

Code of Federal Regulations

Title 24, part 1700 to End

Revised as of April 1, 2018

TITLE 24—HOUSING AND URBAN DEVELOPMENT

CHAPTER XX—OFFICE OF ASSISTANT SECRETARY FOR HOUSING—

FEDERAL HOUSING COMMISSIONER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PART 3282 MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS

§ 3282.13 Voluntary certification.

(a) The purpose of this section is to provide a procedure for voluntary certification of non-conforming manufactured homes as required by [42 U.S.C. 5402\(6\)](#) as amended by section 308(d)(B) of the Housing and Community Development Act of 1980.

(b) Structures which meet all of the requirements of a *manufactured home* as set out in [§ 3282.7\(u\)](#), except the size requirements, shall be *manufactured homes* if the [manufacturer](#) files with the [Secretary](#) a certification in the following form:

[Name of [manufacturer](#) and address where structures are to be manufactured] certifies that it intends to manufacture structures that meet all of the requirements of manufactured homes set forth at [42 U.S.C. 5402\(6\)](#) except the size requirements. Such structures are to be treated as manufactured homes for the purposes of the National Manufactured Housing [Construction](#) and Safety [Standards Act](#) of 1974 and the regulations promulgated pursuant thereto. Such structures will be built in conformance with the [Standards](#). [Name of manufacturer] further certifies that if, at any time it manufactures structures which are not manufactured homes, it will identify each such structure by a permanent serial number placed on the structure during the first stage of production and that the series of serial numbers for such structures shall be distinguishable on the structures and in its records from the series of serial numbers used for manufactured homes.

(c) Whenever a [manufacturer](#) which has filed a certification pursuant to [§ 3282.13\(b\)](#) produces structures which are not manufactured homes, it must identify each such structure by placing a permanent serial number on the structure during the first stage of production. The series of serial numbers placed on these structures shall be distinguishable on the structure and in the [manufacturer's](#) records from the series of serial numbers used for manufactured homes.

(d) A [manufacturer](#) may certify a structure as a [manufactured home](#) after having applied a serial number identifying it as a structure which is not a [manufactured home](#). To do so, the [manufacturer](#) must secure the written consent of the IPIA. This consent may only be given after a DAPIA has approved the [manufacturer's design](#) and quality assistance manual in accordance with [§ 3282.361](#), and after the IPIA has thoroughly inspected the structure in at least one stage of production and after such removal of [equipment](#), [components](#) or materials as the IPIA may require to assure that the structure conforms to the [standards](#). After certification as a [manufactured home](#) has been approved, the [manufacturer](#) shall remove the original serial number and add the serial number required by [§ 3280.6](#).

(e) Once a [manufacturer](#) has certified under [§ 3282.13\(b\)](#) that it intends to build structures which are manufactured homes in all respects except size, the [manufacturer](#) must then, with respect to those structures, comply with all of the requirements of [the Act](#) and its regulations. The structures may not thereafter be exempted under any other section of these regulations.

[[47 FR 28093](#), June 29, 1982]

§ 3282.14 Alternative [construction](#) of manufactured homes.

(a)*Policy.* In order to promote the purposes of [the Act](#), the [Department](#) will permit the sale or lease of one or more manufactured homes not in compliance with the [Standards](#) under circumstances wherein no affirmative action is needed to protect the public interest. The [Department](#) encourages innovation and the use of new technology in manufactured homes. Accordingly, HUD will permit [manufacturers](#) to utilize new [designs](#) or techniques not in compliance with the [Standards](#) in cases:

- (1) Where a [manufacturer](#) proposes to utilize [construction](#) that would be prohibited by the [Standards](#);
- (2) Where such [construction](#) would provide performance that is equivalent to or superior to that required by the [Standards](#); and
- (3) Where (i) compliance with the [Standards](#) would be unreasonable because of the circumstances of the particular case, or (ii) the alternative [construction](#) would be for purposes of research, testing or development of new techniques or designs. If a request for alternative [construction](#) is submitted and the facts are consistent with these principles, the [Secretary](#) may issue a letter under [paragraph \(c\)](#) of this section stating that no action will be taken under [the Act](#) based upon specific failures to conform to the [Standards](#) or these regulations, provided that certain conditions are met. The issuance of a letter under [paragraph \(c\)](#) of this section will not affect any right that any [purchaser](#) may have under [the Act](#) or other applicable law and will not preclude any further agency action that may become necessary.

(b)*Request for alternative construction.* A [manufacturer](#) may submit a request for alternative [construction](#) of a [manufactured home](#). The request should be sent to the U.S. Department of Housing and Urban Development, Manufactured Housing [Standards](#) Division, 451 Seventh Street, SW., Washington, DC 20410. The request must include:

- (1) A copy of the manufactured [design](#) or plan for each nonconforming model which a [manufacturer](#) plans to build;
- (2) An explanation of the manner in which the [design](#) fails to conform with the [Standards](#), including a list of the specific [standards](#) involved;
- (3) An explanation of how the [design](#) will result in homes that provide the same level of performance, quality, durability and safety as would be provided under the [Standards](#);
- (4) A copy of data adequate to support the request, including applicable test data, engineering calculations or certifications from nationally recognized laboratories;
- (5) An estimate of the maximum number of [manufactured home](#) units affected and the location, if known, to which the units will be shipped;
- (6) An indication of the period of time during which the [manufacturer](#) proposes to engage in the manufacture, sale or lease of the nonconforming homes;
- (7) A copy of the proposed notice to be provided to home purchasers;
- (8) A list of the names and addresses of any [retailers](#) that would be selling the nonconforming homes; and
- (9) A letter from the [manufacturer's](#) DAPIA indicating that the design(s) to which any nonconforming homes would be built meet the [Standards](#) in all other respects.

(c)*Issuance of the letter by the Secretary -*

(1)*Contents of the letter.* If the [Secretary](#) issues a letter in response to a request for alternative [construction](#), the letter shall include the specific [standards](#) affected, an explanation of the proposed activity or [design](#), an explanation of how the request is consistent with the objectives of [the Act](#), and any conditions that the [manufacturer](#) must meet.

(2)*Letter sent to IPIA, DAPIA and SAA.* The [Secretary](#) shall forward a copy of the letter to the [manufacturer's](#) IPIA and DAPIA along with a letter authorizing the DAPIA to approve plans containing the alternative [construction](#), and authorizing the IPIA to permit use of the alternative [construction](#), provided that the conditions set forth in the letter are met. The [Secretary](#) shall also forward a copy of the letter to the SAAs in the [State](#) of manufacture and the State(s) in which the homes are to be located, if known.

(3) *Alternative construction in additional models.* In cases where the [Secretary](#) grants a letter under this paragraph that is not model-specific, the [Secretary](#) may permit the [manufacturer](#) to include the alternative [construction](#) in additional models. In such cases, the DAPIA shall notify the [Department](#) of additional models that incorporate the alternative [construction](#).

(d) *Revocation.* The [Secretary](#) may revoke or amend a letter issued under [paragraph \(c\)](#) of this section at any time. Such revocation or amendment will be prospective only. Where [manufacturers](#) have requested alternative [construction](#) for research, testing or development such alternative [construction](#) may not achieve the anticipated results. Therefore, the [Secretary](#) may require a [manufacturer](#) to bring those homes into compliance with the [standards](#) if, after the alternative [construction](#) has been in use for a period of time specified by the [Secretary](#), these homes are not, in the [Secretary's](#) judgment, providing the levels of safety, quality and durability which would have been provided had the homes been built in compliance with the [Standards](#).

(e) *Notice to prospective purchasers.* [Manufacturers](#) receiving letters under [paragraph \(c\)](#) of this section shall provide notice to prospective [purchasers](#) that the home does not conform to the [Standards](#). Such notice shall be delivered to each prospective purchase before he or she enters into an agreement to purchase the home. The notice shall be in the following form or in such other form as may be approved by the Secretary:

NOTICE TO PURCHASERS

The Department of Housing and Urban Development has issued a letter to (Name of Manufacturer) concerning the homes in (location if known). As designed, the homes do not meet Federal [Manufactured Home Construction](#) and Safety [Standards](#) regarding (brief statement of [manufacturer's](#) nonconformance).

HUD has evaluated the alternative [construction](#) and believes that it provides an equivalent level of quality, durability and safety to that provided by the [Standards](#).

For further information about the specific Federal [Standards](#) involved, a copy of the letter issued pursuant to [24 CFR 3282.14\(c\)](#) is [available](#) from this [retailer](#) or [manufacturer](#) upon request.

(f) *Serial numbers of homes constructed using alternative construction.* [Manufacturers](#) shall provide the [Department](#) with the serial numbers assigned to each home produced in conformance with the letter issued under [paragraph \(c\)](#) of this section within 90 days of their [date of manufacture](#). Each serial number shall include the letters "AC" to indicate that the homes was produced under alternative [construction](#) procedures.

[[49 FR 1967](#), Jan. 16, 1984]

§ 3282.54 Public information.

(a) *General.* Subject to the provisions of [24 CFR part 15](#) covering the production or disclosure of material or information and the provisions of [24 CFR part 16](#) at [40 FR 39729](#) relating to the [Privacy Act](#), and except as otherwise provided by paragraphs (b), (c), (d), and (e) of this section, the [Secretary](#) may make available to the public:

(1) Any information which may indicate the existence of an [imminent safety hazard](#), and

(2) Any information which may indicate the failure of a manufactured home to comply with applicable [manufactured home construction](#) and safety [standards](#), and

(3) Such other information as the [Secretary](#) determines is necessary to carry out the [Secretary's](#) functions under the [Act](#).

(b) *Protected information.* Data and information submitted or otherwise provided to the [Secretary](#) or an agent of the [Secretary](#) or a PIA or SAA which fall within the definitions of a trade secret or confidential commercial or financial information are exempt from disclosure under this section, only if the party submitting or providing the information so requests under [paragraph \(c\)](#) of this section. However, the [Secretary](#) may disclose such information to any person requesting it after deletion of the portions which are exempt, or in such combined or summary form as does not disclose the portions which are exempt from disclosure or in its entirety in accordance with section 614 of the [Act](#), U.S.C. 5413.

(c)*Obtaining exemption.* Any party submitting any information to the [Secretary](#) in any form under this part, or otherwise in relation to the program established by the [Act](#) shall, if the party desires the information to be exempt from disclosure, at the time of submittal of the information or at any time thereafter, request that the information or any part thereof be protected from disclosure. The request for nondisclosure shall include the basis for the request under the [Act](#) or other authority and complete justification supporting the claim that the material should be exempt from disclosure. The request should also include a statement of the information in such combined or summary form that alleged trade secrets or other protected information and the identity of the submitting party would not be disclosed. This request need not be made with respect to information which was submitted to the [Secretary](#), an SAA or a PIA prior to the effective date of these regulations.

(d)*Request for information from PIAs or SAAs.* Whenever a PIA or SAA receives requests for disclosure of information, it shall disclose the information unless the party from which the information was originally obtained has submitted to the PIA or SAA a request that the information not be disclosed under [paragraph \(c\)](#) of this section, except that the PIA or SAA shall be governed by the provisions of [24 CFR part 16 \(40 FR 39729\)](#) relating to the [Privacy Act](#) which may limit the disclosure of information. If a request for nondisclosure under [paragraph \(c\)](#) of this section has been received with respect to information whose disclosure is requested, the PIA or SAA shall refer the matter to the [Secretary](#) within 5 days of the request for disclosure. If a PIA or SAA receives a request for disclosure of information related to this program, which information was submitted to the PIA or SAA prior to the effective date of these regulations, the PIA or SAA shall refer the request for nondisclosure and required information to the [Secretary](#).

[[41 FR 19852](#), May 13, 1976, as amended at [61 FR 10860](#), Mar. 15, 1996]

§ 3282.111 Petitions for reconsideration of final rules.

(a)*Definition.* A petition for reconsideration of a final rule issued by the [Secretary](#) is a request in writing from any interested person which must be received not later than 60 days after publication of the rule in the Federal Register. The petition shall [state](#) that it is a petition for reconsideration of a final rule, and shall contain an explanation as to why compliance with the rule is not practicable, is unreasonable, or is not in the public interest. If the petitioner requests the consideration of additional facts, the petitioner shall [state](#) the reason they were not presented to be treated as petitions for rulemaking.

(b)*Proceedings on petitions for reconsideration.* The [Secretary](#) may grant or deny, in whole or in part, any petition for reconsideration without further proceedings. The [Secretary](#) may issue a final decision on reconsideration without further proceeding, or may provide such opportunity to submit comments or information and data as the [Secretary](#) deems appropriate.

(c) Unless the [Secretary](#) determines otherwise, the filing of a petition under this section does not stay the effectiveness of the rule in question.

(d) Any party seeking to challenge any rule or regulation issued under the Act, except orders issued under section 604 [42 U.S.C. 5403](#), if the challenge is brought before the expiration of the 60 day period set out in [paragraph \(a\)](#) of this section, shall file a timely petition for reconsideration under this section prior to seeking any other remedy.

§ 3282.152 Procedures to present views and evidence.

(a)*Policy.* All Formal and Informal Presentations of Views under this subpart shall be public, unless, for good cause, the Secretary determines it is in the public interest that a particular proceeding should be closed. If the Secretary determines that a proceeding should be closed, the Secretary shall [state](#) and make publicly available the basis for that determination.

(b)*Request.* Upon receipt of a request to present views and evidence under the Act, the Secretary shall determine whether the proceeding will be a Formal or an Informal [Presentation of Views](#), and shall issue a notice under [paragraph \(c\)](#) of this section.

(c)*Notice.* When the Secretary decides to conduct a Formal or an Informal [Presentation of Views](#) under this section, the Secretary shall provide notice as follows:

(1) Except where the need for swift resolution of the question involved prohibits it, notice of a proceeding hereunder shall be published in the Federal Register at least 10 days prior to the date of the proceeding. In any case, notice shall be provided to interested persons to the maximum extent practicable. Direct notice shall be sent by certified mail to the parties involved in the hearing.

(2) The notice, whether published or mailed, shall include a statement of the time, place and nature of the proceeding; reference to the authority under which the proceeding will be held; a statement of the subject matter of the proceeding, the parties and issues involved; and a statement of the manner in which interested persons shall be afforded the opportunity to participate in the hearing.

(3) The notice shall designate the official who shall be the presiding officer for the proceedings and to whom all inquiries should be directed concerning such proceedings.

(4) The notice shall [state](#) whether the proceeding shall be held in accordance with the provisions of paragraph (f) - (Informal Presentation of Views) or paragraph (g) - (Formal Presentation of Views) of this section, except that when the Secretary makes the determinations provided for in sections 623 (d) and (f) of the Act, the requirements of [paragraph \(g\)](#) of this section shall apply. In determining whether the requirements of paragraph (f) or those of [paragraph \(g\)](#) of this section shall apply the Secretary shall consider the following:

- (i) The necessity for expeditious action;
- (ii) The risk of injury to affected members of the public;
- (iii) The economic consequences of the decisions to be rendered; and
- (iv) Such other factors as the Secretary determines are appropriate.

(d) *Department representative.* If the Department is to be represented by Counsel, such representation shall be by a Department hearing attorney designated by the General Counsel.

(e) *Reporting and transcription.* Oral proceedings shall be stenographically or mechanically reported and transcribed under the supervision of the presiding officer, unless the presiding officer and the parties otherwise agree, in which case a summary approved by the presiding officer shall be kept. The original transcript or summary shall be a part of the record and the sole official transcript, or summary. A copy of the transcript or summary shall be available to any person at a fee established by the Secretary, which fee the Secretary may waive in the public interest. Any information contained in the transcript or summary which would be exempt from required disclosure under [§ 3282.54](#) of these regulations may be protected from disclosure if appropriate under that section upon a request for such protection under [§ 3282.54\(c\)](#).

