](#).

(~~18~~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.

(~~19~~19) **"Manufactured/mobile home dealer"** is a vehicle dealer as defined in chapter 46.70.011 (17) RCW.

Commented [SCL(36): Changes to update and clarify the rule, where the equivalent term can be found in DOL rules.

(~~20~~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.

(~~21~~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.

Commented [SCL(37): Adds a new definition for clarity. Aligns with the definition in [RCW 43.22.335](#).

~~"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.~~

Commented [SCL(38): Eliminates the definition for housekeeping and clarity. This is not a definition. These requirements have been incorporated into new section WAC 296-150I-0105.

(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.

Commented [SCL(39): Adds a new definition for term used throughout the chapter. Requirement for the forms content is in [RCW 43.22A.170](#). Aligns with [RCW 18.27.010](#).

(1423) "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.

(1524) "Retailer" means the same thing as "dealer" for the purposes of this section.

Commented [SCL(40): Adds a new definition for clarity and term used throughout the chapter.

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

Commented [SCL(41): Adds and removes language for clarity. A parcel of land cannot be an installation site unless the local building department has approved it as such.

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

Commented [SCL(42): Adds a new definition for reference in WAC 296-150I-310 below. This aligns the requirement in CFR 3285.

[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

Commented [SCL(43): Adds a header for major division of the rules and clarity. The requirements from WAC 296-150I-0030 to WAC 296-150I-0290 are all about installer requirements as opposed to the following sections are about installation requirements.

WAC 296-150I-0030 What should the training program

include? The training program must include, but 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 structures; and
- Alterations.

The department will provide a training manual to each applicant as part of the training program, the contents of which will include, but not be limited to, the above topics.

[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.]

WAC 296-150I-0040 Examination-Failure-Retaking. The examination must 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 examination 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.]

WAC 296-150I-0050 What is the application process? A person desiring to be certified as a manufactured home installer under chapter 43.22A RCW must submit a signed application form and fee specified in WAC 296-150I-3000 to the department, which contains the following information:

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(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.]

WAC 296-150I-0060 Manufactured home installer-Continuing education requirements. Certified manufactured home installers must complete a minimum of four credit hours of continuing education every three years. The continuing education credit hours may be satisfied by attending an annual class offered by the department or a class offered by an alternative education provider approved by the department pursuant to chapter 296-150I WAC. All fees required by WAC 296-150I-3000 for continuing education classes must be paid to the department in advance.

(1) Continuing education class curriculum will include statute, code, or rule changes and common installation problems.

(2) If a certified installer is unable to attend the continuing education classes offered by the department or alternative education provider, the installer may attend a regularly scheduled installer certification training course.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0060, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0070 Manufactured home installer certification renewal-Application process. (1) A certified manufactured home installer desiring to renew certification as a

manufactured home installer under chapter 43.22A RCW must file 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 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.]

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.

Commented [SCL(44): Changes language for housekeeping. Aligns with [RCW 43.22A.080](#). Permits the department to use discretion on whether to revoke certification based on the severity of the infractions.

Commented [SCL(45): Adds language for clarity and sentence structure. This aligns with wording in [RCW 43.22A.080](#). The existing wording is ambiguous.

Commented [SCL(46): Changes language for clarity. The infractions are actually of the installer requirements and not the installation code specifically.

Commented [SCL(47): This is defined in [RCW 43.22A.080](#), which will be updated by agency requested legislation in 2021 to reference WAC 296-150I-0300 to 0410.

(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 manufactured home installation 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.]

WAC 296-150I-0090 Requirement for applicable licenses and registrations. The issuance of a certificate of manufactured home installation by the department under chapter 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.]

WAC 296-150I-0100 Manufactured home ~~on-site work and equipment~~ installation—Manufactured home installer certification

required. ~~On-site work or~~ Manufactured home equipment installation work which falls within the scope ~~of installation~~

~~as~~ set forth in RCW 43.22A.010(6) shall not be performed on a

Commented [SCL(48): Changes language for clarity. Global change per above note.

