

CHAPTER 1350
DEPARTMENT OF LABOR AND INDUSTRY
MANUFACTURED HOMES

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1350.0100 DEFINITIONS.

[For text of subps 1 to 7, see M.R.]

Subp. 7a. **Architect.** "Architect" means an architect that is an individual or entity licensed to practice architecture in a state or other United States jurisdiction and subject to all laws and limitations imposed by the agency in the state or jurisdiction that regulates the architect.

[For text of subps 8 to 19, see M.R.]

Subp. 19a. **Engineer.** "Engineer" means an engineer that is an individual or entity licensed to practice engineering in a state or other United States jurisdiction and subject to all laws and limitations imposed by the agency in the state or jurisdiction that regulates the engineer.

[For text of subps 20 to 24, see M.R.]

Subp. 24a. **HUD.** "HUD" means the United States Department of Housing and Urban Development.

[For text of subps 25 and 26, see M.R.]

Subp. 26a. **Individual.** "Individual" means a human being.

Subp. 27. **Installation.** "Installation" of a manufactured home means the completion of work to stabilize, support, anchor, and close up a manufactured home, and to join sections of a multisection manufactured home when any such work is governed by the state installation standards or federal installation standards in Code of Federal Regulations, title 24, part 3285, or by state installation standards that are certified as part of a qualifying installation program.

[For text of subps 28 and 29, see M.R.]

Subp. 30. **Installation instructions.** "Installation instructions" means a manufacturer's Design Approval Primary Inspection Agency (DAPIA) approved set of specifications to ensure that a manufactured home is set up according to applicable installation standards, as required under Code of Federal Regulations, title 24, part 3285.

[For text of subp 31, see M.R.]

Subp. 31a. **Installation standards.** "Installation standards" means the standards established by HUD in Code of Federal Regulations, title 24, part 3285, or any set of state

standards that the secretary has determined provide protection to the residents of manufactured homes that equals or exceeds the protection provided by the standards in Code of Federal Regulations, title 24, part 3285.

Subp. 32. **Installer.** "Installer" means a person or entity that is retained to engage in, or who engages in, the business of directing, supervising, controlling, or correcting the installation or repair of a manufactured home, as governed by Code of Federal Regulations, title 24, part 3285, and this chapter. Installers are required to be licensed according to Minnesota laws and rules.

[For text of subps 33 to 45, see M.R.]

Subp. 46. **Person.** "Person" includes, unless the context indicates otherwise, a corporation, company, association, firm, partnership, society, or joint stock company, as well as an individual, but does not include a tribal entity on a federal reservation.

[For text of subps 47 and 48, see M.R.]

Subp. 48a. **Repair.** "Repair" means the reconstruction, replacement, or renewal of any part of an existing structure, using materials of like kind and type for the purpose of the structure's maintenance.

Subp. 48b. **Replacement construction seal.** "Replacement construction seal" means a construction seal issued by the commissioner to replace a construction seal or label that has been lost or removed from a manufactured home after application has been made and verification has been received by the commissioner that the home complies with the manufactured home code.

Subp. 48c. **Retailer.** "Retailer" is synonymous with dealer wherever it appears in parts 1350.0100 to 1350.9200 and in federal and state laws and rules relating to manufactured housing.

[For text of subps 49 to 51, see M.R.]

Subp. 51a. **Set up.** "Set up" means any assembly or installation of a manufactured home on site that includes aspects of work that are governed by Code of Federal Regulations, title 24, part 3280 or 3285, and this chapter.

[For text of subps 52 to 60, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.0200 AUTHORIZATION.

Parts 1350.0100 to 1350.6900 are authorized by Minnesota Statutes, sections 326B.02, 327.31 to 327.36, and 327B.04, and established through the rulemaking procedures in Minnesota Statutes, sections 14.02, 14.04 to 14.36, 14.38, and 14.44 to 14.45, to implement, interpret, and carry out the provisions of Minnesota Statutes, sections 326B.801, 327.31 to 327.36, 327B.04, and 327B.10, relating to manufactured homes. If parts 1350.0100 to 1350.6900 differ from the code promulgated by the American National Standards Institute as ANSI A119.1, or the provisions of the National Fire Protection Association identified as NFPA 501B, parts 1350.0100 to 1350.6900 govern in all cases.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.0400 REQUIREMENT FOR SEALS, CODE COMPLIANCE, CONSTRUCTION COMPLIANCE CERTIFICATES, OR LABELS.