(f) *Informal presentation of views.*

(1) An Informal [Presentation of Views](#) may be written or oral, and may include an opportunity for an oral presentation, whether requested or not, whenever the Secretary concludes that an oral presentation would be in the public interest, and so [states](#) in the notice. A presiding officer shall preside over all oral presentations held under this subsection. The purpose of any such presentation shall be to gather information to allow fully informed decision making. Informal Presentations of Views shall not be adversary proceedings. Oral presentations shall be conducted in an informal but orderly manner. The presiding officer shall have the duty and authority to conduct a fair proceeding, to take all necessary action to avoid delay, and to maintain order. In the absence of extraordinary circumstances, the presiding officer at an oral Informal [Presentation of Views](#) shall not require that testimony be given under an oath or affirmation, and shall not permit either cross-examination of witnesses by other witnesses or their representatives, or the presentation of rebuttal testimony by persons who have already testified. The rules of evidence prevailing in courts of law or equity shall not control the conduct of oral Informal Presentations of Views.

(2) Within 10 days after an Informal [Presentation of Views](#), the presiding officer shall refer to the Secretary all documentary evidence submitted, the transcript, if any, a summary of the issues involved and information presented in the Informal [Presentation of Views](#) and the presiding official's recommendations, with the rationale therefor. The presiding officer shall make any appropriate statements concerning the apparent veracity of witnesses or the validity of factual assertions which may be within the competence of the presiding officer. The Secretary shall issue a Final Determination concerning the matters at issue within 30 days of receipt of the presiding officer's summary. The Final Determination shall include:

(i) A statement of findings, with specific references to principal supporting items of evidence in the record and conclusions, as well as the reasons or bases therefor, upon all of the material issues of fact, law, or discretion as presented on the record, and

(ii) An appropriate order. Notice of the Final Determination shall be given in writing and transmitted by certified mail, return receipt requested, to all participants in the [presentation of views](#). The Final Determination shall be conclusive, with respect to persons whose interests were represented.

(g) Formal presentation of views.

(1) A Formal [Presentation of Views](#) is an adversary proceeding and includes an opportunity for the oral presentation of evidence. All witnesses shall testify under oath or affirmation, which shall be administered by the presiding officer. Participants shall have the right to present such oral or documentary evidence and to conduct such cross-examination as the presiding officer determines is required for a full and true disclosure of facts. The presiding officer shall receive relevant and material evidence, rule upon offers of proof and exclude all irrelevant, immaterial or unduly repetitious evidence. However, the technicalities of the rules of evidence prevailing in courts of law or equity shall not control the conduct of a Formal [Presentation of Views](#). The presiding officer shall take all necessary action to regulate the course of the Formal [Presentation of Views](#) to avoid delay and to maintain order. The presiding officer may exclude the attorney or witness from further participation in the particular Formal [Presentation of Views](#) and may render a decision adverse to the interests of the excluded party in his absence.

(2) *Decision.* The presiding officer shall make and file an initial written decision on the matter in question. The decision shall be filed within 10 days after completion of the oral presentation. The decision shall include:

(i) A statement of findings of fact, with specific references to principal supporting items of evidence in the record and conclusions, as well as the reasons or bases therefor, upon all of the material issues of law or discretion presented on the record, and

(ii) An appropriate order.

The presiding officer's decision shall be final and shall constitute the Final Determination of the Secretary unless reversed or modified within 30 days by the Secretary. Notice of the Final Determination shall be given in writing, and transmitted by registered or certified mail, return receipt requested, to all participants in the proceeding. The Final Determination shall be conclusive with respect to persons whose interests were represented.

[[41 FR 19852](#), May 13, 1976, as amended at [51 FR 34467](#), Sept. 29, 1986]

§ 3282.153 Public participation in formal or informal [presentation of views](#).

(a) Any interested persons may participate, in writing, in any Formal or Informal [Presentation of Views](#) held under the provisions of paragraph (f) or (g) of [§ 3282.152](#). The presiding officer shall, to the extent practicable, consider any such written materials.

(b) Any interested person may participate in the oral portion of any Formal or Informal [Presentation of Views](#) held under paragraphs (f) and (g) of [§ 3282.152](#) unless the presiding officer determines that participation should be limited or barred so as not unduly to prejudice the rights of the parties directly involved or unnecessarily to delay the proceedings.

[[51 FR 34468](#), Sept. 29, 1986]

§ 3282.154 Petitions for formal or informal presentations of views, and requests for extraordinary interim relief.

Any person entitled to a Formal or an Informal [Presentation of Views](#) under paragraph (f) or paragraph (g) of [§ 3282.152](#) in order to address issues as provided for in [§ 3282.151\(a\)](#) may petition the Secretary to initiate such a [Presentation of Views](#). The petition may be accompanied by a request that the Secretary provide appropriate interim relief pending the issuance of the final determination or decision. No interim relief will be granted unless there is a showing of extraordinary cause. Upon receipt of a petition, the Secretary shall grant the petition and issue the notice provided for in [§ 3282.152\(b\)](#) for Formal or Informal [Presentation of Views](#), and may grant, deny or defer decision on any request for interim relief.

[51 FR 34468, Sept. 29, 1986]

3282.156 Petitions for investigations.

(a) Any person may petition the Secretary in writing to open an investigation into whether noncompliances, [defects](#), serious [defects](#), or [imminent safety hazards](#) exist in manufactured homes. A petition shall include the reasons that the petitioner believes warrant an investigation, and it shall [state](#) any steps which have previously been taken to remedy the situation. The petition shall include all information known to the petitioner concerning the identity of manufactured homes which may be affected and where those manufactured homes were manufactured. The Secretary shall respond to petitions concerning alleged [imminent safety hazards](#) and [serious defects](#) within 60 days and to petitions alleging the existence of [defects](#) or [noncompliances](#) within 120 days.

(b) Any person may petition the Secretary in writing to undertake an investigation for the purpose of determining whether a [primary inspection agency](#) should be disqualified. The petition shall set out all facts and information on which the petition is based and a detailed statement of why such information justifies disqualification. The Secretary shall consider such petitions when making determinations on final acceptance and continued acceptance. The Secretary shall respond to such petition within 120 days.

§ 3282.202 [Primary inspection agency contracts.](#)

Each [manufacturer](#) shall enter into a contract or other agreement with as many [Design](#) Inspection Primary Inspection Agencies (DAPIAs) as it wishes and with enough Production Inspection Primary Inspection Agencies (IPIAs) to provide IPIA services for each manufacturing plant as set out in this subpart and in [subpart H](#) of this part. In return for the services provided by the DAPIAs and IPIAs, each [manufacturer](#) shall pay such reasonable fees as are agreed upon between the [manufacturer](#) and the [primary inspection agency](#) or, in the case of a [State acting](#) as an exclusive IPIA under § 3282.3 such fees as may be established by the [State](#).

§ 3282.203 DAPIA services.

(a) Each [manufacturer](#) shall have each manufactured home [design](#) and each [quality assurance manual](#) which it intends to follow approved by a DAPIA under [§ 3282.361](#). The [manufacturer](#) is free to choose which DAPIA will evaluate and approve its [designs](#) and quality assurance materials. [Manufacturer](#) may obtain [design](#) and [quality assurance manual](#) approval from a single DAPIA regardless of the number of plants in which the [design](#) and [quality assurance manual](#) will be followed. A [manufacturer](#) may also obtain approval for the same [design](#) and [quality assurance manual](#) from more than one DAPIA. The choice of which DAPIA or DAPIAs to employ is left to the [manufacturer](#).

(b) The [manufacturer](#) shall submit to the DAPIA such information as the DAPIA may require in order to carry out [design](#) approvals. This information shall, except where the [manufacturer](#) demonstrates to the DAPIA that it is not necessary, include the following:

(1) Construction drawings and/or specifications showing structural details and layouts of frames, floors, walls and roofs, and chassis; material specifications, framing details, door locations, etc., for each floor plan proposed to be manufactured,

(2) Structural analysis and calculations, test data and/or other accepted engineering practices used by the [manufacturer](#) to validate the [design](#),

(3) Complete heat loss calculations for each significant variation of home [design](#),

(4) Floor plans showing room arrangement and sizes, window sizes, emergency exits and locations, locations of smoke alarms, fixed appliance range hoods, and other [standards](#) related aspects of the manufactured home that can be shown on the floor plans,

(5) Diagrams of the fuel supply [system](#), potable water [system](#) and drain, waste and vent systems. The diagrams shall specify the types of materials used, types of fittings and methods of installing required safety equipment,

- (6) Wiring diagrams, including circuit allocation of electrical load and branch circuit calculations, a table of the branch circuit protection provided, the type of wiring used, and wiring methods,
 - (7) Details showing the [design](#) of air supply and return systems,
 - (8) Details of chassis construction, components, connections and running gear including rating capacities of tires,
 - (9) A list of fixed and portable appliances furnished with the manufactured home, including type of appliance, rating of appliance, and applicable minimum and maximum performance ratings and/or energy requirements,
 - (10) Detailed [manufacturer](#) installation instructions including specifications and procedures for the erection and hook-up of the home at its permanent location, and
 - (11) Reports of all tests that were run to validate the conformance of the [design](#) to the [standards](#).
- (c) The [manufacturer](#) shall submit to the DAPIA such information as the DAPIA may require in order to carry out [quality assurance manual](#) approvals. At a minimum, this information shall include the [quality assurance manual](#) for which approval is sought. That manual shall include the [manufacturer's](#) quality assurance program, an organizational chart showing the accountability, by position, of the [manufacturer's](#) quality control personnel, a description of production tests and test equipment required for compliance with the [standards](#), a station-by-station description of the manufacturing process, a list of quality control inspections required by the [manufacturer](#) at each station, and identification by title of each person who will be held accountable for each quality control inspection.
- (d) [Manufacturers](#) may be required to furnish supplementary information to the DAPIA if the [design](#) information or the [quality assurance manual](#) is not complete or if any information is not in accordance with accepted engineering practice.
- (e) When a [manufacturer](#) wishes to make a change in an approved [design](#) or [quality assurance manual](#), the [manufacturer](#) shall obtain the approval of the DAPIA which approved the [design](#) or manual prior to production for sale. The procedures for obtaining such approval are set out in [§ 3282.361](#). When applicable under [§ 3282.605](#), the IPIA must concur in the change before it can be approved by the DAPIA.
- (f) The information to be submitted to a DAPIA under [§ 3282.203](#) (b) and (c) may be prepared by the [manufacturer's](#) staff or outside consultants, including other DAPIAs. However, a DAPIA may not perform [design](#) or [quality assurance manual](#) approvals for any [manufacturer](#) whose [design](#) or manual has been created or prepared in whole or in part by members of the DAPIA's organization or of any affiliated organization.
- (g) Each [manufacturer](#) shall maintain a copy of the drawings, specifications, and sketches from each approved [design](#) received from a DAPIA under [§ 3282.361\(b\)\(4\)](#) in each plant in which manufactured homes are being produced to the [design](#). Each [manufacturer](#) shall also maintain in each manufacturing plant a copy of the approved [quality assurance manual](#) received from a DAPIA under [§ 3282.361\(c\)\(3\)](#) that is being followed in the plant. These materials shall be kept current and shall be readily accessible for use by the Secretary or other parties [acting](#) under these regulations.

[[41 FR 19852](#), May 13, 1976, as amended at [67 FR 12818](#), Mar. 19, 2002; [80 FR 53727](#), Sept. 8, 2015]

§ 3282.204 IPIA services.

- (a) Each [manufacturer](#) shall obtain the services of an IPIA as set out in [§ 3282.362](#) for each manufacturing plant operated by the [manufacturer](#).
- (b) The [manufacturer](#) shall make available to the IPIA operating in each of its plants a copy of the drawings and specifications from the DAPIA approved [design](#) and the [quality assurance manual](#) for that plant, and the IPIA shall perform an initial factory inspection as set out in [§ 3282.362\(b\)](#). If the IPIA issues a deviation report after the initial factory inspection, the [manufacturer](#) shall make any corrections or adjustments which are necessary to conform with the DAPIA approved [designs](#) and manuals. After the corrections required by the deviation report are completed to the satisfaction of the IPIA, the IPIA shall issue the [certification report](#) as described in [§ 3282.362\(b\)\(2\)](#). In certain instances a DAPIA may provide the [certification report](#). (See [§ 3282.362](#)) The [manufacturer](#) shall maintain a current copy of each [certification report](#) in the plant to which the [certification report](#) relates.

(c) After the [certification report](#) has been signed by the IPIA, the [manufacturer](#) shall obtain [labels](#) from the IPIA and shall affix them to completed manufactured homes as set out in [§ 3282.362\(c\)\(2\)](#). During the initial factory certification, the IPIA may apply [labels](#) to manufactured homes which it knows to be in compliance with the [standards](#) if it is performing complete inspections of all phases of production of each manufactured home and the [manufacturer](#) authorizes it to apply [labels](#).

(d) During the course of production the [manufacturer](#) shall maintain a complete set of approved drawings, specifications, and approved [design](#) changes for the use of the IPIA's inspector and always available to that inspector when in the manufacturing plant.

(e) If during the course of production, an IPIA finds a [failure to conform](#) to a standard exists in a manufactured home under production, the [manufacturer](#) must correct the [failure to conform](#) in any manufactured home still in the factory and held by [distributors](#) or [retailers](#) and shall carry out remedial actions under [§ 3282.416\(a\)](#) with respect to any other manufactured homes which may contain the same [failure to conform](#).

[[41 FR 19852](#), May 13, 1976, as amended at [78 FR 60199](#), Oct. 1, 2013]

§ 3282.205 Certification requirements.

(a) Every [manufacturer](#) shall make a record of the serial number of each manufactured home produced, and a duly authorized representative of the [manufacturer](#) shall certify that each manufactured home has been constructed in accordance with the Federal [standards](#). The [manufacturer](#) shall furnish a copy of that certification to the IPIA for the purpose of determining which manufactured homes are subject to the notification and correction requirements of [subpart I](#) of this part.

(b) Every [manufacturer](#) of manufactured homes shall certify on the [data plate](#) as set out in § 3280.5 of chapter XX of 24 CFR and [§ 3282.362\(c\)\(3\)](#) that the manufactured home is [designed](#) to comply with the Federal [manufactured home construction](#) and safety [standards](#) in force at the time of manufacture in addition to providing other information required to be completed on the [data plate](#).

(c) Every [manufacturer](#) of manufactured homes shall furnish to the [retailer](#) or [distributor](#) of each of its manufactured homes a certification that such manufactured home, to the best of the [manufacturer's](#) knowledge and belief, conforms to all applicable Federal construction and safety [standards](#). This certification shall be in the form of the [label](#) provided by the IPIA under [§ 3282.362\(c\)\(2\)](#). The [label](#) shall be affixed only at the end of the last stage of production of the manufactured home.

(d) The [manufacturer](#) shall apply a [label](#) required or allowed by the regulations in this part only to a manufactured home that the [manufacturer](#) knows by its inspections to be in compliance with the [standards](#).

[[41 FR 19852](#), May 13, 1976, as amended at [41 FR 24970](#), June 21, 1976; [61 FR 10860](#), Mar. 15, 1996]

§ 3282.206 Disagreement with IPIA or DAPIA.

Whenever a [manufacturer](#) disagrees with a finding by a DAPIA or an IPIA acting in accordance with [subpart H](#) of this part, the [manufacturer](#) may request a Formal or Informal [Presentation of Views](#) as provided in § 3282.152. The [manufacturer](#) shall not, however, produce manufactured homes pursuant to [designs](#) which have not been approved by a DAPIA or produce manufactured homes which the relevant IPIA believes not to conform to the [standards](#) unless and until:

(a) The Secretary determines that the [manufacturer](#) is correct in believing the [design](#) of the manufactured home conforms to the [standards](#); or

(b) Extraordinary interim relief is granted under [§ 3282.154](#); or

(c) The DAPIA or IPIA otherwise resolves the disagreement.