Commented [SCL(49): Changes language for clarity. Installation work is inherently "on site". Some on site work may not be installation work and may not require a certified installer on site.

Commented [SCL(50): Changes language for cleanup, remove redundant wording, and sentence structure.

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.~~

Commented [SCL(51): Alignment with wording changes in other sections.

Commented [SCL(52): Changes language for cleanup and unnecessary wording.

Commented [SCL(53): Nowhere else in the rules do we require an installer for the installation. Original wording is very confusing and does not make sense - what is "after the initial installation"?

Commented [SCL(54): Changes language for cleanup and clarity. Aligns with language in [RCW 43.22A.120](#).

Commented [SCL(55): Same as above - Global change.

Commented [SCL(56): Same as above - Global change.

Commented [SCL(57): Corrects language so we can start to address SEBA audit finding 6. There are federal laws about what must be inspected by local jurisdictions.

Commented [SCL(58): Move to WAC 296-150I-0370. This is the wrong location for this requirement. The requirement for a permit is really an installation requirement and not an installer certification requirement.

Commented [SCL(59): Removes language due to lack of authority. Work such as releveling the home and installing all new skirting are repairs and changes to the installation work, that is work permitted by the local building departments. They would be the ones to inspect these kind of changes rather than L&I. [RCW 43.22](#) gives us authority to inspect alterations to the Manufactured Homes (MH) itself, which these are not.

[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

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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.

Commented [SCL(60)]: Establishes a new section. This change takes language that was located in the definitions section of WAC 296-150I-0010 and moves it to this rule. Aligns with and authority under [RCW 43.22A.120](#).

WAC 296-150I-0110 Manufactured home installation, ~~on-site work or equipment installation~~ Homeowner performing work on

Commented [SCL(61)]: Same as above - Global change.

~~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

Commented [SCL(62)]: Global change and for cleanup. Manufactured includes mobile per WAC 296-150I-0010.

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.

Commented [SCL(63)]: Same as above - Global change.

Commented [SCL(64)]: Adds a new requirement. SEBA audit finding 1. Federal rules require installation work to be performed only by a certified installer. State law exempts homeowners from certification. The compromise is to require homeowners to take and pass the class to become an "approved homeowner".

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

Commented [SCL(65): Changes for clarity and to remove redundant wording. The installation code is the same as this chapter.

Commented [SCL(66): Changes for clarity and SEBA audit finding 1.

(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.

Commented [SCL(67): Same as above - Global change.

Commented [SCL(68): Changes for housekeeping, as this should not be hyphenated.

(4) For the purposes of this chapter, an "owner" of a manufactured home does not include a manufactured 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.

Commented [SCL(69): Same as above - Global change.

[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.]

WAC 296-150I-0120 Manufactured home installation permit and inspections—Obligation of the dealer and certified

installer. (1) ~~if a~~ 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, ~~the~~ The certified installer shall ensure that all required installation inspections, relative to the work performed by the certified installer, are completed.

Commented [SCL(70)]: Changes for clarity.

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

Commented [SCL(71)]: Changes for cleanup and sentence structure.

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

Commented [SCL(72)]: Changes word order to align with the definition. Instances of mobile/manufactured being retained when used in relation to dealers, to align with DOL dealer licensing laws.

Commented [SCL(73)]: Changes the word order to align with the definition.

Commented [SCL(74)]: Changes for clean-up, clarity, and sentence structure.

[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.]

WAC 296-150I-0130 Manufactured home installer-

Responsibilities to the consumer. A certified manufactured home installer shall:

(1) Verify the acceptability of the site before beginning any installation work.

Commented [SCL(75): Adds a new requirement to address SEBA audit finding 3. Specific requirement added that the installer must verify the installation site is properly prepared.

(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 requirements;

Commented [SCL(76): Following sections renumbered.

(3) Notify the local enforcement agency upon completion of the installation work; and

Commented [SCL(77): Changes for housekeeping - Global change. Installation requirements are not installation code.

