

COMMONWEALTH OF VIRGINIA



Virginia Manufactured Home Safety Regulations "MHSR"

2003 Edition)

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Print

Virginia Department of Housing and Community Development
Division of Building and Fire Regulation
501 North 2nd Street
Richmond, Virginia 23219-1321

PREFACE

Introduction

The Virginia Manufactured Home Safety Regulations (MHSR) are state regulations promulgated by the Virginia Board of Housing and Community Development for the purpose of enforcement of the Federal Manufactured Home program in Virginia. Manufactured homes are single family dwellings subject to federal regulations which are manufactured off-site on a permanent chassis and transported to the point of use for assembly and installation.

The Department of Housing and Community Development (DHCD) is designated by the United States Department of Housing and Urban Development (HUD) as the State Administrative Agency under the program. The MHSR establish requirements for the administration and enforcement of uniform health and safety standards for manufactured homes by DHCD and for certain inspection and enforcement activities by local building inspection departments.

Arrangement

The MHSR are part of the Virginia Administrative Code (VAC), the official compilation of state regulations published under the authority and guidance of the Virginia Code Commission. In addition to being available in this pamphlet form from the Department of Housing and Community Development, the regulation may be accessed through the website of the Virginia Code Commission or by subscription to the VAC.

In keeping with the designations used in the other building and fire regulations of DHCD, this printing is known as the 2003 edition of the MHSR.

Technical Assistance

Local building departments may be contacted for further information. Staff of the Department's State Building Code Administrative Office may also be contacted at (804) 371-7160.

13 VAC 5-95-10. Definitions.

A. The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Act" or "the Act" means the National Manufactured Housing Construction and Safety Standards Act of 1974, Title VI of the Housing and Community Development Act of 1974 (42 USC § 5401 et seq.).

"Administrator" means the Director of DHCD or his designee.

"DHCD" means the Virginia Department of Housing and Community Development.

"Dealer" means any person engaged in the sale, lease, or distribution of manufactured homes primarily to persons who in good faith purchase or lease a manufactured home for purposes other than resale.

"Defect" means a failure to comply with an applicable federal manufactured home construction and safety standard that renders the manufactured home or any part of the home unfit for the ordinary use of which it was intended, but does not result in an imminent risk of death or severe personal injury to occupants of the affected home.

"Distributor" means any person engaged in the sale and distribution of manufactured homes for resale.

"Federal regulation" means the federal Manufactured Home Procedural and Enforcement Regulations, enacted May 13, 1976, under authority granted by § 625 of the Act, and designated as Part 3282, Chapter XX, Title 24 of HUD's regulations (24 CFR Part 3282). (Part 3282 consists of subparts A through L, with sections numbered 3282.1 through 3282.554, and has an effective date of June 15, 1976.)

"HUD" means the United States Department of Housing and Urban Development.

"Imminent safety hazard" means a hazard that presents an imminent and unreasonable risk of death or severe personal injury that may or may not be related to failure to comply with an applicable federal manufactured home construction or safety standard.

"Label" or "certification label" means the approved form of certification by the manufacturer that, under 24 CFR 3282.362(c)(2)(i) of the Manufactured Home Procedural and Enforcement Regulations, is permanently affixed to each transportable section of each manufactured home manufactured for sale to a purchaser in the United States.

"Local code official" means the officer or other designated authority charged with the administration and enforcement of USBC, or duly authorized representative.

"Manufactured home" means a structure subject to federal regulation, which is transportable in one or more

13 VAC 5-95-20. Application and enforcement.

A. This chapter shall apply to manufactured homes as defined in 13 VAC 5-95-10 and 13 VAC 5-95-20.

B. Enforcement of this chapter shall be in accordance with the federal regulation.

C. Manufactured homes produced on or after June 15, 1976, shall conform to all the requirements of the federal standards, as amended.

D. DHCD is delegated all lawful authority for the enforcement of the federal standards pertaining to manufactured homes by the administrator according to § 36-85.5 of the Code of Virginia. The Division of Building and Fire Regulation of DHCD is designated as a state administrative agency in the HUD enforcement program, and shall act as an agent of HUD. The administrator is authorized to perform the activities required of an SAA by the HUD enforcement plan including, but not limited to, investigation, citation of violations, handling of complaints, conducting hearings, supervising remedial actions, monitoring, and making such reports as may be required.

E. All local code officials are authorized by § 36-85.11 of the Code of Virginia to enforce the provisions of this chapter within the limits of their jurisdiction. Such local code officials shall enforce this chapter, subject to the general oversight of the Division of Building and Fire Regulation and shall not permit the use of any manufactured home containing a serious defect or imminent safety hazard within their jurisdiction.

F. Mounting and anchoring of manufactured homes shall be in accordance with the applicable requirements of the USBC.

13 VAC 5-95-30. Effect of label.

Manufactured homes displaying the HUD label shall be accepted in all localities as meeting the requirements of

violations of subsection A of this section and failures to conform to the terms of their approval to the administrator.

13 VAC 5-95-60. Installations.

Distributors or dealers installing or setting up a manufactured home shall perform such installation in accordance with the manufacturer's installation instructions or other support and anchoring system approved by the local code official in accordance with the USBC.

13 VAC 5-95-70. Prohibited resale.

No distributor or dealer shall offer for resale any manufactured home possessing a serious defect or imminent safety hazard.

13 VAC 5-95-80. Lot inspections.

At any time during regular business hours when a manufactured home is located on a dealer's or distributor's lot and offered for sale, the administrator shall have authority to inspect such home for transit damages,