

MANUFACTURED HOMES REGULATIONS AND INDUSTRY PERSONNEL RESPONSIBILITY

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

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

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

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

The certification requirement applies to individuals installing their own home as well. An Owner-Occupant Certificate shall be issued on a one time basis to an individual for the installation of his/her own home. That individual must complete the 16 Hour Installer Course, and provide the Department of State specific information regarding the home to be installed. This type of certification is valid only for the home indicated and shall not be transferred or renewed.

The experience and education requirements are as follows:

Certification Level	Education	Manufactured Housing Experience	Training
Manufacturer	High School or GED OR US Armed Forces educational report showing successful completion high school level education	HUD Certification	3 Hour - 21B Course
Retailer		1 Year	
Installer		2 Years or 20 Home Sets	16 Hour - Installers Course
Mechanic		1 Year	6 Hour - Mechanics Course
Limited		Same as above	Same as above

The financial requirements are as follows:

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

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

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

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

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



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