(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.]

WAC 296-150I-0140 Manufactured home installation-Installer certification tags required. Prior to installing, or performing on-site work or equipment installation work on a manufactured

Commented [SCL(78): Same as above - Global change.

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 installer certification tag affixed thereto. Only currently certified manufactured home installers ~~shall will~~ be issued installer certification tags.

Commented [SCL(79): Removes provisions for local Authority Having Jurisdiction (AHJ) to sell these labels. No statutory requirement. Existing provision have never been used.

~~Homeowners performing~~ 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.

Commented [SCL(80): Changes for clean-up, word usage.

Commented [SCL(81): Changes to address SEBA audit finding 1.

Commented [SCL(82): Same as above - Global change.

(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 Washington ~~state~~ State department of licensing.

Commented [SCL(83): Changes to address issues raised by SEBA audit finding 1. This will simplify the process of identifying proper installation on manufactured homes.

Commented [SCL(84): Same as above.

(a) The certified manufactured home installer, approved homeowner or manufactured home retailer purchasing the installer certification tag is responsible for complying with the security, use, and reporting requirements of this chapter.

Commented [SCL(85): Changes for clean-up - state should be capitalized.

Commented [SCL(86): Same as above.

(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 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.

Commented [SCL(87): Same as above.

Commented [SCL(88): Changes for housekeeping. Obsolete process section WAC 296-150I-0150 deleted.

Commented [SCL(89): Changes for clarity. This is incorrect as the retailer is actually a transfer of tag issue under item 4.

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(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.]

~~WAC 296-150I-0150 Installer certification tag Issuance by local enforcement agency. A local enforcement agency may issue installer certification tags to certified manufactured home installers if:~~

Commented [SCL(90): Repeals all of WAC 296-150I-0150, as this is an obsolete process. No local AHJs sell Washington Installer Number (WAINS) labels. This has never been used.

~~(1) The local enforcement agency has entered into an agreement with the department to issue installer certification tags on a "per installation" basis;~~

~~(2) The local enforcement agency has verified that the certified installer is qualified to purchase an installer certification tag under the requirements of this chapter; and~~

~~(3) The local enforcement agency must file with the department a monthly report complying with the requirements of WAC 296-150I-0170.~~

~~[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0150, 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 each installation 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

Commented [SCL(91): Changes language for clarity. When work is done by several installers, they each need to place their label on the home when they finish their portion of the work so that it is available to local AHJ when doing inspections.

beam directly adjacent to and visible from the crawl space access.

Commented [SCL(92): Changes to the rule, as this is a better alternative location, where the label will be protected from long term exposure to the weather.

(3) The local enforcement agency ~~may~~ shall 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.

Commented [SCL(93): Changes for housekeeping and plain-talk use of imperative "shall not" instead of the ambiguous "may not". Aligns with language in [RCW 43.22A.110](#)

Commented [SCL(94): Changes to address SEBA audit finding 1.

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

Commented [SCL(95): Exception deleted to address SEBA audit finding 1.

(4) The installer certification tag must 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.]

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

Commented [SCL(96): Global change, same as above.

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.]

WAC 296-150I-0180 Alternative education providers—Approval

process and compliance. Pursuant to RCW 43.22A.060, the department may approve education providers to offer the certification training and/or continuing education required by RCW 43.22A.050, 43.22A.070 and this chapter. The factory assembled structures board will review each installer training course and will recommend approval or disapproval of the course to the department. The department will either approve or disapprove the course.

(1) To be considered for approval, an installer certification course must:

- Consist of not less than twelve hours of instruction for new applicants;
- Consist of not less than four hours for continuing education; and
- Be open to monitoring by a representative of the department.

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If the department determines that the continuing education course does not meet or exceed the minimum requirements for approval, the department may deny the course approval or reduce the number of credited hours.

(2) The education provider must submit to the department a written proposal including the following:

- (a) The education and experience of proposed instructors;
- (b) A detailed description of course content and materials;

and

- (c) The proposed course schedule.