Subpart 1. **Construction seals; code compliance; construction compliance certificates or labels.** After July 1, 1972, no person shall sell or offer for sale in this state any manufactured home manufactured after July 1, 1972; manufacture any manufactured home in this state; or install for occupancy any manufactured home manufactured after July 1,

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1972, in any manufactured home park in this state, unless the manufactured home complies with the code and the commissioner's revisions to it, bears a construction seal issued by the commissioner, and is accompanied by a construction compliance certificate by the manufacturer or dealer, on a form issued by the commissioner, both evidencing that it complies with the code, or if manufactured after June 14, 1976, bears a label as required by the secretary.

[For text of subp 2, see M.R.]

Subp. 3. **Requirement for installation seals.** No person shall install or connect to any manufactured home or manufactured home accessory structure a support or anchoring system unless the system and installation comply with parts 1350.0100 to 1350.6900. The installer shall affix the correct installation seals to the manufactured home or the manufactured home accessory structure installed in compliance with parts 1350.0100 to 1350.6900. Evidence of compliance shall be supported by the submission of a certificate to the commissioner, the retailer, and the manufactured home owner. Installation seals and certificates are required for all manufactured homes installed in Minnesota, including those in a municipality enforcing the State Building Code. Exceptions to the requirement for seals and certificates apply to manufactured homes installed on a federal reservation or by the homeowner of the manufactured home. Retailers shall submit documentation to the commissioner for manufactured homes installed according to the exception for seals and certificates on a form provided by the commissioner. A permit to install a manufactured home in a municipality enforcing the State Building Code is required by the municipality.

[For text of subps 4 and 5, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.0500 ACQUISITION OF LABELS AND SEALS; INSTALLER LICENSING.

[For text of subpart 1, see M.R.]

Subp. 2. **Acquisition of replacement construction seals.** A person may qualify for replacement seals by furnishing proof on forms furnished by the commissioner that the manufactured home to which the seal or label was affixed was manufactured in compliance with the State or Federal Manufactured Home Building Code and has not been brought out of conformance because of damage, additions, or alterations.

[For text of subp 3, see M.R.]

Subp. 4. **Installer licensing; proper seal issuance; proper code or standard application.** Application for installer licensing shall be issued by the Department of Labor and Industry as required by Minnesota Statutes, section 326B.83. Installer license verification must be submitted as supporting evidence to the commissioner of labor and industry to establish that installation seals issued to an installer will be affixed only to those manufactured homes where the support system and ground anchoring system installations comply with parts 1350.0100 to 1350.6900, applicable State Building Code provisions, or federal installation standards. The State Building Code provisions or federal installation standards that apply to the installation are dependent upon the date that the home was manufactured.

Subp. 5. **Acquisition of installation seals.** Any licensed installer shall qualify for acquisition of installation seals by providing proof of licensure in good standing that has been issued by the commissioner or a reciprocal manufactured home licensing program in another state or federal jurisdiction of the United States that has been approved by the commissioner.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.0900 PLACEMENT AND LOCATION OF SEALS.

Subpart 1. **Replacement construction seals.** Each replacement construction seal shall be assigned and affixed to a specific manufactured home. Assigned replacement construction seals are not transferable and are void when not affixed as assigned, and all voided replacement construction seals or original HUD labels shall be returned to, or may be confiscated by, the commissioner.

The replacement construction seal shall be securely affixed to the rear of the manufactured home on the lower left corner of the exterior wall.

Subp. 2. **Installation seals.** Only one installation seal shall be assigned to a manufactured home whether the manufactured home consists of one or multiple units. The installation seal shall be placed in a readily visible location adjacent to the primary label or construction seal. Appropriate installation seals shall be affixed to each accessory structure.

[For text of subp 3, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.1100 RETURN OF SEALS.