[[41 FR 19852](#), May 13, 1976, as amended at [51 FR 34468](#), Sept. 29, 1986; [61 FR 10860](#), Mar. 15, 1996]

§ 3282.207 Manufactured home consumer manual requirements.

- (a) The [manufacturer](#) shall provide a consumer manual with each manufactured home that enters the first stage of production on or after July 31, 1977, pursuant to section 617 of the National Manufactured Housing Construction and Safety [Standards Act](#), [42 U.S.C. 5416](#).
- (b) The [manufacturer](#) shall provide the consumer manual by placing a manual in each such manufactured home before the manufactured home leaves the manufacturing plant. The manual shall be placed in a conspicuous location in a manner likely to assure that it is not removed until the [purchaser](#) removes it.
- (c) If a [manufacturer](#) is informed that a [purchaser](#) did not receive a consumer manual, the [manufacturer](#) shall provide the appropriate manual to the [purchaser](#) within 30 days of being so informed.
- (d) No [retailer](#) or [distributor](#) may interfere with the distribution of the consumer manual. When necessary, the [retailer](#) or [distributor](#) shall take any appropriate steps to assure that the [purchaser](#) receives a consumer manual from the [manufacturer](#).
- (e) *Dispute resolution information.*

- (1) The [manufacturer](#) must include the following language under a heading of “Dispute Resolution Process” in the consumer manual:

Many [states](#) have a consumer assistance or dispute resolution program that homeowners may use to resolve problems with manufacturers, retailers, or installers concerning [defects](#) in their manufactured homes that render part of the home unfit for its intended use. Such [state](#) programs may include a process to resolve a dispute among a [manufacturer](#), a [retailer](#), and an installer about who will correct the [defect](#). In [states](#) where there is not a dispute resolution program that meets the federal requirements, the HUD Manufactured Home Dispute Resolution Program will operate. These are “HUD-administered [states](#).” The HUD Manufactured Home Dispute Resolution Program is not for cosmetic or minor problems in the home. You may contact the HUD Manufactured Housing Program Office at (202) 708-6423 or (800) 927-2891, or visit the HUD website at [www.hud.gov](#) to determine whether your [state](#) has a [state](#) program or whether you should use the HUD Manufactured Home Dispute Resolution Program. Contact information for [state](#) programs is also available on the HUD website. If your [state](#) has a [state](#) program, please contact the [state](#) for information about the program, how it operates, and what steps to take to request dispute resolution. When there is no [state](#) dispute resolution program, a homeowner may use the HUD Manufactured Home Dispute Resolution Program to resolve disputes among the [manufacturer](#), [retailer](#), and installer about responsibility for the correction or repair of [defects](#) in the manufactured home that were reported during the 1-year period starting on the date of installation. Even after the 1-year period, [manufacturers](#) have continuing responsibility to review certain problems that affect the intended use of the manufactured home or its parts, but for which correction may no longer be required under federal law.

- (2) The [manufacturer](#) must include the following language under a heading of “Additional Information “ HUD Manufactured Home Dispute Resolution Program” in the consumer manual:

The steps and information outlined below apply only to the HUD Manufactured Home Dispute Resolution Program that operates in HUD-administered states, as described under the heading “Dispute Resolution Information” in this manual. Under the HUD Manufactured Home Dispute Resolution Program, homeowners must report [defects](#) to the [manufacturer](#), [retailer](#), installer, a [State](#) Administrative Agency, or HUD within 1 year after the date of the first installation. Homeowners are encouraged to report [defects](#) in writing, including, but not limited to, email, written letter, certified mail, or fax, but they may also make a report by telephone. To demonstrate that the report was made within 1 year after the date of installation, homeowners should report [defects](#) in a manner that will create a dated record of the report: for example, by certified mail, by fax, or by email. When making a report by telephone, homeowners are encouraged to make a note of the phone call, including names of conversants, date, and time. No particular format is required to submit a report of an alleged [defect](#), but any such report should at a minimum include a description of the alleged [defect](#), the name of the homeowner, and the address of the home.

Homeowners are encouraged to send reports of an alleged [defect](#) first to the [manufacturer](#), [retailer](#), or installer of the manufactured home, or a [State](#) Administrative Agency. Reports of alleged [defects](#) may also be sent to HUD at: HUD, Office of Regulatory Affairs and Manufactured Housing, Attn: Dispute Resolution, 451 Seventh Street, SW.,

Washington, DC 20410-8000; faxed to (202) 708-4213; e-mailed to mhs@hud.gov, or reported telephonically at (202) 708-6423 or (800) 927-2891.

If, after taking the steps outlined above, the homeowner does not receive a satisfactory response from the [manufacturer](#), [retailer](#), or installer, the homeowner may file a dispute resolution request with the dispute resolution provider in writing, or by making a request by phone. No particular format is required to make a request for dispute resolution, but the request should generally include the following information:

- (1) The name, address, and contact information of the homeowner;
- (2) The name and contact information of the [manufacturer](#), [retailer](#), and installer of the manufactured home;
- (3) The date or dates the report of the alleged [defect](#) was made;
- (4) Identification of the entities or persons to whom each report of the alleged [defect](#) was made and the method that was used to make the report;
- (5) The date of installation of the manufactured home affected by the alleged [defect](#); and
- (6) A description of the alleged [defect](#).

Information about the dispute resolution provider and how to make a request for dispute resolution is available at <http://www.hud.gov> or by contacting the Office of Manufactured Housing Programs at (202) 708-6423 or (800) 927-2891.

A screening agent will review the request and, as appropriate, forward the request to the [manufacturer](#), [retailer](#), installer, and mediator. The mediator will mediate the dispute and attempt to facilitate a settlement. The parties to a settlement include, as applicable, the [manufacturer](#), [retailer](#), and installer. If the parties are unable to reach a settlement that results in correction or repair of the alleged [defect](#), any party or the homeowner may request nonbinding arbitration. Should any party refuse to participate, the arbitration shall proceed without that party's input. Once the arbitrator makes a non-binding recommendation, the arbitrator will forward it to the parties and HUD. HUD will have the option of adopting, modifying, or rejecting the recommendation when issuing an order requiring the responsible party or parties to make any corrections or repairs in the home. At any time before HUD issues a final order, the parties may submit an offer of settlement to HUD that may, at HUD's discretion, be incorporated into the order.

In circumstances where the parties agree that one or more of them, and not the homeowner, is responsible for the alleged [defect](#), the parties will have the opportunity to resolve the dispute outside of the HUD Mediation and Arbitration process by using the Alternative Process. Homeowners will maintain the right to be informed in writing of the outcome when the Alternative Process is used, within 5 days of the outcome. At any time after 30 days of the Alternative Process notification, any participant or the homeowner may invoke the HUD Manufactured Home Dispute Resolution Program and proceed to mediation.

The HUD Manufactured Home Dispute Resolution Program is not a warranty program and does not replace the [manufacturer's](#) or any other warranty program.

(f) If a consumer manual or a change or revision to a manual does not substantially comply with the guidelines issued by HUD, the [manufacturer](#) shall cease distribution of the consumer manual and shall provide a corrected manual for each manufactured home for which the inadequate or incorrect manual or revision was provided. A manual substantially complies with the guidelines if it includes the language in [paragraph \(e\)](#) of this section and presents current material on each of the subjects covered in the guidelines in sufficient detail to inform consumers about the operation, maintenance, and repair of manufactured homes. An updated copy of guidelines published in the Federal Register on March 15, 1996, can be obtained by contacting the Office of Manufactured Housing and Regulatory Functions, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC, 20410; the Information Center, Department of Housing and Urban Development, Room 1202, 451 Seventh Street, SW., Washington, DC, 20410; or any HUD Area or [State](#) Office.

[[61 FR 10860](#), Mar. 15, 1996, as amended at [72 FR 27228](#), May 14, 2007]

§ 3282.208 Remedial actions - general description.

(a) *Notification.* A [manufacturer](#) may be required to provide formal notice to manufactured home [owners](#) and retailers, as set out in [subpart I](#) of this part, if the [manufacturer](#), the Secretary, or a [State](#) Administrative Agency determines under that subpart that an [imminent safety hazard](#), [serious defect](#), [defect](#), or [noncompliance](#) exists or may exist in a manufactured home produced by that [manufacturer](#).

(b) *Correction.* A [manufacturer](#) may be required to correct [imminent safety hazards](#) and [serious defects](#) which the [manufacturer](#) or the Secretary determines under subpart I exist in manufactured homes produced by the [manufacturer](#). This correction would be carried out in addition to the sending of formal notice as described in [paragraph \(a\)](#) of this section.

(c) *Cooperation.* The [manufacturer](#) shall be responsible for working with the DAPIA, IPIA, any SAA, the Secretary, and the [Secretary's agent](#) as necessary in the course of carrying out investigations and remedial actions under subpart I.

(d) *Avoidance of formalities.* The provisions for notification and required correction outlined in paragraphs (a) and (b) of this section and described more fully in subpart I may be waived or avoided in certain circumstances under that subpart.

§ 3282.209 Report requirements.

The [manufacturer](#) shall submit reports to the PIAs, SAAs, and the Secretary as required by subpart L of these regulations.

§ 3282.211 Record of purchasers.

(a) *Information requirements for purchasers.*

(1) Every [manufacturer](#) of manufactured homes shall, for each manufactured home manufactured under the Federal [standards](#), provide with the manufactured home a booklet containing at least 3 detachable cards as described in [paragraph \(a\)\(2\)](#) of this section. On the front of the booklet, in bold faced type, shall be printed the following language:

“Keep this booklet with your manufactured home. Title VI of the Housing and Community Development Act of 1974 provides you with protection against certain construction and safety hazards in your manufactured home. To help assure your protection, the [manufacturer](#) of your manufactured home needs the information which these cards, when completed and mailed, will supply. If you bought your home from a [retailer](#), please be sure that your [retailer](#) has completed and mailed a card for you. If you acquired your home from someone who is not a [retailer](#), you should promptly fill out and send a card to the [manufacturer](#). It is important that you keep this booklet and give it to any person who buys the manufactured home from you.”

(2) The detachable cards shall contain blanks for the following information:

- (i) Name and address of the [retailer](#) or other person selling the manufactured home to the [purchaser](#);
- (ii) Name and complete mailing address of the manufactured home [purchaser](#);
- (iii) Address where the manufactured home will be located, if not the same as item (a)(2)(ii) of this section.
- (iv) Date of sale to the [purchaser](#);
- (v) Month, day and year of manufacture;
- (vi) Identification number of the manufactured home;
- (vii) Model and/or type designation of the manufactured home as provided by the [manufacturer](#); and

(viii) A designation of the zones for which the manufactured home is equipped, as set forth in [§ 3280.305](#) in this title.

Additionally, the cards shall have the name and address of the [manufacturer](#) printed clearly on the reverse side and shall contain adequate postage or business reply privileges to ensure return to the [manufacturer](#). The [manufacturer](#) shall have the responsibility for filing in the blanks on the cards for paragraphs (a)(2) (v), (vi), (vii), and (viii) of this section.

(3) The [manufacturer](#) shall maintain all cards received so that the [manufacturer](#) has a readily accessible record of the current [purchaser](#) or [owner](#) and the current address of all manufactured homes manufactured by it for which a card has been received.

§ 3282.254 [Distributor](#) and [retailer](#) alterations.

(a) If a [distributor](#) or [retailer](#) alters a manufactured home in such a way as to create an [imminent safety hazard](#) or to create a condition which causes a [failure to conform](#) with applicable Federal [standards](#), the manufactured home affected may not be sold, leased, or offered for sale or lease.

(b) After correction by the [distributor](#) or [retailer](#) of the [failure to conform](#) or [imminent safety hazard](#), the corrected manufactured home may be sold, leased, or offered for sale or lease.

(c) [Distributors](#) and [retailers](#) shall maintain complete records of all [alterations](#) made under paragraphs (a) and (b) of this section.

§ 3282.255 Completion of information card.

(a) Whenever a [distributor](#) or [retailer](#) sells a manufactured home subject to the [standards](#) to a [purchaser](#), the [distributor](#) or [retailer](#) shall fill out the card with information provided by the [purchaser](#) and shall send the card to the [manufacturer](#). (See [§ 3282.211](#).)

(b) Whenever a [distributor](#) or [retailer](#) sells a manufactured home to an [owner](#) which was originally manufactured under the [standards](#), the [distributor](#) or [retailer](#) shall similarly use one of the detachable cards which was originally provided with the manufactured home. If such a card is no longer available, the [distributor](#) or [retailer](#) shall obtain the information which the card would require and send it to the [manufacturer](#) of the manufactured home in an appropriate format.

§ 3282.256 [Distributor](#) or [retailer](#) complaint handling.

(a) When a [distributor](#) or [retailer](#) believes that a manufactured home in its possession which it has not yet sold to a [purchaser](#) contains an [imminent safety hazard](#), [serious defect](#), [defect](#), or [noncompliance](#), the [distributor](#) or [retailer](#) shall refer the matter to the [manufacturer](#) for remedial action under [§ 3282.415](#). If the [distributor](#) or [retailer](#) is not satisfied with the action taken by the [manufacturer](#), it may refer the matter to the SAA in the [state](#) in which the manufactured home is located, or to the Secretary if there is no such SAA.

(b) Where a [distributor](#) or [retailer](#) receives a consumer complaint or other information concerning a manufactured home sold by the [distributor](#) or [retailer](#), indicating the possible existence of an [imminent safety hazard](#), [serious defect](#), [defect](#), or [noncompliance](#) in the manufactured home, the [distributor](#) or [retailer](#) shall refer the matter to the [manufacturer](#).

§ 3282.302 [State](#) plan.

A [State](#) wishing to qualify and act as an SAA under this subpart shall make a [State Plan Application](#) under this section. The [State Plan Application](#) shall be made to the Administrator, Office of Manufactured Housing Programs,

Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, and shall include:

(a) An original and one copy of a cover sheet which shall show the following:

- (1) The name and address of the [State](#) agency designated as the sole agency responsible for administering the plan throughout the [State](#),
- (2) The name of the administrator in charge of the agency,
- (3) The name, title, address, and phone number of the person responsible for handling consumer complaints concerning [standards](#) related problems in manufactured homes under [subpart I](#) of this part,
- (4) A list of personnel who will carry out the [State](#) plan,
- (5) The number of manufactured home manufacturing plants presently operating in the [State](#),
- (6) The estimated total number of manufactured homes manufactured in the [State](#) per year,
- (7) The estimated total number of manufactured homes set up in the [State](#) per year, and
- (8) A certification signed by the administrator in charge of the designated [State](#) agency stating that, if it is approved by the Secretary, the [State](#) plan will be carried out in full, and that the regulations issued under the Act shall be followed,

(b) An original and one copy of appropriate materials which:

- (1) Demonstrate how the designated [State](#) agency shall ensure effective handling of consumer complaints and other information referred to it that relate to noncompliances, [defects](#), [serious defects](#) or [imminent safety hazards](#) as set out in [subpart I](#) of this part, including the holding of Formal and Informal Presentations of Views and the fulfilling of all other responsibilities of SAAs as set out in this subpart G,
- (2) Provide that personnel of the designated agency shall, under [State](#) law or as agents of HUD, have the right at any reasonable time to enter and inspect all factories, warehouses, or establishments in the [State](#) in which manufactured homes are manufactured,
- (3) Provide for the imposition under [State](#) authority of civil and criminal penalties which are identical to those set out in section 611 of the Act, [42 U.S.C. 5410](#) except that civil penalties shall be payable to the [State](#) rather than to the United States,
- (4) Provide for the notification and correction procedures under [subpart I](#) of this part where the SAA is to act under that subpart by providing the required approval by the SAA of the plan for notification and correction described in §§ 3282.408, 3282.409, and 3282.410, including approval of the number of units that may be affected and the proposed repairs, and by providing for approval of corrective actions where appropriate under subpart I,
- (5) Provide for oversight by the SAA of:
 - (i) Remedial actions carried out by [manufacturers](#) for which the SAA approved the plan for notification and correction or for which the SAA has waived formal notification under subpart I.
 - (ii) A [manufacturer's](#) handling of consumer complaints and other information under subpart I as to plants located in the [State](#).
- (6) Provide for the setting of monitoring inspection fees in accordance with guidelines established by the Secretary and provide for participation in the fee distribution [system](#) set out in [§ 3282.307](#).
- (7) Contain satisfactory assurances in whatever form is appropriate under [State](#) law that the designated agency has or will have the legal authority necessary to carry out the [State](#) plan as submitted for full or conditional approval,
- (8) Contain satisfactory assurances that the designated agency has or will have, in its own staff or provided by other agencies of the [state](#) or otherwise, the personnel, qualified by education or experience necessary to carry out the [State](#) plan,

(9) Include the resumes of administrative personnel in policy making positions and of all inspectors and engineers to be utilized by the designated agency in carrying out the [State](#) plan,

(10) Include a certification that none of the personnel who may be involved in carrying out the [State](#) plan in any way are subject to any conflict of interest of the type discussed in [§ 3282.359](#) or otherwise, except that members of councils, committees, or similar bodies providing advice to the designated agency are not subject to the requirement,

(11) Include an estimate of the cost to the [State](#) of carrying out all activities called for in the [State](#) plan, under this section and [§ 3282.303](#), which estimate shall be broken down by particular function and indicate the correlation between the estimate and the number of manufactured homes manufactured in the [State](#) and the number of manufactured homes imported into the [State](#), and the relationship of these factors to any fees currently charged and any fees charged during the preceding two calendar years. A description of all current and past [State](#) activities with respect to manufactured homes shall be included with this estimate.