(3) All instructors identified by the education providers must meet the following requirements:

(a) Two years' experience in one or more of the following areas:

(i) Supervising manufactured home installation, service, or repair;

(ii) Design, engineering, or architectural work related to building construction;

(iii) Inspecting manufactured home installation or construction for a local, state, or federal agency;

(iv) Completion of a two-year educational program in a construction-related field; or

(v) A combination of any of the above to meet the two-year requirement; and

(b) Complete the department-sponsored training and pass the certification exam with a score of ninety percent or higher.

(4) The curriculum proposed by the education provider must meet or exceed the department-sponsored training curriculum.

(5) The department must provide the education service provider written notice of approval or rejection as an alternative education service provider within sixty days of submittal of the complete proposal.

(6) All approved alternative education providers must:

(a) Make all necessary arrangements (scheduling class dates/times and facilities) and provide all educational materials for the classes presented;

(b) Provide to the department a list of participants within ten days of each class;

(c) Provide to the participant a certificate of completion.

Each certificate must indicate:

(i) The name of participant;

(ii) The date of training;

(iii) A statement indicating the participant has completed the training as required by chapter 43.22A RCW.

(7) The alternative education provider must notify the department in writing fourteen days prior to the scheduled class date of the date, time and location of each class. Department representatives must be permitted to audit any class without fee.

(8) Curriculum changes must be submitted to and approved by the department prior to implementation.

(9) If the application is not approved, the rejection notice will include an explanation of the reason(s) for rejection. If the course sponsor disagrees with the board's decision, the course sponsor may request a reconsideration hearing by the full factory assembled structures advisory board. A request to appeal course rejection must be received by the department forty-five days before a regularly scheduled board meeting.

The course sponsor must submit, to the department, any additional information to be considered during the hearing, in writing, at least thirty days before the board hearing.

The course sponsor must provide at least twenty copies of any written information to be submitted to the board.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0180, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0190 Legal action—Installer certification

required. No person may file a lien against a homeowner, or bring or maintain in any court of this state a suit or action, that seeks compensation for the performance of any work requiring certification under chapter 43.22A RCW or for the breach of any contract for installation work which is subject to chapter 43.22A RCW unless:

(1) The manufactured home installer was certified under chapter 43.22A RCW at the time the installer entered into contract for performance of the work and was certified continuously while performing the work for which compensation is sought; or

(2) The supervising manufactured home installer was the employee of the contractor or retailer seeking compensation and was certified under chapter 43.22A RCW continuously during performance of the work for which compensation is sought. [Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0190, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0200 How does the department ensure 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~~ 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

(~~2~~3) Audit of installers certification tag reports and associated information.

Commented [SCL(97): Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150I-0010.

Commented [SCL(98): Changes for clarity. Provide scope and context for what "inspections" are. Start to address SEBA audit finding 6.

Commented [SCL(99): Changes for clarity. Added category of compliance type work which is provided for already.

Commented [SCL(100): Changes to clarify that this process involves more than the reports.

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.]

WAC 296-150I-0210 What violations of RCW 43.22A.130 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~~ home;

Commented [SCL(101): Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150I-0010.

(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.]

Commented [SCL(102): Changes to eliminate obsolete process. Unassigned tags are not sold to retailers. Tags are purchased by an installer or by the retailer for an installer. This really would be a transfer of tags from a certified installer to another installer under (d) and (e) above.

WAC 296-150I-0220 What information 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;

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(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.]

WAC 296-150I-0230 Who can be issued 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.]

WAC 296-150I-0240 How does a person, firm, contractor, partnership, corporation or certified installer appeal a notice of infraction? (1) File two copies of an appeal notice, specifying the reasons for the appeal, at the office designated on the notice of infraction; and

(2) File 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.]

WAC 296-150I-0250 Who presides over an appeal hearing 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.]

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WAC 296-150I-0260 Who will represent the appellant and the department 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.]