Subpart 1. **Installation seals.** Upon discontinuing the installation of manufactured homes, an installer shall notify the commissioner in writing within ten days of the date of such discontinuance and return all unused installation seals that have been issued to the installer. Installation seals may not be transferred by any installer. Upon return of the unused installation seals, a refund, minus an administrative fee of 20 percent of the total value of the seals, must be issued by the commissioner to the installer returning the seals.

[For text of subp 2, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.1400 APPLICATION FOR MANUFACTURED HOME ACCESSORY STRUCTURE APPROVAL.

[For text of subpart 1, see M.R.]

Subp. 2. **Plans and specifications.** Submissions of required plans and specifications shall be in duplicate and shall include, but not be limited to, the following:

- A. a dimensioned floor plan(s);
- B. proposed use of rooms and method of light and ventilation;
- C. size, type, and location of windows and exterior doors;
- D. type and location of all appliances and fixtures;
- E. type, size, and location of plumbing, drain, water, gas, and electrical connections;
- F. type and location of all electrical outlets (receptacles and lights);
- G. number of outlets and appliances on each circuit and circuit rating;
- H. installation details and instructions for accessory structures;
- I. mechanical layout for heating or cooling;
- J. heating and cooling load calculations;
- K. structural calculations;
- L. engineered truss drawings or rafter calculations; and

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M. approval letter from home manufacturer allowing addition of accessory structure for new manufactured homes subject to the limited warranty of merchantability and fitness.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2100 INSPECTION REQUESTS.

Any person manufacturing manufactured homes or any person selling, offering for sale, or parking any manufactured home in any mobile home park in the state, or any dealer or installer of manufactured homes, or any person holding title, may request the commissioner to make an inspection of any manufactured home manufactured after July 1, 1972. Additionally, any person listed above may request an inspection of the installation, support, and anchoring system of the manufactured home. Inspection requests must be made on "Application for Inspection" forms, available from the commissioner. In connection with requested inspections, the commissioner may require the submission of plans, specifications, calculations, and test results.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2300 OTHER INSPECTIONS.

Subpart 1. **Facility inspections.** In addition to making inspections on request, the commissioner shall make periodic inspections of the facilities of persons who are subject to the code and parts 1350.0100 to 1350.9200. The inspections shall include oversight inspections at the in-state manufactured home manufacturing facilities to review the manufacturer's consumer complaint handling and notification and correction as required by parts 1350.3900 to 1350.5700. Oversight inspections shall be made annually. The frequency of oversight inspections may be increased when the need is indicated by the number of consumer complaints received by the commissioner.

Subp. 2. **Installation inspections.** Every manufactured home installed in Minnesota after January 1, 2009, must have the installation inspected by the commissioner, the local authority having jurisdiction, or an inspection agency authorized by the commissioner or the secretary.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2400 NOTICE OF CORRECTION.

When an inspection reveals that a manufactured home or the home's installation is in violation of the construction code to which the home was manufactured, or parts 1350.0100 to 1350.9200, the commissioner or local authority having jurisdiction shall serve upon the owner or the owner's agent a notice specifying the required correction. An owner or agent so served shall not move the manufactured home from the premises until such time as the commissioner or local authority having jurisdiction determines that the manufactured home has been brought into compliance with the construction code to which the home was manufactured, and parts 1350.0100 to 1350.9200.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2500 STABILIZING SYSTEMS FOR MANUFACTURED HOME INSTALLATION.

Stabilizing devices installed at the site of occupancy shall comply with State Building Code, chapter 1350, and Code of Federal Regulations, title 24, part 3285.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2600 INSTRUCTIONS AND DESIGNS.

Subpart 1. **Manufacturer's installation instructions.** Each manufactured home shall have its stabilizing system installed according to the manufactured home manufacturer's installation instructions. The manufacturer's instructions shall include a typical support system designed by an engineer or architect to support the anticipated loads that the manufacturer's installation instructions specify for the design zone, including the climatic region, of installation. The instructions shall also meet the requirements of parts 1350.3900 to 1350.5700, for manufactured homes manufactured prior to January 1, 2009. Manufactured homes manufactured on or after January 1, 2009, must comply with the manufacturer's instructions or Code of Federal Regulations, title 24, part 3285. These instructions shall be left with the manufactured home following completion of the installation.