(12) Give satisfactory assurances that the [State](#) shall devote adequate funds to carrying out its [State](#) plan,

(13) Indicate that [State](#) Law requires manufacturers, distributors, and [retailers](#) in the [State](#) to make reports pursuant to section 614 of the Act [42 U.S.C. 5413](#) and this chapter of these regulations in the same manner and to the same extent as if the [State](#) plan were not in effect,

(14) Provide that the designated agency shall make reports to the Secretary as required by [subpart L](#) of this part in such form and containing such information as the Secretary shall from time to time require,

(c) A [state](#) plan may be granted conditional approval if all of the requirements of [§ 3282.302](#) (a) and (b) are met except paragraphs (b)(2), (b)(3), (b)(6) or (b)(13). When conditional approval is given, the [state](#) shall not be considered approved under section 623 of the Act, [42 U.S.C. 5422](#), but it will participate in all phases of the program as called for in its [State](#) plan. Conditional approval shall last for a maximum of five years, by which time all requirements shall be met for full approval, or conditional approval shall lapse. However, the Secretary may for good cause grant an extension of conditional approval upon petition by the SAA.

(d) If a [State](#) wishes to discontinue participation in the Federal enforcement program as an SAA, it shall provide the Secretary with a minimum of 90 days notice.

(e) *Exclusive IPIA status.*

(1) A [State](#) that wishes to act as an exclusive IPIA under [§ 3282.352](#) shall so indicate in its [State](#) Plan and shall include in the information provided under [paragraph \(b\)\(11\)](#) of this section the fee schedule for the [State's](#) activities as an IPIA and the relationship between the proposed fees and the other information provided under [paragraph \(b\)\(11\)](#) of this section. If the Secretary determines that the fees to be charged by a [State](#) acting as an IPIA are unreasonable, the Secretary shall not grant the [State](#) status as an exclusive IPIA.

(2) The [State](#) shall also demonstrate in its [State](#) Plan that it has the present capability to act as an IPIA for all plants operating in the [State](#).

[[41 FR 19852](#), May 13, 1976, as amended at [47 FR 5888](#), Feb. 9, 1982; [51 FR 34468](#), Sept. 29, 1986; [61 FR 10860](#), Mar. 15, 1996; [78 FR 60199](#), Oct. 1, 2013]

§ 3282.303 [State](#) plan - suggested provisions.

The following are not required to be included in the [State](#) plan, but they are urged as necessary to provide full consumer protection and assurances of manufactured home safety:

(a) Provision for monitoring of [retailers'](#) lots within the [State](#) for transit damage, seal tampering, and [retailer](#) performance generally,

(b) Provision of approvals of all [alterations](#) made to certified manufactured homes by [retailer](#) in the [State](#). Under this program, the [State](#) would assure that [alterations](#) did not result in the failure of the manufactured home to comply with the [standards](#).

(c) Provision for monitoring of the installation of manufactured homes set up in the [State](#) to assure that the homes are properly installed and, where necessary, tied down,

(d) Provision for inspection of used manufactured homes and requirements under [State](#) authority that used manufactured homes meet a minimal level of safety and durability at the time of sale, and,

(e) Provision for regulation of manufactured home transportation over the road to the extent that such regulation is not preempted by Federal authority.

§ 3282.308 [State](#) participation in monitoring of primary inspection agencies.

(a) An SAA may provide personnel to participate in joint team monitoring of primary inspection agencies as set out in subpart J. If an SAA wishes to do so, it must include in its [State](#) plan a list of what personnel would be supplied for the teams, their qualifications, and how many person-years the [State](#) would supply. All personnel will be subject to approval by the Secretary or the [Secretary's agent](#). A person-year is 2,080 hours of work.

(b) If an SAA wishes to monitor the performance of primary inspection agencies acting within the [State](#), it must include in its [State](#) plan a description of how extensively, how often, and by whom this will be carried out. This monitoring shall be coordinated by the Secretary, or the [Secretary's agent](#) with monitoring carried out by joint monitoring teams, and in no event shall an SAA provide monitoring where the [State](#) is also acting as a [primary inspection agency](#).

§ 3282.309 Formal and informal presentations of views held by SAAs.

(a) When an SAA is the appropriate agency to hold a Formal or Informal [Presentation of Views](#) under [§ 3282.412](#) of subpart I, the SAA shall follow the procedures set out in [§§ 3282.152](#) and 3282.153, with the SAA acting as the Secretary otherwise would under that section. Where [§ 3282.152](#) requires publication of notice in the Federal Register, the SAA shall, to the maximum extent possible, provide equivalent notice throughout the [State](#) by publication in the newspaper or newspapers having statewide coverage or otherwise. The determination of whether to provide an Informal [Presentation of Views](#) under [§ 3282.152\(f\)](#), or a Formal [Presentation of Views](#) under [§ 3282.152\(g\)](#), is left to the SAA.

(b) Notwithstanding the provisions of [§ 3282.152\(f\)\(2\) and \(g\)\(2\)](#) relating to the conclusive effect of a final determination, any party, in a proceeding held at an SAA under this section, including specifically the [owners](#) of affected manufactured homes, [States](#) in which affected manufactured homes are located, consumer groups representing affected [owners](#) and [manufacturers](#) (but limited to parties with similar substantial interest) may appeal to the Secretary in writing any Final Determination by an SAA which is adverse to the interest of that party. This appeal on the record shall be made within 30 days of the date on which the Final Determination was made by the SAA.

[[41 FR 19852](#), May 13, 1976, as amended at [51 FR 34468](#), Sept. 29, 1986; [78 FR 60199](#), Oct. 1, 2013]

§ 3282.352 [State](#) exclusive IPIA functions.

(a) Any [State](#) which has an approved [State](#) Administrative Agency may, if accepted as an IPIA, act as the exclusive IPIA within the [State](#). A [State](#) which acts as an IPIA but is not approved as an SAA may not act as the exclusive IPIA in the [State](#). A [State](#) which acts as an exclusive IPIA shall be staffed to provide IPIA services to all [manufacturers](#) within the [state](#) and may not charge unreasonable fees for those services.

(b) [States](#) which wish to act as exclusive IPIAs shall apply for approval to do so in their [State](#) plan applications. They shall specify the fees they will charge for IPIA services and shall submit proposed fee revisions to the Secretary prior to instituting any change in fees. If at any time the Secretary finds that those fees are not commensurate with the fees generally being charged for similar services, the Secretary will withhold or revoke approval to act as an exclusive IPIA. [States](#) acting as DAPIAs and also as exclusive IPIAs shall establish separate fees for the two functions and shall specify what additional services (such as approval of [design](#) changes and full time inspections) these fees cover. As provided in [§ 3282.302\(b\)\(11\)](#), each [State](#) shall submit fee schedules for its activities and,

where appropriate, the fees presently charged for DAPIA and IPIA services, and any fees charged for DAPIA and IPIA services during the preceding two calendar years.

(c) A [State's](#) status as an exclusive IPIA shall commence upon approval of the [State Plan Application](#) and acceptance of the [State's](#) submission under [§ 3282.355](#). Where a private organization accepted or provisionally accepted as an IPIA under this subpart H is operating in a manufacturing plant within the [State](#) on the date the [State's](#) status as an exclusive IPIA commences, the private organization may provide IPIA services in that plant for 90 days after that date.

[[61 FR 10861](#), Mar. 15, 1996]

§ 3282.353 Submission format.

States and private organizations that wish to act as primary inspection agencies shall submit to the Administrator, Office of Manufactured Housing Programs, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, an application that includes the following:

(a) A cover sheet which shall show the following:

(1) Name and address of the party making the application;

(2) The capacity (DAPIA, IPIA) in which the party wishes to be approved to act;

(3) A list of the key personnel who will perform the various functions required under these regulations;

(4) The number of manufactured home [manufacturers](#) and manufacturing plants for which the submitting party proposes to act in each of the capacities for which it wishes to be approved to act;

(5) The estimated total number of manufactured homes produced by those [manufacturers](#) and in those plants per year;

(6) The number of years the proposed [primary inspection agency](#) has been actively engaged in the enforcement of manufactured home [standards](#); and

(7) A certification by the party applying that it will follow the Federal [manufactured home construction](#) and safety [standards](#) set out at [24 CFR part 3280](#) and any interpretations of those [standards](#) which may be made by the Secretary.

(b) A detailed schedule of fees to be charged broken down by the services for which they will be charged.

(c) A detailed description of how the submitting party intends to carry out all of the functions for which it wishes to be approved under this subpart, with appropriate cross-references to sections of this subpart, including examples and complete descriptions of all reports, tests, and evaluations which the party would be required to make. Where appropriate, later sections of this subpart identify particular items which must be included in the submission. The Secretary may request further detailed information, when appropriate.

(d) A party wishing to be approved as a DAPIA shall submit a copy of a manufactured home [design](#) that it has approved (or if it has not approved a [design](#), one that it has evaluated and a deviation report showing where the [design](#) is not in conformance with the standards) and a copy of a [quality assurance manual](#) that it has approved (or if it was not approved a manual, one that it has evaluated and a deviation report showing where the manual is inadequate).

(e) A party wishing to be approved as an IPIA shall submit a copy of a [certification report](#) which it has prepared for a manufactured home plant or, if it has not prepared such a report, an evaluation of a manufacturing plant which it has inspected with a description of what changes shall be made before a [certification report](#) can be issued. A party that has not previously inspected manufactured homes may nevertheless be accepted on the basis of the qualifications of its personnel and its commitment to perform the required functions.

[[41 FR 19852](#), May 13, 1976, as amended at [61 FR 10861](#), Mar. 15, 1996; [78 FR 60199](#), Oct. 1, 2013]

§ 3282.356 Disqualification and requalification of primary inspection agencies.

(a) The Secretary, based on monitoring reports or on other reliable information, may determine that a [primary inspection agency](#) which has been accepted under this subpart is not adequately carrying out one or more of its required functions. In so determining, the Secretary shall consider the impact of disqualification on [manufacturers](#) and other affected parties and shall seek to assure that the manufacturing process is not disrupted unnecessarily. Whenever the Secretary disqualifies a [primary inspection agency](#) under this section, the [primary inspection agency](#) shall have a right to a Formal or Informal [Presentation of Views](#) under [subpart D](#) of this part.

(b) Interested persons may petition the Secretary to disqualify a [primary inspection agency](#) under the provisions of [§ 3282.156\(b\)](#).

(c) A [primary inspection agency](#) which has been disqualified under paragraph (a) may resubmit an application under [§ 3282.353](#). The submission shall include a full explanation of how problems or inadequacies which resulted in disqualifications have been rectified and how the [primary inspection agency](#) shall assure that such problems shall not recur.

(d) When appropriate, the Secretary shall publish in the Federal Register or otherwise make available to the public for comment a disqualified PIA's application for requalification, subject to the provisions of [§ 3282.54](#).

(e) Both provisional and final acceptance of any IPIA (or DAPIA) automatically expires at the end of any period of one year during which it has not acted as an IPIA (or DAPIA). An IPIA (or DAPIA) has not acted as such unless it has actively performed its services as an IPIA (or DAPIA) for at least one [manufacturer](#) by which it has been selected. An IPIA (or DAPIA) whose acceptance has expired pursuant to this section may resubmit an application under [§ 3282.353](#) in order to again be qualified as an IPIA (or DAPIA), when it can show a bona fide prospect of performing IPIA (or DAPIA) services.

[[41 FR 19852](#), May 13, 1976, as amended at [45 FR 59311](#), Sept. 9, 1980; [51 FR 34468](#), Sept. 29, 1986]

§ 3282.357 Background and experience.

All private organizations shall submit statements of the organizations' experience in the housing industry, including a list of housing products, equipment, and structures for which evaluation, testing and follow-up inspection services have been furnished. They shall also submit statements regarding the length of time these services have been provided by them. In addition, all such submissions shall include a list of other products for which the submitting party provides evaluation, inspection, and listing or labeling services and the standard applied to each product, as well as the length of time it has provided these additional services.

§ 3282.358 Personnel.

(a) Each [primary inspection agency](#) shall have qualified personnel capable of carrying out all of the functions for which the [primary inspection agency](#) is seeking to be approved or disapproved. Where a [State](#) intends to act as the exclusive IPIA in the [State](#), it shall show that it has adequate personnel to so act in all plants in the [State](#).

(b) Each submission shall indicate the total number of personnel employed by the submitting party, the number of personnel available for this program, and the locations of the activities of the personnel to be used in the program.

(c) Each submission shall include the names and qualifications of the administrator and the supervisor who will be directly responsible for the program, and résumés of their experience.

(d) Each submission shall contain the information set out in paragraphs (d)(1) through (d)(9) of this section. Depending upon the functions (DAPIA or IPIA) to be undertaken by a particular [primary inspection agency](#), some of the categories of personnel listed may not be required. In such cases, the submission should indicate which of the categories of information are not required and explain why they are not needed. The submission should identify which personnel will carry out each of the functions the party plans to perform. The qualifications of the personnel to perform one or more of the functions will be judged in accordance with the requirements of ASTM Standard E-541 except that the requirement for registration as a professional engineer or architect may be waived for personnel

whose qualifications by experience or education equal those of a registered engineer or architect. The categories of personnel to be included in the submission are as follows:

- (1) The names of engineers practicing structural engineering who will be involved in the evaluation, testing, or followup inspection services, and résumés of their experience.
 - (2) The names of engineers practicing mechanical engineering who will be involved in the evaluation, testing, or followup, inspection services and résumés of their experience.
 - (3) The names of engineers practicing electrical engineering who will be involved in the evaluation, testing, or followup inspection services and résumés of their experience.
 - (4) The names of engineers practicing fire protection engineering who will be involved in the evaluation, testing, or followup inspection services, and résumés of their experience.
 - (5) The names of all other engineers assigned to this program, the capacity in which they will be employed, and résumés of their experience.
 - (6) The names of all full-time and part-time consulting architects and engineers, their registration, and résumés of their experience.
 - (7) The names of inspectors and other technicians along with résumés of experience and a description of the type of work each will perform.
 - (8) A general outline of the applicant agency's training program for assuring that all inspectors and other technicians are properly trained to do each specific job assigned.
 - (9) The names and qualifications of individuals serving on advisory panels that assist the applicant agency in making its policies conform with the public interest in the field of public health and safety.
- (e) All information required by this section shall be kept current. The Secretary shall be notified of any change in personnel or management or change of ownership or [State](#) jurisdiction within 30 days of such change.