WAC 296-150I-0270 How is the appeal hearing conducted?

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.]

WAC 296-150I-0280 What does the department do with the 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.]

WAC 296-150I-0290 When must a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent pay 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 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

Commented [SCL(103): Adds a new section header for second division of the rules that address installation requirements.

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

Commented [SCL(104): Changes for clarity by removing redundant wording.

Commented [SCL(105): Adds language to align with wording "requirements" used in this part of the chapter.

Commented [SCL(106): Changes for clarity by removing redundant and confusing language.

(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

Commented [SCL(107): Adds language for another type of requirement common to local jurisdictions in WA.

at the installation site, and adopt requirements to protect manufactured homes in hazardous areas (see WAC 296-150I-0310).

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~~ roof ~~over~~ structure over a manufactured home to protect it from local snow loads.

Commented [SCL(108): Changes language for clarity.

Local jurisdictions may not:

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

Commented [SCL(109): Changes language for clean-up, as state should be capitalized.

(b) Impose regulations on smoke 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.]

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~~ the manufactured homes shall comply with the ~~installation~~ requirements of this section.

Commented [SCL(110): Removes language for clean-up, clarity, and to eliminate confusion. New wording aligns with RCW and with HUD.

(1) Installation of a new manufactured home.

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

Commented [SCL(111): Changes for clarity by removing redundant wording.

Commented [SCL(112): Changes to align with language changes in other sections.

Commented [SCL(113): Changes for clarity.

(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~~State.

Commented [SCL(114): Changes for clean-up, as state should be capitalized.

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~~ 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~~ State. Local jurisdictions may not prescribe anchoring methods.

(d) A manufactured home must have a skirting around its entire perimeter. It 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 l 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 the home. Porch areas open to the crawl space area of the home must

Commented [SCL(115)]: Changes for clean-up, as state should be capitalized.

Commented [SCL(116)]: Changes for clean-up, as state should be capitalized.

Commented [SCL(117)]: Changes for clean-up and language use.

Commented [SCL(118)]: Changes for clean-up and sentence structure.

Commented [SCL(119)]: Changes for housekeeping, as this should not be hyphenated

have ~~ground cover~~ the vapor retarder removed; the ground directly below the porch must slope away from the home. It 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.

Commented [SCL(120): Changes for clarity, as vapor retarder is the language used in the model standard.

Commented [SCL(121): Changes for clean-up and sentence structure.

Commented [SCL(122): Changes for clean-up and language use.

Commented [SCL(123): Changes for clean-up and language use.

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:

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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 cover must be made of

~~metal, pressure treated wood or vinyl~~ material suitable for skirting or venting as required in this chapter.

Commented [SCL(124)]: Changes for clarity.

- (e) A manufactured home site must be prepared ~~per in~~

~~accordance with~~ the manufacturer's installation manual or ~~per to~~ the requirements of ~~the Model Manufactured Home Installation Standards 24 CFR Parts 3285~~ ~~ANSI A225.1, 1994 edition, section 3~~ Subpart C.

Commented [SCL(125)]: Changes for clean-up and language use.

Commented [SCL(126)]: Changes for clean-up and language use.

Commented [SCL(127)]: Changes to address SEBA audit finding 2 and updating the MH installation standard.

- (f) ~~If the home is pit set, a drainage system must be~~

~~installed to divert ground water from the underside of the home.~~

Commented [SCL(128)]: Changes for housekeeping and new specific requirement. From previous WAC 296-150B. Aligns with current federal requirements. Incorporated back in rule or clarity in this situation.

- (g) Heat duct crossovers must be installed ~~per in~~

~~accordance with~~ the manufacturer's installation instruction manual or ~~per to~~ the requirements in ~~the Model Manufactured Home Installation Standards 24 CFR Parts 3285.606~~ ~~ANSI A225.1 or the following instructions~~ if the manufacturer's instructions are

Commented [SCL(129)]: Changes for clean-up and language use.