Footings shall be sized to support the loads shown in these instructions.

Stabilizing devices not provided with the manufactured home shall meet or exceed the design and capacity requirements of the manufactured home manufacturer and parts 1350.2500 to 1350.3200 and shall be installed according to the manufactured home manufacturer's installation instructions.

Foundation systems shall be in compliance with the State Building Code.

No portion of a manufactured home shall be removed during installation or when located on its home site unless it is designed to be removable and is removed according to the manufacturer's instructions.

[For text of subp 2, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2700 FOUNDATION AND SUPPORT SYSTEMS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Footings.** The required load-bearing capacity of individual load-bearing supports and their footings shall be calculated at not less than a combined live and dead load of 95 pounds per square foot. Footings shall be adequate in size to withstand the tributary live and dead loads of the manufactured home and any concentrated loads.

Footings shall be at least 16-inch by 16-inch by four-inch solid concrete blocks or other product approved for the use intended. As an alternate, two eight-inch by 16-inch by four-inch solid concrete blocks can be used as footings provided the joint between the blocks is parallel to the steel I-beam frame.

Footings or pier foundations, when required, shall be placed level on firm undisturbed soil or on controlled fill which is free of grass and organic materials, compacted to a minimum load-bearing capacity of 2,000 pounds per square foot (unless otherwise approved by an engineer). Where unusual soil conditions exist as determined by the authority having jurisdiction, footings shall be designed specifically for such conditions.

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[For text of subps 5 to 8, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2800 ANCHORING EQUIPMENT.

[For text of subp 1, see M.R.]

Subp. 2. **Resistance to weather deterioration.** Anchoring equipment exposed to weathering shall have a resistance to weather deterioration at least equivalent to that provided by a coating of paint or zinc on steel of not less than 0.625 ounces per square foot on each side of the surface coated as determined by ASTM Standard Methods of Test for Weight of Coating on Zinc-coated (galvanized) Iron or Steel Articles (ASTM A90-69). Note: Slit or cut edges of zinc-coated steel strapping do not need to be zinc coated.

[For text of subps 3 to 7, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.2900 GROUND ANCHORS.

[For text of subps 1 to 4, see M.R.]

Subp. 5. **Table of soil types.** For determination of soil types for anchors and soil bearing capacities, refer to the table in Code of Federal Regulations, title 24, part 3285.202, which is included in this part.

Table to Part 3285.202					
Soil classification		Soil description	Allowable soil bearing pressure (psf) ¹	Blow count ASTM D 1586-99	Torque probe ³ value ⁴ (inch-pounds)
Classification number	ASTM D 2847-00 or D 2488-00 (incorporated by reference, see Part 3285.4)				
1		Rock or hard pan	4000+		
2	GW, GP, SW, SP, GM, SM	Sandy gravel and gravel; very dense and/or cemented sands; coarse gravel/cobbles; preloaded silts, clays and coral	2000	40+	More than 550
3	GC, SC, ML, CL	Sand; silty sand; clayey sand; silty gravel; medium dense coarse sands; sandy gravel; and very stiff silt, sand clays	1500	24-39	351-550

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4A	CG, MH ²	Loose to medium dense sands; firm to stiff clays and silts; alluvial fills	1000	18-23	276-350
4B	CH, MH ²	Loose sands; firm clays; alluvial fills	1000	12-17	175-275
5	OL, OH, PT	Uncompacted fill; peat; organic clays	Refer to Part 3285.202(e)	0-11	Less than 175

Notes:

¹ The values provided in this table have not been adjusted for overburden pressure, embedment depth, water table height, or settlement problems.

² For soils classified as CH or MH, without either torque or probe values or blow count test results, selected anchors must be rated for a 4B soil.

³ The torque test probe is a device for measuring the torque value of soils to assist in evaluating the holding capacity of the soil in which the ground anchor is placed. The shaft must be of suitable length for the full depth of the ground anchor.

⁴ The torque value is a measure of the load resistance provided by the soil when subject to the turning or twisting force of the probe.