§ 3282.359 Conflict of interest.

- (a) All submissions by private organizations shall include a statement that the submitting party is independent in that it does not have any actual or potential conflict of interest and is not affiliated with or influenced or controlled by any producer, supplier, or vendor of products in any manner which might affect its capacity to render reports of findings objectively and without bias.
- (b) A private organization shall be judged to be free of conflicting affiliation, influence, and control if it demonstrates compliance with all of the following criteria:
 - (1) It has no managerial affiliation with any producer, supplier, or vendor of products for which it performs PIA services, and is not engaged in the sale or promotion of any such product or material;
 - (2) The results of its work do not accrue financial benefits to the organization via stock ownership of any producer, supplier or vendor of the products involved;
 - (3) Its directors and other management personnel and its engineers and inspectors involved in certification activities hold no stock in and receive no stock option or other benefits, financial, or otherwise, from any producer, supplier, or vendor of the product involved, other than compensation under [§ 3282.202](#) of this part;
 - (4) The employment security status of its personnel is free of influence or control of any producer, supplier, or vendor, and
 - (5) It does not perform [design](#) or [quality assurance manual](#) approval services for any [manufacturer](#) whose [design](#) or manual has been created or prepared in whole or in part by engineers of its organization or engineers of any affiliated organization.

(c) All submissions by [States](#) shall include a statement that personnel who will be in any way involved in carrying out the [State](#) plan or PIA function are free of any conflict of interest except that with respect to members of councils, committees or similar bodies providing advice to the designated agency are not subject to this requirement.

§ 3282.360 PIA acceptance of product certification programs or listings.

In determining whether products to be included in a manufactured home are acceptable under the [standards](#) set out in part 3280 of 24 CFR, all PIAs shall accept all product verification programs, labelings, and listings unless the PIA has reason to believe that a particular certification is not acceptable, in which case, the PIA shall so inform the Secretary and provide the Secretary with full documentation and information on which it bases its belief. Pending a determination by the Secretary, the PIA shall provisionally accept the certification. The Secretary's determination shall be binding on all PIAs.

§ 3282.361 [Design Approval Primary Inspection Agency](#) (DAPIA).

(a) *General.*

(1) The DAPIA selected by a [manufacturer](#) under [§ 3282.203](#) shall be responsible for evaluating all manufactured home [designs](#) submitted to it by the [manufacturer](#) and for assuring that they conform to the [standards](#). It shall also be responsible for evaluating all quality control programs submitted to it by the [manufacturer](#) by reviewing the [quality assurance manuals](#) in which the programs are set out to assure that the manuals reflect programs which are compatible with the [designs](#) to be followed and which commit the [manufacturer](#) to make adequate inspections and tests of every part of every manufactured home produced.

(2) A [design](#) or [quality assurance manual](#) approved by a DAPIA shall be accepted by all IPIAs acting under [§ 3282.362](#) who deal with the [design](#), [quality assurance manual](#), or manufactured homes built to them, and by all other parties, as, respectively, being in conformance with the Federal [standards](#) or as providing for adequate quality control to assure conformance. However, each [design](#) and [quality assurance manual](#) is subject to review and verification by the Secretary or the [Secretary's agent](#) at any time.

(b) *Designs.*

(1) In evaluating [designs](#) for compliance with the [standards](#), the DAPIA will not allow any deviations from accepted engineering practice [standards](#) for [design](#) calculations or any deviations from accepted test [standards](#), except that the DAPIA, for good cause, may request the Secretary to accept innovations which are not yet accepted practices. Acceptances by the Secretary shall be published in the form of interpretative bulletins, where appropriate.

(2) The DAPIA shall require the [manufacturer](#) to submit floor plans and specific information for each manufactured home [design](#) or variation which the DAPIA is to evaluate. It shall also require the submission of drawings, specifications, calculations, and test records of the structural, electrical and mechanical [systems](#) of each such manufactured home [design](#) or variation. The [manufacturer](#) need not supply duplicate information where [systems](#) are common to several floor plans. Each DAPIA shall develop and carry out procedures for evaluating original manufactured home [designs](#) by requiring [manufacturers](#) to submit necessary drawings and calculations and carry out such verifications and calculations as it deems necessary. Where compliance with the [standards](#) cannot be determined on the basis of drawings and calculations, the DAPIA shall require any necessary tests to be carried out at its own facility, at separate testing facilities or at the [manufacturer's](#) plant.

(3) *Design deviation report.* After evaluating the [manufacturer's design](#), the DAPIA shall furnish the [manufacturer](#) with a [design](#) deviation report which specifies in detail, item by item with appropriate citations to the [standards](#), the specific deviations in the [manufacturer's design](#) which must be rectified in order to produce manufactured homes which comply with the [standards](#). The [design](#) deviation report may acknowledge the possibility of alternative designs, tests, listings, and certifications and [state](#) the conditions under which they will be acceptable. The [design](#) deviation report shall, to the extent practicable, be complete for each [design](#) evaluated in order to avoid repeated rejections and additional costs to the [manufacturer](#).

(4) *Design approval.* The DAPIA shall signify approval of a [design](#) by placing its stamp of approval or authorized signature on each drawing and each sheet of test results. The DAPIA shall clearly cross-reference the calculations

and test results to applicable drawings. The DAPIA may require the [manufacturer](#) to do the cross-referencing if it wishes. It shall indicate on each sheet how any deviations from the [standards](#) have been or shall be resolved. Within 5 days after approving a [design](#), the DAPIA shall forward a copy of the [design](#) to the [manufacturer](#) and the Secretary or the [Secretary's agent](#) (prior to the effective date of the [standards](#) the latter copy shall go to the Secretary.)

The DAPIA shall maintain a complete up-to-date set of approved [designs](#) and [design](#) changes approved under [paragraph \(b\)\(5\)](#) of this section which it can duplicate and copies of which it can furnish to interested parties as needed when disputes arise.

(5)*Design change approval.* The DAPIA shall also be responsible for approving all changes which a [manufacturer](#) wishes to make in a [design](#) approved by the DAPIA. In reviewing [design](#) changes, the DAPIA shall respond as quickly as possible to avoid disruption of the manufacturing process. Within 5 days after approving a [design](#) change, the DAPIA shall forward a copy of this change to the [manufacturer](#) and the Secretary or the [Secretary's agent](#) as set out in [paragraph \(b\)\(4\)](#) of this section to be included in the [design](#) to which the change was made.

(c)Quality assurance manuals.

(1) In evaluating a [quality assurance manual](#), the DAPIA shall identify any aspects of [designs](#) to be manufactured under the manual which require special quality control procedures. The DAPIA shall determine whether the manual under which a particular [design](#) is to be manufactured reflects those special procedures, and shall also determine whether the manuals which it evaluates provide for such inspections and testing of each manufactured home so that the [manufacturer](#), by following the manual, can assure that each manufactured home it manufactures will conform to the [standards](#). The manual shall, at a minimum, include the information set out in [§ 3282.203\(c\)](#).

(2)*Manual deviation report.* After evaluating a [manufacturer's quality assurance manual](#), the DAPIA shall furnish the [manufacturer](#) with a manual deviation report which specifies in detail any changes which a [manufacturer](#) must make in order for the [quality assurance manual](#) to be acceptable. The manual deviation report shall, to the extent practicable, be complete for each [design](#) in order to avoid repeated rejections and additional costs to the [manufacturer](#).

(3)*Manual approval.* The DAPIA shall signify approval of the [manufacturer's quality assurance manual](#) by placing its stamp of approval or authorized signature on the cover page of the manual. Within 5 days of approving a [quality assurance manual](#), the DAPIA shall forward a copy of the [quality assurance manual](#) to the [manufacturer](#) and the Secretary or the [Secretary's agent](#) (prior to the effective date of the [standards](#), the latter copy shall go to the Secretary). The DAPIA shall maintain a complete up-to-date set of approved manuals and manual changes approved under [paragraph \(c\)\(4\)](#) of this section which it can duplicate and copies of which it can furnish to interested parties as needed when disputes arise.

(4)*Manual change approval.* Each change the [manufacturer](#) wishes to make in its [quality assurance manual](#) must be approved by the DAPIA, and, when subject to [§ 3282.604](#), concurred in by the IPIA. Within 5 days after approving a manual change, the DAPIA shall forward a copy of the change to the [manufacturer](#) and the Secretary or the [Secretary's agent](#) as set out in [paragraph \(c\)\(3\)](#) of this section to be included in the manual to which the change was made.

(d)Requirements for full acceptance - DAPIA.

(1) Before granting full acceptance to a DAPIA, the Secretary or the [Secretary's agent](#) shall review and evaluate at least one complete [design](#) and one [quality assurance manual](#) which has been approved by the DAPIA. These shall be [designs](#) and manuals approved to the Federal [standards](#), and they shall be chosen at random from those approved by the DAPIA during the period of provisional acceptance.

(2) If the Secretary determines that a [design](#) or [quality assurance manual](#) shows an inadequate level of performance, the Secretary or the [Secretary's agent](#) shall carry out further evaluations. If the Secretary finds the level of performance to be unacceptable, the Secretary shall not grant full acceptance. If full acceptance has not been granted by the end of the provisional acceptance period, provisional acceptance shall lapse unless the Secretary determines that the failure to obtain full acceptance resulted from the fact that the Secretary or her agent has not had adequate time in which to complete an evaluation.

[[41 FR 19852](#), May 13, 1976, as amended at [61 FR 10861](#), Mar. 15, 1996; [80 FR 53727](#), Sept. 8, 2015]

§ 3282.362 Production Inspection Primary Inspection Agencies (IPIAs).

(a)General -

(1)IPIA responsibilities. An IPIA selected by a manufacturer under § 3282.204 to act in a particular manufacturing plant shall be responsible for assuring:

(i) That the plant is capable of following the quality control procedures set out in the quality assurance manual to be followed in that plant;

(ii) That the plant continues to follow the quality assurance manual;

(iii) That any part of any manufactured home that it actually inspects conforms with the design, or where the design is not specific with respect to an aspect of the standards, to the standards;

(iv) That whenever it finds a manufactured home in production which fails to conform to the design or where the design is not specific, to the standards, the failure to conform is corrected before the manufactured home leaves the manufacturing plant; and

(v) That if a failure to conform to the design, or where the design is not specific, to the standards, is found in one manufactured home, all other homes still in the plant which the IPIA's records or the records of the manufacturer indicate might not conform to the design or to standards are inspected and, if necessary, brought up to the standards before they leave the plant.

(2) No more than one IPIA shall operate in any one manufacturing plant, except that where a manufacturer decides to change from one IPIA to another, the two may operate in the plant simultaneously for a limited period of time to the extent necessary to assure a smooth transition.

(b)Plant approval.

(1) Each IPIA shall, with respect to each manufacturing plant for which it is responsible, evaluate the quality control procedures being followed by the manufacturer in the plant to determine whether those procedures are consistent with and fulfill the procedures set out in the DAPIA approved quality assurance manual being followed in the plant. As part of this evaluation, and prior to the issuance of any labels to the manufacturer, the IPIA shall make a complete inspection of the manufacture of at least one manufactured home through all of the operations in the manufacturer's plant. The purpose of this initial factory inspection is to determine whether the manufacturer is capable of producing manufactured homes in conformance with the approved design and, to the extent the design is not specific with respect to an aspect of the standards, with the standards and to determine whether the manufacturer's quality control procedures as set out in the quality assurance manual, plant equipment, and personnel, will assure that such conformance continues. This inspection should be made by one or more qualified engineers who have reviewed the approved design and by an inspector who has been carefully briefed by the engineers on the restrictive aspects of the design. The manufactured home shall be inspected to the approved design for the home except that where the design is not specific with respect to any aspect of the standards, the inspection shall be to the standards as to that aspect of the manufactured home. If the first manufactured home inspected fails to conform to the design or, with respect to any aspect of the standards not specifically covered by the design, to the standards, additional units shall be similarly inspected until the IPIA is satisfied that the manufacturer is conforming to the approved design, or where the design is not specific with respect to any aspect of the standards, to the standards and quality assurance manual.

(2)Certification report. If, on the basis of the initial comprehensive factory inspection required by paragraph (b)(1) of this section, the IPIA determines that the manufacturer is performing adequately, the IPIA shall prepare and forward to the manufacturer, to HUD, and to HUD's agent a certification report as described in this paragraph (b)(2) of this section. The issuance of the certification report is a prerequisite to the commencement of production surveillance under paragraph (c) of this section in the plant for which the report is issued. At the time the certification report is issued, the IPIA may provide the manufacturer with a two to four week supply of labels to be

applied to manufactured homes produced in the plant. The IPIA shall maintain a copy of each certification report which it issues.

(3) The certification report shall include:

(i) The name of the DAPIA which approved the manufacturer's design and quality assurance manual and the dates of those approvals,

(ii) The names and titles of the IPIA engineers and inspectors who performed the initial comprehensive inspection,

(iii) A full report of inspections made, serial numbers inspected, any failures to comply which were observed, corrective actions taken, and dates of inspections, and

(iv) A certification that at least one manufactured home has been completely inspected in all phases of its production in the plant, that the manufacturer is performing in conformance with the approved designs and quality assurance manual and, to the extent the design is not specific with respect to any aspects of the standards, with the standards, and the IPIA is satisfied that the manufacturer can produce manufactured homes in conformance with the designs, and where the designs are not specific, with the standards on a continuing basis.

(4) Inadequate manufacturer performance. Where an IPIA determines that the performance of a manufacturer is not yet adequate to justify the issuance of a certification report and labels to the manufacturer, the IPIA may label manufactured homes itself by using such of its personnel as it deems necessary to perform complete inspections of all phases of production of each manufactured home being produced and labeling only those determined after any necessary corrections to be in conformance with the design and, as appropriate, with the standards. This procedure shall continue until the IPIA determines that the manufacturer's performance is adequate to justify the issuance of a certification report.

(c) Production surveillance.

(1) After it has issued a certification report under paragraph (b) of this section, the IPIA shall carry out ongoing surveillance of the manufacturing process in the plant. The IPIA shall be responsible for conducting representative inspections to assure that the manufacturer is performing its quality control program pursuant to and consistent with its approved quality assurance manual and to assure that whatever part of a manufactured home is actually inspected by the IPIA is fully in conformance with the design and, as appropriate under paragraph (a)(1)(iii) of this section, with the standards before a label is issued for or placed on that manufactured home. The surveillance visits shall commence no later than that date on which the IPIA determines they must commence so that the IPIA can assure that every manufactured home to be produced after the effective date of the standards to which a label provided for in paragraph (c)(2) of this section is affixed, is inspected in at least one stage of its production. The frequency of subsequent visits to the plant shall continue to be such that every manufactured home is inspected at some stage in its production. In the course of each visit, the IPIA shall make a complete inspection of every phase of production and of every visible part of every manufactured home which is at each stage of production. The inspection shall be made to the approved design except where the design is not specific with respect to an aspect of the standards, in which case the inspection of that aspect of the manufactured home shall be made to the standards. The IPIA shall assure that no label is placed on any manufactured home which it finds fails to conform with the approved design or, as appropriate, the standards in the course of these inspections and shall assure that no labels are placed on other manufactured homes still in the plant which may also not conform until those homes are inspected and if necessary corrected to the design or the standards. If an IPIA finds a manufactured home that fails to conform to the design, or as appropriate under paragraph (a)(1)(iii) of this section, to the standards, the IPIA may, in addition to withholding the label for the unit, proceed to red tag the home until the failure to conform is corrected. Only the IPIA is authorized to remove a red tag. When manufactured homes repeatedly fail to conform to the design, or as appropriate under paragraph (a)(1)(iii) of this section, to the standards in the same assembly station or when there is evidence that the manufacturer is ignoring or not performing under its approved quality assurance manual, the IPIA shall increase the frequency of these inspections until it is satisfied that the manufacturer is performing to its approved quality assurance manual. Failure to perform to the approved manual justifies withholding labels until an

adequate level of performance is attained. As part of its function of assuring quality control, the IPIA shall inspect materials in storage and test equipment used by the manufacturer at least once a month, and more frequently if unacceptable conditions are observed. With the prior approval of the Secretary, an IPIA may decrease the frequency of any inspections.