Commented [SCL(130)]: Changes for clean-up and language use.

Commented [SCL(131)]: Changes to address SEBA audit finding 2 and updating the MH installation standard.

not available:

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.

Commented [SCL(132)]: Changes for clarity, clean-up, and sentence structure.

(g) 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 valve (PRV) drain lines must exhaust drain to the exterior side of the exterior wall or skirting and must exhaust point downward. The end of the pipe must be at least six inches but not more than two feet above the ground.

Commented [SCL(133)]: Changes for clarity.

Commented [SCL(134)]: Changes for clarity.

(i) Water heater pans are only required where the installation instructions are specific for warranty or the home was produced after ~~June 2006~~ May 30, 2006. The pressure relief

Commented [SCL(135)]: Levels in original document not correctly designated. Eliminates i(i) and i(ii)

water heater pan drain line must exit drain the skirting to the exterior of the home. as well as the relief line. The water heater pan drain line and the PRV drain line must not be for any pan installed and not to be interconnected.

Commented [SCL(136)]: Corrects language, as actual effective date is June 1 per Federal Register Vol 80, NO. 229.

Commented [SCL(137)]: Changes for clarity.

Commented [SCL(138)]: Changes for clarity, as this is already covered in item "i" above.

Commented [SCL(139)]: Changes for clarity.

(j) 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~~.

Commented [SCL(140): Changes for clarity.

Commented [SCL(141): Changes for clarity. This is in the installation section of the rules not in chapter 296-150M WAC for alterations. Prior to installation of the home, not the WH which has already been installed by the factory.

(~~1~~) Water piping must be protected against freezing ~~as per~~
in accordance with the manufacturer's installation instructions

Commented [SCL(142): Changes for clean-up and language use.

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.

Commented [SCL(143): Changes for clean-up and language use.

(~~m~~) 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 instructions 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.

Commented [SCL(144): Changes for clarity and housekeeping. Use of "as per" is not recommended in the rules.

(~~n~~) ~~During the installation process, a ground cover~~ A vapor
retarder must be installed under all manufactured homes. ~~The~~

Commented [CAR(145): Changes to remove unnecessary wording.

Commented [SCL(146): Changes for clarity.

~~ground cover must be a minimum of six mil black polyethylene sheeting or its equivalent (exception to ANSI A225.1 (3.5.2)).~~

Commented [SCL(147): Changes for redundancy with the definition added in WAC 296-150I-0020.

~~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.~~

Commented [SCL(148): Changes for clarity.

(~~o~~) 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~~

Commented [SCL(149): Changes for housekeeping and to align with CFR 3285.204.

~~twenty-five percent of the lowest member of the main frame of the home shall be less than eighteen inches above the ground or~~

Commented [SCL(150): Changes to eliminate redundant wording. It is the same as the sentence before.

~~footing.~~ In no case shall clearance be less than twelve inches anywhere under the home and 18" at the heat duct cross over locations, but in all cases the duct must be supported off the ground (exception to the Model Manufactured Home Installation Standards 24 CFR Part 3285 ~~ANSI A225.1 (4.1.3.3)~~).

Commented [SCL(151): Changes for clarity.

Commented [SCL(152): Changes to address SEBA audit finding 2 and updating to the MH installation standard.

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

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

Commented [SCL(153): Added specific requirement. This aligns with the federal standard and is already a requirement, however this work is often performed incorrectly and putting it in WAC brings visibility to the issue, similar to other issues listed above.

(r) A carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in manufactured homes and on each level of the dwelling in accordance with the manufacturer's recommendation. Carbon monoxide alarms shall be listed in accordance with UL 2034. Combination carbon monoxide and smoke alarms shall be listed in accordance with UL 2034 and UL 217.