Subp. 6. **Use of concrete slabs or continuous footings.** Concrete slabs, piers, or continuous footings that transfer anchor loads to the ground must be constructed and installed according to the anchor manufacturer's instructions or with engineered designs. The anchor loads pertaining to the slabs, piers, or footings shall comply with subpart 2.

[For text of subp 7, see M.R.]

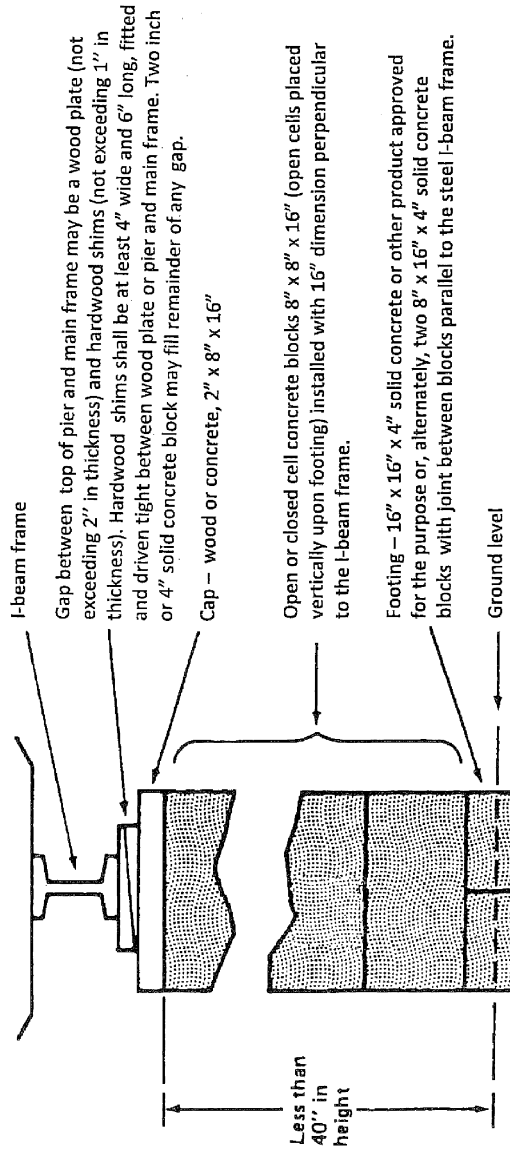
Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

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1350.3300 PIER SPECIFICATIONS.

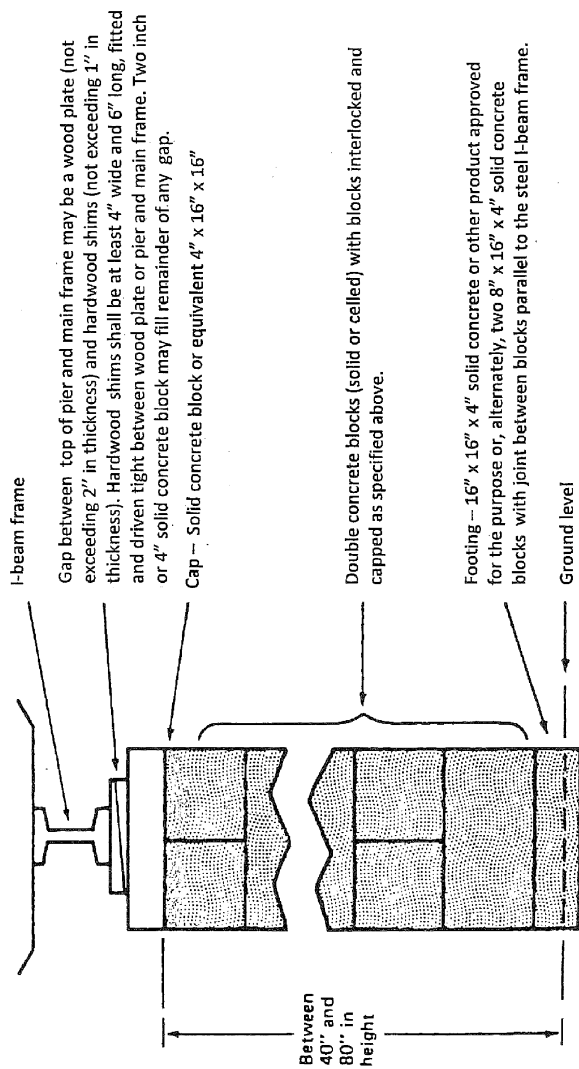
Subpart 1. Piers less than 40 inches tall.