(2) Labeling -

(i) Labels required.

(A) The IPIA shall continuously provide the manufacturer with a two- to four-week supply (at the convenience of the IPIA and the manufacturer) of the labels described in this subsection, except that no labels shall be issued for use when the IPIA is not present if the IPIA is not satisfied that the manufacturer can and is producing manufactured homes which conform to the design and, as appropriate, to the standards. Where necessary, the IPIA shall reclaim labels already given to the manufacturer. In no event shall the IPIA allow a label to be affixed to a manufactured home if the IPIA believes that the manufactured home fails to conform to the design, or, where the design is not specific with respect to an aspect of the standards, to the standards. Labels for such manufactured homes shall be provided only after the failure to conform has been remedied, or after the Secretary has determined that there is no failure to conform.

(B) A permanent label shall be affixed to each transportable section of each manufactured home for sale or lease to a purchaser or lessor in the United States in such a manner that removal will damage the label so that it cannot be reused. This label is provided by the IPIA and is separate and distinct from the data plate that the manufacturer is required to provide under § 3280.5.

(C) The label shall read as follows:

“As evidenced by this label No. ABC 000 001, the manufacturer certifies to the best of the manufacturer's knowledge and belief that this manufactured home has been inspected in accordance with the requirements of the Department of Housing and Urban Development and is constructed in conformance with the Federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture. See data plate.”

(D) The label shall be 2 in. by 4 in. in size and shall be permanently attached to the manufactured home by means of 4 blind rivets, drive screws, or other means that render it difficult to remove without defacing it. It shall be etched on .032 in. thick aluminum plate. The label number shall be etched or stamped with a 3 letter IPIA designation which the Secretary shall assign and a 6 digit number which the label supplier shall stamp sequentially on labels supplied to each IPIA.

(E) The label shall be located at the tail-light end of each transportable section of the manufactured home approximately one foot up from the floor and one foot in from the road side, or as near that location on a permanent part of the exterior of the manufactured home as practicable. The roadside is the right side of the manufactured home when one views the manufactured home from the tow bar end of the manufactured home. It shall be applied to the manufactured home unit in the manufacturing plant by the manufacturer or the IPIA, as appropriate.

(F) The label shall be provided to the manufacturer only by the IPIA. The IPIA shall provide the labels in sequentially numbered series. The IPIA may obtain labels from the Secretary or the Secretary's agent, or where the IPIA obtains the prior approval of the Secretary, from a label manufacturer. However, if the IPIA obtains labels directly from a label supplier, those labels must be sequentially numbered without any duplication of label numbers.

(G) Whenever the IPIA determines that a manufactured home which has been labeled, but which has not yet been released by the manufacturer may not conform to the design or, as appropriate under paragraph (a)(1)(iii) of this section, to the standards, the IPIA by itself or through an agent shall red tag the manufactured home. Where the IPIA determines that a manufactured home which has been labeled and released by the manufacturer, but not yet sold to a purchaser (as described in § 3282.252(b)) may not conform, the IPIA may, in its discretion, proceed to red tag the manufactured home. Only the IPIA is authorized to remove red tags, though it may do so through agents which it deems qualified to determine that the failure to conform has been corrected. Red tags may be removed when the

IPIA is satisfied, through inspections, assurances from the manufacturer, or otherwise, that the affected homes conform.

(H) Labels that are damaged, destroyed, or otherwise made illegible or removed shall be replaced by the IPIA, after determination that the manufactured home is in compliance with the standards, by a new label of a different serial number. The IPIA's labeling record shall be permanently marked with the number of the replacement label and a corresponding record of the replacement label.

(ii) Label control. The labels used in each plant shall be under the direct control of the IPIA acting in that plant. Only the IPIA shall provide the labels to the manufacturer. The IPIA shall assure that the manufacturer does not use any other label to indicate conformance to the standards.

(A) The IPIA shall be responsible for obtaining labels. Labels shall be obtained from HUD or its agent, or with the approval of the Secretary, from a label manufacturer. The labels shall meet the requirements of this section. Where the IPIA obtains labels directly from a label manufacturer, the IPIA shall be responsible for assuring that the label manufacturer does not provide labels directly to the manufacturer of manufactured homes. If the label manufacturer fails to supply correct labels or allows labels to be released to parties other than the IPIA, the IPIA shall cease dealing with the label manufacturer.

(B) The labels shall be shipped to and stored by the IPIA's at a location which permits ready access to manufacturing plants under its surveillance. The labels shall be stored under strict security and inventory control. They shall be released only by the IPIA to the manufacturer under these regulations.

(C) The IPIA shall be able to account for all labels which it has obtained through the date on which the manufactured home leaves the manufacturing plant, and it shall be able to identify the serial number of the manufactured home to which each particular label is affixed.

(D) The IPIA shall keep in its central record office a list of the serial numbers of labels issued from the label producer to the IPIA and by the IPIA to the manufacturing plant.

(E) Failure to maintain control of labels through the date the manufactured home leaves the manufacturing plant and failure to keep adequate records of which label is on which manufactured home shall render the IPIA subject to disqualification under § 3282.356.

(3) Data plate.

(i) The IPIA shall assure that each manufactured home produced in each manufacturing plant under its surveillance is supplied with a data plate which meets the requirements of this section and of § 3280.5 of chapter XX of 24 CFR. The data plate shall be furnished by the manufacturer and affixed inside the manufactured home on or near the main electrical distribution panel. The data plate shall contain the following information:

(A) The name and address of the manufacturing plant in which the manufactured home was manufactured,

(B) The serial number and model designation of the unit and the date the unit was manufactured,

(C) The statement "This manufactured home is designed to comply with the Federal Manufactured Home Construction and Safety Standards in force at the time of manufacture.",

(D) A list of major factory-installed equipment including the manufacturer's name and the model designation of each appliance,

(E) Reference to the roof load zone and wind load zone for which the home is designed and duplicates of the maps as set forth in § 3280.305. This information may be combined with the heating/cooling certificate and insulation zone map required by §§ 3280.510 and 3280.511. The Wind Zone Map on the Data Plate shall also contain the statement:

This home has not been designed for the higher wind pressures and anchoring provisions required for ocean/coastal areas and should not be located within 1500' of the coastline in Wind Zones II and III, unless the home and its anchoring and foundation system have been designed for the increased requirements specified for Exposure D in ANSI/ASCE 7-88.

(F) The statement:

This home has ___ has not ___ (appropriate blank to be checked by manufacturer) been equipped with storm shutters or other protective coverings for windows and exterior door openings. For homes designed to be located in Wind Zones II and III, which have not been provided with shutters or equivalent covering devices, it is strongly recommended that the home be made ready to be equipped with these devices in accordance with the method recommended in the manufacturers printed instructions.

(G) The statement: "Design Approval by", followed by the name of the agency that approved the design.

(ii) A copy of the data plate shall be furnished to the IPIA, and the IPIA shall keep a permanent record of the data plate as part of its labeling record so that the information is available during the life of the manufactured home in case the data plate in the manufactured home is defaced or destroyed.

(d)Permanent records. The IPIA shall maintain the following records as appropriate:

(1) Records of all labels issued, applied, removed, and replaced by label number, manufactured home serial number, manufactured home type, manufacturer's name, retailer destination, and copies of corresponding data plates.

(2) Records of all manufactured homes which are red tagged, and the status of each home.

(3) Records of all inspections made at each manufacturing plant on each manufactured home serial number, each failure to conform found, and the action taken in each case.

(4) Records of all inspections made at other locations of manufactured homes identified by manufacturer and serial number, all manufactured homes believed to contain the same failure to conform, and the action taken in each case.

All records shall specify the precise section of the standard which is in question and contain a clear and concise explanation of the process by which the IPIA reached any conclusions. All records shall be traceable to specific manufactured home serial numbers and through the manufacturer's records to retailers and purchasers.

(5) Records of all site inspections made as required under procedures applicable to approval of AC or on-site completion pursuant to §§ 3282.14 or 3282.610.

(e)Requirements for full acceptance - IPIA.

(1) Before granting full acceptance to an IPIA, the Secretary or the Secretary's agent shall review and evaluate at least one certification report which has been prepared by the IPIA during the period of provisional acceptance. The Secretary or the Secretary's agent shall also review in depth the IPIA's administrative capabilities and otherwise review the IPIA's performance of its responsibilities under these regulations.

(2) Where the Secretary determines on the basis of these reviews that an IPIA is not meeting an adequate level of performance, the Secretary or the Secretary's agent shall carry out further evaluations. If the Secretary finds the level of performance to be unacceptable, the Secretary shall not grant full acceptance. If full acceptance has not been granted by the end of the provisional acceptance period, provisional acceptance shall lapse unless the Secretary determines that the failure to obtain full acceptance resulted from the fact that the Secretary or the Secretary's agent has not had adequate time in which to complete an evaluation.

[41 FR 19852, May 13, 1976, as amended at 42 FR 2580, Jan. 12, 1977; 42 FR 35157, July 8, 1977; 59 FR 2474, Jan. 14, 1994; 61 FR 10861, Mar. 15, 1996; 80 FR 53727, Sept. 8, 2015]

§ 3282.364 Inspection responsibilities and coordination.

All primary inspection agencies shall be responsible for acting as necessary under their contractual commitment with the [manufacturer](#) to determine whether alleged failures to conform to the [standards](#) may exist in manufactured homes produced under their surveillance and to determine the source of the problems. The DAPIA may be required to examine the [designs](#) in question or the [quality assurance manual](#) under which the manufactured homes were produced. The IPIA may be required to reexamine the quality control procedures which it has approved to determine if they conform to the [quality assurance manual](#), and the IPIA shall have primary responsibility for inspecting actual units produced and, where necessary, for inspecting units released by the [manufacturer](#). All primary inspection agencies acting with respect to particular [manufacturer](#) or plant shall act in close coordination so that all necessary functions are performed effectively and efficiently.

§ 3282.365 Forwarding monitoring fee.

The IPIA shall, whenever it provides [labels](#) to a [manufacturer](#), obtain from the [manufacturer](#) the monitoring fee to be forwarded to the Secretary or the [Secretary's agent](#) as set out in [§ 3282.210](#). If a [manufacturer](#) fails to provide the monitoring fee as required by [§ 3282.210](#) to be forwarded by the IPIA under this section, the IPIA shall immediately inform the Secretary; or the [Secretary's Agent](#).

§ 3282.366 Notification and correction campaign responsibilities.

(a) Both IPIAs and DAPIAs are responsible for assisting the Secretary or an SAA in identifying the class of manufactured homes that may have been affected where the Secretary or an SAA makes or is contemplating making a preliminary determination of [imminent safety hazard](#), [serious defect](#), [defect](#), or [noncompliance](#) under [§ 3282.412](#) with respect to manufactured homes for which the IPIA and DAPIA provided either plant inspection or [design](#) approval services.

(b) The IPIA must in each manufacturing plant review at least monthly the [manufacturer's](#) service and inspection records to verify if appropriate determinations are being made by the [manufacturer](#) under [§ 3282.404](#) and, if not, take the actions required by this section and [§ 3282.404](#).

(c) The IPIA in each manufacturing plant is also responsible for reviewing [manufacturer](#) determinations of the class of manufactured homes affected when the [manufacturer](#) is acting under subpart I. The IPIA must concur in the method used to determine the class of potentially affected manufactured homes or is to [state](#) why it finds the method to be inappropriate, inadequate, or incorrect.

[[78 FR 60200](#), Oct. 1, 2013]

§ 3282.403 Consumer complaint and information referral.

(a) *Retailer responsibilities.* When a [retailer](#) receives a consumer complaint or other information about a home in its possession, or that it has sold or leased, that likely indicates a [noncompliance](#), [defect](#), [serious defect](#), or [imminent safety hazard](#), the [retailer](#) must forward the complaint or information to the [manufacturer](#) of the manufactured home in question as early as possible, in accordance with [§ 3282.256](#).

(b) *SAA and HUD responsibilities.*

(1) When an SAA or the Secretary receives a consumer complaint or other information that likely indicates a [noncompliance](#), [defect](#), [serious defect](#), or [imminent safety hazard](#) in a manufactured home, the SAA or HUD must:

(i) Forward the complaint or information to the [manufacturer](#) of the home in question as early as possible; and

(ii) Send a copy of the complaint or other information to the SAA of the [State](#) where the manufactured home was manufactured or to the Secretary if there is no such SAA.

(2) When it appears from the complaint or other information that an [imminent safety hazard](#) or [serious defect](#) may be involved, the SAA of the [State](#) where the home was manufactured must also send a copy of the complaint or other information to the Secretary.

(c) *Manufacturer responsibilities.* Whenever the [manufacturer](#) receives information from any source that the [manufacturer](#) believes in good faith relates to a [noncompliance](#), [defect](#), [serious defect](#), or [imminent safety hazard](#) in any of its manufactured homes, the [manufacturer](#) must, for each such occurrence, make the determinations required by [§ 3282.404](#).

§ 3282.404 Manufacturers' determinations and related concurrences.

(a) Initial determination.

(1) Not later than 30 days after a [manufacturer](#) receives information that it believes in good faith may indicate a [noncompliance](#), [defect](#), [serious defect](#), or [imminent safety hazard](#), the [manufacturer](#) must make a specific [initial determination](#) that there is a [noncompliance](#), [defect](#), [serious defect](#), or [imminent safety hazard](#), or that the information requires no further action under this subpart. If a [manufacturer](#) makes a final determination of [noncompliance](#) for an individual home (see [§ 3282.412\(b\)](#)) and a class of homes is not involved, no further action is needed by the [manufacturer](#) other than to keep a record of its determination as required by [§ 3282.417](#). If the [manufacturer](#) determines that it is not the cause of the problem, but a problem still exists, the [manufacturer](#) must forward the information in its possession to the appropriate [retailer](#) (see [§ 3282.254](#)), and, if known, to the installer (see [§§ 3286.115](#) and 3286.811) for their consideration. Alternatively, the [manufacturer](#), [retailer](#), or installer may choose to submit the issue for resolution under dispute resolution (see [24 CFR part 3288](#)).

(2) When a [manufacturer](#) makes an [initial determination](#) that there is a [serious defect](#) or an [imminent safety hazard](#), the [manufacturer](#) must immediately notify the Secretary, the SAA in the [state](#) of manufacture, and the [manufacturer's](#) IPIA.

(3) In making the determination of [noncompliance](#), [defect](#), [serious defect](#), or [imminent safety hazard](#), or that no further action is required under this subpart, the [manufacturer](#) must review the information it received and carry out investigations, including, a review of service records, IPIA inspection records, and, as appropriate, inspections of homes in the class. The [manufacturer](#) must review the information, the known facts, and the circumstances relating to the complaint or information, including service records, approved designs, and audit findings, as applicable, to decide what investigations are reasonable.

(b) Class determination.

(1) When the [manufacturer](#) makes an [initial determination](#) of [defect](#), [serious defect](#), or [imminent safety hazard](#), the [manufacturer](#) must also make a good-faith determination of the class that includes each manufactured home in which the same [defect](#), [serious defect](#), or [imminent safety hazard](#) exists or likely exists. Multiple occurrences of [defects](#) may be considered the same [defect](#) if they have the same cause, are related to a specific workstation description, or are related to the same failure to follow the [manufacturer's](#) approved [quality assurance manual](#). Good faith may be used as a defense to the imposition of a penalty, but does not relieve the [manufacturer](#) of its responsibilities for notification or correction under this subpart I. The [manufacturer](#) must make this [class determination](#) not later than 20 days after making a determination of [defect](#), [serious defect](#), or [imminent safety hazard](#).