(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, you may use either:

(i) The Model Manufactured Home Installation Standards 24 CFR Parts 3285 ~~The American National Standard Institute (ANSI) standard ANSI A225.1 - Manufactured Homes Installation, 1994 edition instructions~~; or

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

Commented [SCL(154)]: Adds a new requirement to align with [WAC 51-51-0315](#) which requires CO detectors in all dwellings in WA. Issue not addressed by HUD standard, so WA can make rules for it. CO detectors would need to be installed in all new and relocated Manufactured and Mobile homes when they are installed.

Commented [SCL(155)]: Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150I-0010.

Commented [SCL(156)]: Changes for clarity and clean-up.

Commented [SCL(157)]: Changes to address SEBA audit finding 2 and updating the MH installation standard.

Commented [SCL(158)]: Changes for clean-up, as state should be capitalized.

(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)~~ of this section must also be followed.

[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.]

WAC 296-150I-0320 How may I obtain a copy of the Model Manufactured Home Installation Standards 24 CFR Parts 3285 ~~the American National Standards Institute (ANSI) A225.1 - Manufactured Homes Installation?~~ ~~Contact the department at 1-800-647-0982~~ The standard may be obtained from the Institute for Building Technology and Safety (IBTS) or the federal government printing 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.]

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

Commented [SCL(159): Changes the language, as the requirements in section 1 apply to relocated homes in (a) not just those in (b).

Commented [SCL(160): Changes to account for newly added section above.

Commented [SCL(161): Changes to address SEBA audit finding 2 and updating the MH installation standard.

Commented [SCL(162): The Model Installations Standard is not provided by the department, however it is available from IBTS or the Government Printing Office.

Commented [SCL(163): Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150I-0010.

Commented [SCL(164): Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150I-0010.

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.

(3) In addition to (1) and (2), manufactured homes in storage or on display longer than 90 days must also be supported at each centerline column and along each rim joist at the manufacturers identified support points.

Commented [SCL(165): Adds a new requirement to align with the federal standards and with manufacturers installation instructions.

[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.]

WAC 296-150I-0340 Do 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.]

WAC 296-150I-0350 Who may install a manufactured home?

(1) A manufactured home may be installed by:

- An approved homeowner;
- A certified installer;
- An individual who is supervised by an on-site certified

installer; or

- A specialty trades person as specified in WAC 296-150I-0105, ~~such as a plumber or electrician, for certain aspects of installation.~~

Commented [SCL(166): Changes to address SEBA audit finding 1.

Commented [SCL(167): Changes for clean-up - relocated to section 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.)~~

Commented [SCL(168): Changes language to correct the term per definition.

Commented [SCL(169): Changes language for clarity, clean-up, and to remove unnecessary and confusing language. This requirement is in the wrong location. It is already covered under a different section.

[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.]

WAC 296-150I-0360 Does a person who installs a

manufactured home need an installation permit? (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.

Commented [SCL(170): Adds new language for clarity. Permit already required before delivery of unit, so work currently cannot start until a permit is issued.

(~~2~~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.]

WAC 296-150I-0370 Does a manufactured home installation

require an inspection? 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 Does the state monitor the installation and inspections of manufactured homes. 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.

Commented [SCL(171): Changes for clarity and to align with [RCW 43.22A.020](#). The change starts to address SEBA audit finding 6.

Commented [SCL(172): Changes for clarity, as this is a defined term.

Commented [SCL(173): Changes for clean-up and to eliminate redundant wording.

Commented [SCL(174): Changes for clarity. The Local Enforcement Agency and the AHJ are the same thing.

Commented [SCL(175): Added a new fee to WAC 296-150I-3000 which coincides with the rule.

Commented [SCL(176): Changes to address SEBA audit finding 6. Authority under [RCW 43.22A.140](#).

Commented [SCL(177): Changes language to align with [RCW 43.22A.020](#)

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 manufacturers' installation instructions are not available for a secondary installation, the installer shall provide an affidavit in lieu of the instruction manual, that the home is installed to the provisions of this chapter.

Commented [SCL(178): Adds a new requirement. Process improvement to assure process when manufacturer's instructions are not available.

(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.

Commented [SCL(179): Changes language clarity and clear rule writing.