Footing placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

For piers less than 40 inches in height (except corner piers over 3 blocks high), piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.

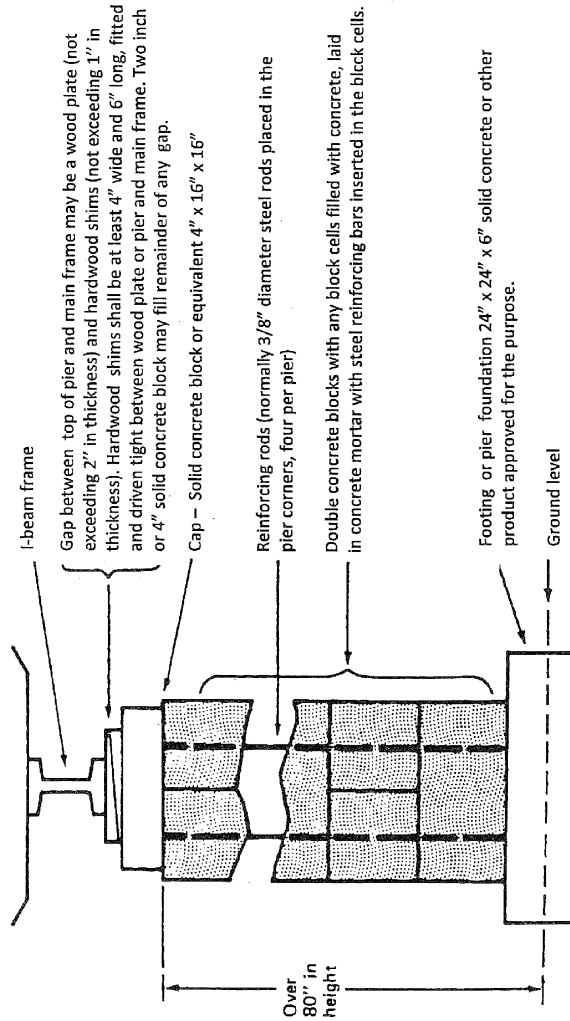
Subp. 2. Piers 40 to 80 inches tall.



Footing placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

For piers 40 inches to 80 inches in height and all corner piers over 3 blocks high, piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.

Subp. 3. Piers over 80 inches tall.



Footing placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

For piers exceeding 80 inches in height. Piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.

[For text of subp 4, see M.R.]

Statutory Authority: MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10

History: 34 SR 866

1350.3400 UTILITY CONNECTIONS.

Subpart 1. **Water connections.** Water piping to manufactured homes shall comply with the Minnesota Plumbing Code, chapter 4715. Upon the completion of a section or the entire water distribution system, it shall be tested in accordance with Code of Federal Regulations, title 24, part 3285.603 (e)1 and 2, and proved airtight with the use of air or water not less than the minimum working pressure under which it is to be used. The water heater must be disconnected when the piping system is air tested. Pipes shall be protected from freezing. Heat tape, when installed, shall be listed and installed in conformance with its listing and the manufacturer's instructions. When the manufactured home is installed on a support system subject to ground movement due to freezing and thawing, approved flexible connectors or semirigid copper tubing shall be used to prevent pipe breakage.

Subp. 2. **Sewer connections.** Waste piping from the on-site sewer connection to the manufactured home's drain outlet shall comply with the Minnesota Plumbing Code, chapter 4715. After completion of the drainage system at the site of occupancy, the entire drain/waste/vent system shall be tested by introducing air into the system equal to the pressure on a one-inch water column, or in accordance with Code of Federal Regulations, title 24, section 3280.612 (b), whichever is acceptable to the local authority having jurisdiction. When a manufactured home is installed on a support system subject to ground movement due to freezing and thawing, offsets or approved flexible connectors shall be used to prevent pipe breakage. Both offsets and approved flexible connectors may be used.

[For text of subps 3 to 5, see M.R.]