(2) Paragraph (c) of this section sets out methods for a [manufacturer](#) to use in determining the class of manufactured homes. If the [manufacturer](#) can identify the precise manufactured homes affected by the [defect](#), [serious defect](#), or [imminent safety hazard](#), the class of manufactured homes may include only those manufactured homes actually affected by the same [defect](#), [serious defect](#), or [imminent safety hazard](#). The [manufacturer](#) is also permitted to exclude from the class those manufactured homes for which the [manufacturer](#) has information that indicates the homes were not affected by the same cause. If it is not possible to identify the precise manufactured homes affected, the class must include every manufactured home in the group of homes that is identifiable, since the same [defect](#), [serious defect](#), or [imminent safety hazard](#) exists or likely exists in some homes in that group of manufactured homes.

(3) For purposes related to this section, a [defect](#), a [serious defect](#), or an [imminent safety hazard](#) likely exists in a manufactured home if the cause of the [defect](#), [serious defect](#), or [imminent safety hazard](#) is such that the same [defect](#), [serious defect](#), or [imminent safety hazard](#) would likely have been introduced systematically into more than one manufactured home. Indications that the [defect](#), [serious defect](#), or [imminent safety hazard](#) would likely have been introduced systematically may include, but are not limited to, complaints that can be traced to the same faulty [design](#)

or faulty construction, problems known to exist in supplies of [components](#) or parts, information related to the performance of a particular employee or use of a particular process, and information signaling a failure to follow quality control procedures with respect to a particular aspect of the manufactured home.

(4) If the [manufacturer](#) must determine the class of homes pursuant to [paragraph \(b\)](#) of this section, the [manufacturer](#) must obtain from the IPIA, and the IPIA must provide, either:

- (i) The IPIA's written concurrence on the methods used by the [manufacturer](#) to identify the homes that should be included in the class of homes; or
- (ii) The IPIA's written statement explaining why it believes the [manufacturer's](#) methods for determining the class of homes were inappropriate or inadequate.

(c) *Methods for determining class.*

(1) In making a [class determination](#) under [paragraph \(b\)](#) of this section, a [manufacturer](#) is responsible for carrying out reasonable investigations. In carrying out investigations, the [manufacturer](#) must review the information, the known facts, and the relevant circumstances, and generally must establish the cause of the [defect](#), [serious defect](#), or [imminent safety hazard](#). Based on the results of such investigations and all information received or developed, the [manufacturer](#) must use an appropriate method or appropriate methods to determine the class of manufactured homes in which the same [defect](#), [serious defect](#), or [imminent safety hazard](#) exists or likely exists.

(2) Methods that may be used in determining the class of manufactured homes include, but are not limited to:

- (i) Inspection of the manufactured home in question, including its [design](#), to determine whether the [defect](#), [serious defect](#), or [imminent safety hazard](#) resulted from the [design](#) itself;
- (ii) Physical inspection of manufactured homes of the same [design](#) or construction, as appropriate, that were produced before and after a home in question;
- (iii) Inspection of the service records of a home in question and of homes of the same [design](#) or construction, as appropriate, produced before and after that home, if it is clear that the cause of the [defect](#), [serious defect](#), or [imminent safety hazard](#) is such that the [defect](#), [serious defect](#), or [imminent safety hazard](#) would be visible to and reportable by consumers or retailers;
- (iv) Inspection of [manufacturer](#) quality control records to determine whether quality control procedures were followed and, if not, the time frame during which they were not;
- (v) Inspection of IPIA records to determine whether the [defect](#), [serious defect](#), or [imminent safety hazard](#) was either detected or specifically found not to exist in some manufactured homes;
- (vi) Identification of the cause as relating to a particular employee whose work, or to a process whose use, would have been common to the production of the [manufacturer's](#) homes for a period of time; and
- (vii) Inspection of records relating to [components](#) supplied by other parties and known to contain or suspected of containing a [defect](#), a [serious defect](#), or an [imminent safety hazard](#).

(3) When the Secretary or an SAA decides the method chosen by the [manufacturer](#) to conduct an investigation in order to make a [class determination](#) is not the most appropriate method, the Secretary or SAA must explain in writing to the [manufacturer](#) why the chosen method is not the most appropriate.

(d) *Documentation required.* The [manufacturer](#) must comply with the [recordkeeping](#) requirements in [§ 3282.417](#) as applicable to its determinations and any IPIA concurrence or statement that it does not concur.

§ 3282.405 Notification pursuant to [manufacturer's](#) determination.

(a) *General requirement.* Every [manufacturer](#) of manufactured homes must provide notification, as set out in this section, with respect to any manufactured home produced by the [manufacturer](#) in which the [manufacturer](#) determines, in good faith, that there exists or likely exists in more than one home, the same [defect](#) introduced systematically, a [serious defect](#), or an [imminent safety hazard](#).

(b) Requirements by category.

(1) Noncompliance. A [manufacturer](#) must provide notification of a [noncompliance](#) only when ordered to do so by the Secretary or an SAA, pursuant to [§§ 3282.412](#) and 3282.413.

(2) Defects. When a [manufacturer](#) has made a [class determination](#) in accordance with [§ 3282.404](#) that a [defect](#) exists or likely exists in more than one home, the [manufacturer](#) must prepare a plan for notification in accordance with [§ 3282.408](#), and must provide notification with respect to each manufactured home in the class of manufactured homes.

(3) Serious defects and imminent safety hazards. When a [manufacturer](#) has made an [initial determination](#) in accordance with [§ 3282.404\(a\)](#) that a [serious defect](#) or [imminent safety hazard](#) exists or likely exists, the [manufacturer](#) must prepare a plan for notification in accordance with [§ 3282.408](#), must provide notification with respect to all manufactured homes in which the [serious defect](#) or [imminent safety hazard](#) exists or likely exists, and must correct the home or homes in accordance with [§ 3282.406](#).

(c) Plan for notification required.

(1) If a [manufacturer](#) determines that it is responsible for providing notification under this section, the [manufacturer](#) must prepare and receive approval on a plan for notification as set out in [§ 3282.408](#), unless the [manufacturer](#) meets alternative requirements established in [§ 3282.407](#).

(2) If the Secretary or SAA orders a [manufacturer](#) to provide notification in accordance with the procedures in [§§ 3282.412](#) and 3282.413, the Secretary or SAA has the option of requiring a [manufacturer](#) to prepare and receive approval on a plan for notification.

(d) Method of notification. When a [manufacturer](#) provides notification as required under this section, notification must be:

(1) By certified mail or other more expeditious means that provides a receipt to each [retailer](#) or [distributor](#) to whom any manufactured home in the class of homes containing the [defect](#), [serious defect](#), or [imminent safety hazard](#) was delivered;

(2) By certified mail or other more expeditious means that provides a receipt to the first [purchaser](#) of each manufactured home in the class of manufactured homes containing the [defect](#), [serious defect](#), or [imminent safety hazard](#), and, to the extent feasible, to any subsequent [owner](#) to whom any warranty provided by the [manufacturer](#) or required by federal, [state](#), or local law on such manufactured home has been transferred, except that notification need not be sent to any person known by the [manufacturer](#) not to own the manufactured home in question if the [manufacturer](#) has a record of a subsequent [owner](#) of the manufactured home; and

(3) By certified mail or other more expeditious means that provides a receipt to each other person who is a registered [owner](#) of a manufactured home in the class of homes containing the [defect](#), [serious defect](#), or [imminent safety hazard](#) and whose name has been ascertained pursuant to [§ 3282.211](#) or is known to the [manufacturer](#).

§ 3282.406 Required [manufacturer](#) correction.

(a) Correction of noncompliances and defects.

(1) [Section 3282.415](#) sets out requirements with respect to a [manufacturer's](#) correction of any [noncompliance](#) or [defect](#) that exists in each manufactured home that has been sold or otherwise released to a [retailer](#) but that has not yet been sold to a [purchaser](#).

(2) In accordance with section 623 of the Act and Part 3288, “Manufactured Home Dispute Resolution Program,” of this chapter, the [manufacturer](#), [retailer](#), or installer of a manufactured home deemed responsible for correction of repairs or [defects](#) must correct, at its expense, each failure in the performance, construction, components, or material of the home that renders the home or any part of the home not fit for the ordinary use for which it was intended and that is reported during the one-year period beginning on the date of installation of the home (see [§ 3286.115](#)).

(b) Correction of serious defects and imminent safety hazards.

(1) A [manufacturer](#) required to furnish notification under [§ 3282.405](#) or [§ 3282.413](#) must correct, at its expense, any [serious defect](#) or [imminent safety hazard](#) that can be related to an error in [design](#) or assembly of the manufactured home by the [manufacturer](#), including an error in [design](#) or assembly of any [component](#) or [system](#) incorporated into the manufactured home by the [manufacturer](#).

(2) If, while making corrections under any of the provisions of this subpart, the [manufacturer](#) creates an [imminent safety hazard](#) or [serious defect](#), the [manufacturer](#) shall correct the [imminent safety hazard](#) or [serious defect](#).

(3) Each [serious defect](#) or [imminent safety hazard](#) corrected under this paragraph (b) must be brought into compliance with applicable construction and safety [standards](#) or, where those [standards](#) are not specific, with the [manufacturer's](#) approved [design](#).

(c) *Inclusion in plan.*

(1) In the plan required by [§ 3282.408](#), the [manufacturer](#) must provide for correction of those homes that are required to be corrected pursuant to [paragraph \(b\)](#) of this section.

(2) If the Secretary or SAA orders a [manufacturer](#) to provide correction in accordance with the procedures in [§ 3282.413](#), the Secretary or SAA has the option of requiring a [manufacturer](#) to prepare and receive approval on a plan for correction.

(d) *Corrections by owners.* A [manufacturer](#) that is required to make corrections under [paragraph \(b\)](#) of this section, or that elects to make corrections in accordance with [§ 3282.407](#), must reimburse any [owner](#) of an affected manufactured home who chooses to make the correction before the [manufacturer](#) did so, for the reasonable cost of correction.

(e) *Correction of appliances, components, or systems.*

(1) If any appliance, [component](#), or [system](#) in a manufactured home is covered by a product warranty, the [manufacturer](#), [retailer](#), or installer that is responsible under this section for correcting a [noncompliance](#), [defect](#), [serious defect](#), or [imminent safety hazard](#) in the appliance, [component](#), or [system](#) may seek the required correction directly from the producer. The SAA that approves any plan of notification required pursuant to [§ 3282.408](#) or the Secretary, as applicable, may establish reasonable time limits for the [manufacturer](#) of the home and the producer of the appliance, [component](#), or [system](#) to agree on who is to make the correction and for completing the correction.

(2) Nothing in this section shall prevent the [manufacturer](#), [retailer](#), or installer from seeking indemnification from the producer of the appliance, [component](#), or [system](#) for correction work done on any appliance, [component](#), or [system](#).

§ 3282.408 Plan of notification required.

(a) *Manufacturer's plan required.* Except as provided in [§ 3282.407](#), if a manufacturer determines that it is responsible for providing notification under [§ 3282.405](#), the manufacturer must prepare a plan in accordance with this section and [§ 3282.409](#). The manufacturer must, as soon as practical, but not later than 20 days after making the determination of defect, serious defect, or imminent safety hazard, submit the plan for approval to one of the following, as appropriate:

(1) The SAA of the State of manufacture, when all of the manufactured homes covered by the plan were manufactured in that State; or

(2) The Secretary, when the manufactured homes were manufactured in more than one State or there is no SAA in the State of manufacture.

(b) *Implementation of plan.* Upon approval of the plan, including any changes for cause required by the Secretary or SAA after consultation with the manufacturer, the manufacturer must carry out the approved plan within the agreed time limits.

(1) When the [manufacturer](#) makes an [initial determination](#) of [defect](#), [serious defect](#), or [imminent safety hazard](#), the [manufacturer](#) must also make a good-faith determination of the class that includes each manufactured home in which the same [defect](#), [serious defect](#), or [imminent safety hazard](#) exists or likely exists. Multiple occurrences of [defects](#) may be considered the same [defect](#) if they have the same cause, are related to a specific workstation

description, or are related to the same failure to follow the [manufacturer's](#) approved [quality assurance manual](#). Good faith may be used as a defense to the imposition of a penalty, but does not relieve the [manufacturer](#) of its responsibilities for notification or correction under this subpart I. The [manufacturer](#) must make this [class determination](#) not later than 20 days after making a determination of [defect](#), [serious defect](#), or [imminent safety hazard](#).

§ 3282.409 Contents of plan.

(a) Purpose of plan. This section sets out the requirements that must be met by a [manufacturer](#) in preparing any plan it is required to submit under [§ 3282.408](#). The underlying requirement is that the plan show how the [manufacturer](#) will fulfill its responsibilities with respect to notification and correction.

(b) Contents of plan. The plan must:

- (1)** Identify, by serial number and other appropriate identifying criteria, all manufactured homes for which notification is to be provided, as determined pursuant to [§ 3282.404](#);
- (2)** Include a copy of the notice that the [manufacturer](#) proposes to use to provide the notification required by [§ 3282.405](#);
- (3)** Provide for correction of those manufactured homes that are required to be corrected pursuant to [§ 3282.406\(b\)](#);
- (4)** Include the IPIA's written concurrence or statement on the methods used by the [manufacturer](#) to identify the homes that should be included in the class of homes, as required pursuant to [§ 3282.404\(b\)](#); and
- (5)** Include a deadline for completion of all notifications and corrections.

(c) Contents of notice. Except as otherwise agreed by the Secretary or the SAA reviewing the plan under [§ 3282.408](#), the notice to be approved as part of the plan must include the following:

- (1)** An opening statement that reads: “This notice is sent to you in accordance with the requirements of the National Manufactured Housing Construction and Safety [Standards Act](#).”
- (2)** The following statement: “[choose one, as appropriate: [Manufacturer's](#) name, or the Secretary, or the (insert State) SAA] has determined that [insert identifying criteria of manufactured home] may not comply with an applicable Federal [Manufactured Home Construction](#) or Safety Standard.”
- (3)** Except when the [manufacturer](#) is providing notice pursuant to an approved plan or agreement with the Secretary or an SAA under [§ 3282.408](#), each applicable statement must read as follows:
 - (i)** “An [imminent safety hazard](#) may exist in (identifying criteria of manufactured home).”
 - (ii)** “A [serious defect](#) may exist in (identifying criteria of manufactured home).”
 - (iii)** “A [defect](#) may exist in (identifying criteria of manufactured home).”
- (4)** A clear description of the [defect](#), [serious defect](#), or [imminent safety hazard](#) and an explanation of the risk to the occupants, which must include:
 - (i)** The location of the [defect](#), [serious defect](#), or [imminent safety hazard](#) in the manufactured home;
 - (ii)** A description of any hazards, malfunctions, deterioration, or other consequences that may reasonably be expected to result from the [defect](#), [serious defect](#), or [imminent safety hazard](#);
 - (iii)** A statement of the conditions that may cause such consequences to arise; and
 - (iv)** Precautions, if any, that the [owner](#) can, should, or must take to reduce the chance that the consequences will arise before the manufactured home is repaired;

- (5) A statement of whether there will be any warning that a dangerous occurrence may take place and what that warning would be, and of any signs that the [owner](#) might see, hear, smell, or feel that might indicate danger or deterioration of the manufactured home as a result of the [defect](#), [serious defect](#), or [imminent safety hazard](#);
- (6) A statement that the [manufacturer](#) will correct the manufactured home, if the [manufacturer](#) will correct the manufactured home under this subpart or otherwise;
- (7) A statement in accordance with whichever of the following is appropriate:
- (i) Where the [manufacturer](#) will correct the manufactured home at no cost to the [owner](#), the statement must indicate how and when the correction will be done, how long the correction will take, and any other information that may be helpful to the [owner](#); or
 - (ii) When the [manufacturer](#) does not bear the cost of repair, the notification must include a detailed description of all parts and materials needed to make the correction; a description of all steps to be followed in making the correction, including appropriate illustrations; and an estimate of the cost of the [purchaser](#) or [owner](#) of the correction;
- (8) A statement informing the [owner](#) that the [owner](#) may submit a complaint to the SAA or Secretary if the [owner](#) believes that:
- (i) The notification or the remedy described therein is inadequate;
 - (ii) The [manufacturer](#) has failed or is unable to remedy the problem in accordance with its notification; or
 - (iii) The [manufacturer](#) has failed or is unable to remedy the problem within a reasonable time after the [owner's](#) first attempt to obtain remedy; and
- (9) A statement that any actions taken by the [manufacturer](#) under the Act in no way limit the rights of the [owner](#) or any other person under any contract or other applicable law and that the [owner](#) may have further rights under contract or other applicable law.