[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.]

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, ~~carports additions,~~ decks, porches and steps awnings should be self-supporting.

Commented [SCL(180): Is on site used anywhere else in this rule.

Commented [SCL(181): Also, changes to WAC 296-150M and change to brochures.

Commented [SCL(182): Changes to restructure and clarify all of WAC 296-150I-0390. No substantive change from current requirements.

(1) Local enforcement agency jurisdiction.

~~(a) (a) - Adjacent On-site~~ 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 ~~for all permitting, review and inspections~~ ~~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.~~ Adjacent self-supporting structures may be attached and flashed to the manufactured home and do not require an L&I permit.

Commented [SCL(183): Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150I-0010.

(b) Garage ready homes:

(i) If a manufactured home is built "garage ready" (one hour fire wall, dormer, and similar) at the factory and installed according to the manufacturers installation instructions an L&I permit is not required. The garage itself is under the authority of 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 WAC 296-150M.

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

(2) Department of labor and industries jurisdiction.

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

Commented [SCL(184): Changes for clean-up. Relocated into the body of the requirement.

Commented [SCL(185): Removes language, as awnings and carports are adjacent structures already covered in (2) (a).

~~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.~~

Commented [SCL(186): Changes for clean-up, as this belongs in chapter 296-150M WAC.

~~(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.]

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 [the Model Manufactured Home Installation Standards 24 CFR Parts 3285](#) ~~ANSI A225.1~~ or

Commented [SCL(187): Changes to address SEBA audit finding 2 and for housekeeping.

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.]

WAC 296-150I-0410 What are the requirements if a home is

damaged ~~during transit or prior to, or during set-~~

up installation? (1) ~~Manufactured and mobile~~ homes that are ~~structurally damaged during transportation prior to, or when being during set up installation on a new or secondary set-up and~~

Commented [SCL(188): Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150-0010.

Commented [SCL(189): Changes for clarity and clean-up.

are repaired at a location other than the manufacturer's facility shall require an approval with labor and industries.

(Exceptions: Minor damage such as shingle repairs, broken window(s), paint damage, minor siding damage, damaged bottom board, and similar, do not require a permit.)

Commented [SCL(190): Moved from footnote for clarity.

Commented [SCL(191): Moved from footnote.

Electrical and plumbing repairs to the damaged home shall be performed by a Washington State licensed electrician and/or plumber.

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

~~(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.~~

[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.]

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

Commented [SCL(192)]: Moved from footnote.

Commented [SCL(193)]: Relocated to the main body of the rule for clarity.

(1) Monetary penalties for infractions listed in WAC 296-150I-0210 shall may be assessed for each violation of chapter

Commented [SCL(194): Changes to provide agency flexibility. There is no statutory requirement that a penalty must be issued.

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/ or mobile home:

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

Commented [SCL(195): Changes to clarify what a penalty is for and left instance of "mobile".

(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

Commented [SCL(196): Violation removed from WAC 296-150I-0210. See comment in WAC 296-150I-0210.

Fees and Refunds

The following fees are payable to the department in advance:

Training and certification	\$270.40
Training only, 10 hours for homeowner approval and others*	\$135.20
Manufactured/mobile home installation inspector training and certification.	\$135.20
Refund	\$27.00
Certification renewal	\$135.20
Continuing education class	\$54.00
Retake failed examination and training at scheduled class	\$40.50
I Manufactured home installer training manual (on thumb drive)	\$13.50
Installer certification tag	\$9.40
L&I manufactured home installation inspection permit**	See WAC 296-150M-3000 for fee

Commented [CAR(197): Changes to update language for clarity about what this training pertains too. Homeowner approval training is being added to the rules. Also, there is no mandatory requirement that L&I provide a full 10 hours of training.

Commented [SCL(198): Changes for clean-up - Global change. Manufactured includes mobile per WAC 296-150I-0010.

Commented [SCL(199): Adds a new type of permit to the fee table for installation inspections.

* If class space available.

** 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 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.]