Subp. 5a. **Electrical on-site testing.** After completion of all electrical wiring and connections, crossovers, electrical lights, and ceiling fans, the electrical system shall be tested on site by the electrical contractor of record. Tests shall include a continuity test to ensure proper bonding of metallic parts, polarity checks to determine if connections have been properly made, and an operational test on equipment. Continuity, polarity, and operational tests do not apply to water heaters, electric furnaces, dishwashers, clothes washers and dryers, and portable appliances. Smoke alarms and carbon monoxide detectors shall be functionally tested in accordance with the manufacturers' instructions.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.3800 CONSTRUCTION ALTERATIONS.

Subpart 1. **Effect on seal or label.** Any alteration of the construction, plumbing, heating, cooling, fuel-burning system, electrical equipment, installation, or fire safety in a manufactured home that bears a seal or label, prior to receiving review and approval, and prior to obtaining permits, which include necessary inspections, shall void the approval, and the seal or label shall be returned to the commissioner.

[For text of subp 2, see M.R.]

Subp. 3. **Application.** Any person proposing an alteration to a manufactured home bearing a seal or label shall make application for review and approval of the alteration to the commissioner or to the local authority having jurisdiction on the form issued by the commissioner.

Subp. 4. **Inspection.** Upon completion of the alteration, the applicant shall request the commissioner or the local authority having jurisdiction to make an inspection pursuant to part 1350.2100 to determine code compliance of the approved alteration.

Subp. 5. **Replacement construction seal.** If approvals and inspections for alterations were not obtained, and the home's construction seal or label is removed by the commissioner, or the commissioner ordered removal by the local authority having jurisdiction, then the applicant may apply for a replacement construction seal upon inspection and approval of the alteration. Replacement construction seals shall require submission of an application in accordance with part 1350.0500, subpart 2.

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Subp. 6. [Repealed, 34 SR 866]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.3850 DISPUTE RESOLUTION PROGRAM.

The department received approval from HUD of its compliance with Code of Federal Regulations, title 24, part 3288.210, on February 6, 2008, regarding its dispute resolution program. A request for resolution of a dispute among manufacturers, retailers, and installers may be initiated by any of these parties, in writing, on a form provided by the commissioner. Homeowners may initiate a request for dispute resolution and act as observers, but cannot be recognized as a party to the dispute. A request for dispute resolution will be handled pursuant to this chapter and Minnesota Statutes, sections 327.31 and 327B.01 to 327B.12.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.6400 FORM AND REMITTANCE OF FEES.

All remittances shall be in the form of checks or money orders payable to "Minnesota Department of Labor and Industry"; and addressed to: Department of Labor and Industry, 443 Lafayette Road North, Saint Paul, Minnesota 55155.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.6500 [Repealed, 34 SR 866]**1350.6700 REGISTRATION REQUIREMENT AND INSTALLER LICENSING RECIPROCITY.**

Subpart 1. **Registration.** An installer shall register with the department to obtain seals by providing a copy (proof) of a manufactured home installer's license issued by the commissioner or a reciprocal state or United States jurisdiction prior to obtaining required installation certificates and seals under part 1350.0600, subpart 2. Registration shall be renewed every three years.

Subp. 2. **Reciprocity.** An installer who holds and maintains an unexpired license or certificate issued by any state other than Minnesota or by a United States jurisdiction in which the licensing or certification and renewal requirements meet or exceed Minnesota's licensing and renewal requirements as determined by the commissioner is exempt from the requirement to obtain licensure in Minnesota as a manufactured home installer if the installer:

- A. provides proof of valid license or certification to the commissioner;
- B. provides proof of public liability insurance coverage in the amount of \$300,000 per occurrence and \$10,000 property damage coverage;
- C. posts a bond of at least \$2,500; and
- D. registers in accordance with subpart 1.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.6705 DEFINITIONS.

Subpart 1. **Applicability.** The definitions in this part apply to part 1350.6710.

Subp. 2. **Appropriate and related knowledge.** "Appropriate and related knowledge" means facts, information, or principles that are clearly relevant to the installer in performing

responsibilities under a license issued by the commissioner. These facts, information, or principles must convey substantive and procedural knowledge as it relates to postlicensing issues and it must be relevant to the technical aspects of a particular area of continuing education.