§ 3282.603 Request for approval; DAPIA review, notification, and approval.

(a) *Manufacturer's request for approval.* The [manufacturer](#) must request, in writing, and obtain approval of its DAPIA for any aspect of construction that is to be completed on-site under this subpart. The [manufacturer](#), its IPIA, and its DAPIA must work together to reach agreements necessary to enable the request to be reviewed and approved.

(b) *DAPIA notification.* The DAPIA, acting on behalf of HUD, must notify the [manufacturer](#) of the results of the DAPIA's review of the [manufacturer's](#) request, and must retain a copy of the notification in the DAPIA's records. The DAPIA shall also forward a copy of the approval to HUD or the [Secretary's agent](#) as provided under [§ 3282.361\(a\)\(4\)](#). The notification must either:

- (1) Approve the request if it is consistent with this section and the objectives of the Act; or
- (2) Deny the proposed on-site completion and set out the reasons for the denial.

(c) *Manner of DAPIA approval.* Notification of DAPIA approval must include, by incorporation or by listing, the information required by [paragraph \(d\)](#) of this section, and must be indicated by the DAPIA placing its stamp of approval or authorized signature on each page of the [manufacturer's designs](#) submitted with its request for approval. The DAPIA must include an "SC" designation on each page that includes an element of construction that is to be completed on-site and must include those pages as part of the approved [design](#) package.

(d) *Contents of DAPIA approval.* Any approval by the DAPIA under this section must:

- (1) Include a unique site completion numeric identification for each approval for each [manufacturer](#) (i.e., [manufacturer](#) name or abbreviation, SC-XX);
- (2) Identify the work to be completed on-site;
- (3) List all models to which the approval applies, or indicate that the approval is not model-specific;

- (4) Include acceptance by the DAPIA of a [quality assurance manual](#) for on-site completion meeting the requirements of [paragraph \(e\)](#) of this section;
- (5) Include the IPIA's written agreement to accept responsibility for completion of the necessary on-site inspections and accompanying records;
- (6) Identify instructions authorized for completing the work on-site that meet the requirements of [paragraph \(f\)](#) of this section;
- (7) Include the [manufacturer's system](#) for tracking the status of homes built under the approval until the on-site work and necessary inspections have been completed, to assure that the work is being performed properly;
- (8) Include a quality control checklist to be used by the [manufacturer](#) and IPIA and approved by the DAPIA to verify that all required components, materials, labels, and instructions needed for site completion are provided in each home prior to shipment;
- (9) Include an inspection checklist developed by the IPIA and [manufacturer](#) and approved by the DAPIA, that is to be used by the final site inspectors;
- (10) Include a Consumer Information Notice developed by the [manufacturer](#) and approved by the DAPIA that explains the on-site completion process and identifies the work to be completed on-site; and
- (11) Include any other requirements and limitations that the DAPIA deems necessary or appropriate to accomplish the purposes of the Act.

(e) Quality assurance manual for on-site completion requirements. The portion of the [quality assurance manual](#) for on-site completion required by [paragraph \(d\)\(3\)](#) of this section must receive the written concurrence of the [manufacturer's](#) IPIA with regard to its acceptability and applicability to the on-site completion of the affected manufactured homes. It must include a commitment by the [manufacturer](#) to prepare a final site inspection report that will be submitted to the IPIA for its review. When appropriate, this portion of the [quality assurance manual](#) for on-site completion will be deemed a change in the [manufacturer's quality assurance manual](#) for the applicable models, in accordance with §§ 3282.203 and 3282.361.

(f) Instructions for completion on-site. The DAPIA must include instructions authorized for completing the work on-site as a separate part of the [manufacturer's](#) approved [design](#) package. The [manufacturer](#) must provide a copy of these instructions and the inspection checklist required by [paragraph \(d\)\(9\)](#) of this section to the IPIA for monitoring and inspection purposes.

§ 3282.604 DAPIA responsibilities.

The DAPIA, acting on behalf of HUD, for any [manufacturer](#) proceeding under this section is responsible for:

- (a) Verifying that all information required by [§ 3282.603](#) has been submitted by the [manufacturer](#);
- (b) Reviewing and approving the [manufacturer's](#) designs, quality control checklist, site inspection checklist, site completion instructions, and [quality assurance manuals](#) for site work to be performed;
- (c) Maintaining all records and approvals for at least 5 years;
- (d) Revoking or amending its approvals in accordance with [§ 3282.609](#); and
- (e) Reviewing its approvals under this section at least every 3 years or more frequently if there are changes made to the [Manufactured Home Construction](#) and Safety [Standards, 24 CFR part 3280](#), to verify continued compliance with the [Standards](#).

§ 3282.604 DAPIA responsibilities.

The DAPIA, acting on behalf of HUD, for any [manufacturer](#) proceeding under this section is responsible for:

- (a) Verifying that all information required by [§ 3282.603](#) has been submitted by the [manufacturer](#);

- (b) Reviewing and approving the [manufacturer's](#) designs, quality control checklist, site inspection checklist, site completion instructions, and [quality assurance manuals](#) for site work to be performed;
- (c) Maintaining all records and approvals for at least 5 years;
- (d) Revoking or amending its approvals in accordance with [§ 3282.609](#); and
- (e) Reviewing its approvals under this section at least every 3 years or more frequently if there are changes made to the [Manufactured Home Construction](#) and Safety [Standards, 24 CFR part 3280](#), to verify continued compliance with the [Standards](#).

§ 3282.606 Consumer information.

(a)*Notice.* Any home completed under the procedures established in this section must be shipped with a temporary notice that explains that the home will comply with the requirements of the construction and safety [standards](#) only after all of the site work has been completed and inspected. The notice must be legible and typed, using letters at least 1/4 inch high in the text of the notice and 3/4 inch high for the title. The notice must read as follows:

IMPORTANT CONSUMER INFORMATION NOTICE

WARNING: DO NOT LIVE IN THIS HOME UNTIL THE ON-SITE WORK HAS BEEN COMPLETED AND THE MANUFACTURER HAS PROVIDED A COPY OF THE INSPECTION REPORT THAT CERTIFIES THAT THE HOME HAS BEEN INSPECTED AND IS CONSTRUCTED IN ACCORDANCE WITH APPROVED INSTRUCTIONS FOR MEETING THE CONSTRUCTION AND SAFETY STANDARDS.

This home has been substantially completed at the factory and certified as having been constructed in conformance with the Federal [Manufactured Home Construction](#) and Safety [Standards](#) when specified work is performed and inspected at the home site. This on-site work must be performed in accordance with [manufacturer's](#) instructions that have been approved for this purpose. The work to be performed on-site is [insert description of all work to be performed in accordance with the construction and safety standards].

This notice may be removed by the [purchaser](#) or lessor when the [manufacturer](#) provides the first [purchaser](#) or lessor with a copy of the [manufacturer's](#) final site inspection report, as required by regulation. This final report must include the [manufacturer's](#) certification of completion. All manufactured homes may also be subject to separate regulations requiring approval of items not covered by the Federal [Manufactured Home Construction](#) and Safety [Standards](#), such as installation and utility connections.

(b)*Placement of notice in home.* The notice required by [paragraph \(a\)](#) of this section must be displayed in a conspicuous and prominent location within the manufactured home and in a manner likely to assure that it is not removed until, or under the authorization of, the [purchaser](#) or lessor. The notice is to be removed only by the first [purchaser](#) or lessor. No [retailer](#), installation or construction contractor, or other person may interfere with the required display of the notice.

(c)*Providing notice before sale.* The [manufacturer](#) or [retailer](#) must also provide a copy of the Consumer Information Notice to prospective [purchasers](#) of any home to which the approval applies before the [purchasers](#) enter into an agreement to purchase the home.

(d)*When sale or lease of home is complete.* For purposes of establishing the [manufacturer's](#) and [retailer's](#) responsibilities for on-site completion under the Act and subparts F and I of this part, the sale or lease of the manufactured home will not be considered complete until the [purchaser](#) or lessor, as applicable, has been provided with a copy of the final site inspection report required under [§ 3282.605\(d\)](#) and a copy of the [manufacturer's](#) certification of completion required under [§ 3282.609\(k\) and \(l\)](#). For 5 years from the date of the sale or lease of each home, the [manufacturer](#) must maintain in its records an indication that the final on-site inspection report and certification of completion has been provided to the lessor or [purchaser](#) and, as applicable, the appropriate [retailer](#).

§ 3282.607 IPIA responsibilities.

The IPIA, acting on behalf of HUD, for any [manufacturer](#) proceeding under this section is responsible for:

- (a) Working with the [manufacturer](#) and the [manufacturer's](#) DAPIA to incorporate into the DAPIA-approved [quality assurance manual](#) for on-site completion any changes that are necessary to ensure that homes completed on-site conform to the requirements of this section;
- (b) Providing the [manufacturer](#) with a supply of the [labels](#) described in this section, in accordance with the requirements of [§ 3282.362\(c\)\(2\)\(i\)\(A\)](#);
- (c) Overseeing the effectiveness of the [manufacturer's](#) quality control [system](#) for assuring that on-site work is completed to the DAPIA-approved designs, which must include:
 - (1) Verifying that the [manufacturer's](#) quality control manual at the installation site is functioning and being followed;
 - (2) Monitoring the [manufacturer's](#) [system](#) for tracking the status of each home built under the approval until the on-site work and necessary inspections have been completed;
 - (3) Reviewing all of the [manufacturer's](#) final on-site inspection reports; and
 - (4) Inspecting all of the on-site construction work for each home utilizing an IPIA inspector or an independent qualified third-party inspector acceptable to the IPIA and acting as the designee or representative:
 - (i) Prior to close-up, unless access panels are provided to allow the work to be inspected after all work is completed on-site; and
 - (ii) After all work is completed on-site, except for close-up;
- (d) Designating an IPIA inspector or an independent qualified third-party inspector acceptable to the IPIA, as set forth under [§ 3282.358\(d\)](#), who is not associated with the [manufacturer](#) and is not involved with the site construction or completion of the home and is free of any conflict of interest in accordance with [§ 3282.359](#), to inspect the work done on-site for the purpose of determining compliance with:
 - (1) The approved [design](#) or, as appropriate under [§ 3282.362\(a\)\(1\)\(iii\)](#), the Construction and Safety [Standards](#); and
 - (2) The DAPIA-approved [quality assurance manual](#) for on-site completion applicable to the labeling and completion of the affected manufactured homes;
- (e) Notifying the [manufacturer](#) of the IPIA's acceptance of the [manufacturer's](#) final site inspection report (see [§ 3282.605\(d\)\(3\)\(iii\)](#));
- (f) Preparing final site inspection reports and providing notification to the [manufacturer](#) of its acceptance of the [manufacturer's](#) final site inspection report within 5 business days of preparing its report. The IPIA is to maintain its final site inspection reports and those of the [manufacturer](#) for a period of at least 5 years. All reports must be available for HUD and SAA review in the IPIA's central record office as part of the labeling records; and
- (g) Reporting to HUD, the DAPIA, and the [manufacturer](#) if one or more homes has not been site inspected prior to occupancy or when arrangements for one or more manufactured homes to be site inspected have not been made.

§ 3282.608 [Manufacturer](#) responsibilities.

A [manufacturer](#) proceeding under this section is responsible for:

- (a) Obtaining DAPIA approval for completion of construction on-site, in accordance with [§ 3282.603](#);
- (b) Obtaining the IPIA's agreement to perform on-site inspections as necessary under this section and the terms of the DAPIA's approval;
- (c) Notifying the IPIA that the home is ready for inspection;
- (d) Paying the IPIA's costs for performing on-site inspections of work completed under this section;
- (e) Either before or at the time on-site work commences, providing the IPIA with a copy of any applicable DAPIA-approved [quality assurance manual](#) for on-site completion, the approved instructions for completing the construction

work on-site, and an approved inspection checklist, and maintaining this information on the job site until all on-site work is completed and accepted by the IPIA;

- (f) Satisfactorily completing all on-site construction and required repairs or authorizing a licensed contractor or similarly qualified person to complete all site construction and any needed repairs;
- (g) Providing a written certification to the lessor or [purchaser](#), when all site construction work is completed, that each home, to the best of the [manufacturer's](#) knowledge and belief, is constructed in conformance with the Construction and Safety [Standards](#);
- (h) Ensuring that the consumer notification requirements of [§ 3282.606](#) are met for any home completed under this subpart;
- (i) Maintaining a [system](#) for tracking the status of homes built under the approval until the on-site work and necessary inspections have been completed, such that the [system](#) will assure that the work is performed in accordance with the quality control manual and other conditions of the approval;
- (j) Ensuring performance of all work as necessary to assure compliance with the Construction and Safety [Standards](#) upon completion of the site work, including [§ 3280.303\(b\)](#) of this chapter, regardless of who does the work or where the work is completed;
- (k) Preparing a site inspection report upon completion of the work on-site, certifying completion in accordance with DAPIA-approved instruction and that the home conforms with the approved [design](#) or, as appropriate under [§ 3282.362\(a\)\(1\)\(iii\)](#), the construction and safety [standards](#);
- (l) Arranging for an on-site inspection of each home upon completion of the on-site work by the IPIA or its authorized designee prior to occupancy to verify compliance of the work with the DAPIA-approved designs and the Construction and Safety [Standards](#);
- (m) Providing its final on-site inspection report and certification of completion to the IPIA and, after approval, to the lessor or [purchaser](#) and, as applicable, the appropriate [retailer](#), and to the SAA upon request;
- (n) Maintaining in its records the approval notification from the DAPIA, the [manufacturer's](#) final on-site inspection report and certification of completion, and the IPIA's acceptance of the final site inspection report and certification, and making all such records available for review by HUD in the factory of origin;
- (o) Reporting to HUD or its agent the serial numbers assigned to each home completed in conformance with this section and as required by [§ 3282.552](#); and
- (p) Providing cumulative quarterly production reports to HUD or its agent that include the site completion numeric identification number(s) for each home (see [§ 3282.603\(d\)\(1\)](#)); the serial number(s) for each home; the HUD [label](#) number(s) assigned to each home; the [retailer's](#) name and address for each home; the name, address, and phone number for each home [purchaser](#); the dates of the final site completion inspection for each home; and whether each home was inspected prior to occupancy.
- (q) Maintaining copies of all records for on-site completion for each home, as required by this section, in the unit file to be maintained by the [manufacturer](#).

§ 3282.610 Failure to comply with the procedures of this subpart.

In addition to other sanctions available under the Act and this part, HUD may prohibit any [manufacturer](#) or PIA found to be in violation of the requirements of this section from carrying out their functions of this Subpart in the future, after providing an opportunity for an informal [presentation of views](#) in accordance with [§ 3282.152\(f\)](#). Repeated infractions of the requirements of this section may be grounds for the suspension or disqualification of a PIA under [§§ 3282.355](#) and 3282.356.