Subp. 3. **Classroom hour.** "Classroom hour" means 50 minutes of continuing education training for every hour of training required.

Subp. 4. **Instructor.** "Instructor" means a person approved by the commissioner under part 1350.6710, subpart 2, to act as a trainer, teacher, or presenter of approved manufactured home installer continuing education courses.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.6710 LICENSED MANUFACTURED HOME INSTALLER EDUCATION.

Subpart 1. **Installer continuing education requirements.** An installer licensed in Minnesota is required to complete a minimum of 12 classroom hours of continuing education training during every three-year license renewal period, with a minimum of four classroom hours consisting of training in the following areas:

A. an overview of the act and the general regulatory structure of the HUD manufactured housing program;

B. an overview of the manufactured home installation standards and regulations established in Code of Federal Regulations, title 24, parts 3285 and 3286, and applicable Minnesota laws and rules, with specific instruction covering:

- (1) preinstallation considerations;
- (2) site preparation;
- (3) foundations;
- (4) anchorage against wind;
- (5) optional features, including comfort cooling systems;
- (6) ductwork and plumbing and fuel supply systems;
- (7) electrical systems; and
- (8) exterior and interior close-up work;

C. an overview of the construction and safety standards and regulations found in Code of Federal Regulations, title 24, parts 3280 and 3282;

D. licensing requirements applicable to installers;

E. installer responsibilities for correction of improper installation, including installer obligations under applicable state and HUD manufactured housing dispute resolution programs;

F. inspection requirements and procedures;

G. problem reporting mechanisms;

H. operational checks and adjustments; and

I. penalties for any person's failure to comply with Code of Federal Regulations, title 24, parts 3285, 3286, and 3288, and applicable Minnesota laws and rules.

The remaining eight classroom hours of continuing education training must relate to any aspect of manufactured home installation or construction. All continuing education courses must be approved in advance by the commissioner pursuant to subpart 3.

Subp. 2. Approval for instructors.

A. Each continuing education course shall have an instructor who is qualified by education, training, or experience to ensure competent instruction. Failure to have a qualified instructor teach an approved course offering will result in withdrawal of the course approval. Qualified instructors shall have at least one of the following qualifications:

- (1) a four-year degree in any subject area, plus two years of experience in the subject area being taught;
- (2) five years of experience in the subject area being taught; or
- (3) certification by HUD as a trainer for manufactured home installation.

The applicant shall submit to the commissioner an application for approval as an instructor on a form provided by the commissioner and submit appropriate evidence to verify that the required qualifications have been met. Following the commissioner's review of the application and evidence of qualifications, the commissioner shall provide the applicant with a final determination regarding approval as an instructor. A HUD-certified trainer must also be approved by the commissioner in order to be considered an instructor for manufactured home installer continuing education.

B. Instructors shall:

- (1) thoroughly address the continuing education subjects approved by the commissioner pursuant to subpart 3, within the credit hours allotted by the commissioner;
- (2) maintain attendance records including times, locations, names of attendees at each session, and content of all courses offered. These records shall be made available to the commissioner upon request;
- (3) provide certificates of completion to course attendees, within ten days following completion of the course that indicates the attendee's name, course title and number, course content (including any technical areas), and assigned classroom hours of continuing education credit earned, which have been signed and dated by the instructor;
- (4) maintain course records related to the content of the course, which shall include any tests administered as a part of the course. These records shall be made available to the commissioner upon request; and
- (5) notify the commissioner, in writing, within ten days of any change to the information on an application for course approval or on the materials submitted with the application, that are on file with the commissioner.

C. Prohibited practices for instructors, in connection with an approved course, include:

- (1) recommending or promoting the services, products, or practices of a particular business;
- (2) requiring students to participate in other programs or services offered by the instructor;
- (3) misrepresenting any information submitted to the commissioner;
- (4) failing to cover all points, issues, and concepts contained in the course outline or materials approved by the commissioner during the approved instruction; and
- (5) issuing inaccurate course certificates of completion.

Subp. 3. Course approval.

A. Courses for manufactured home installer continuing education must be approved in advance by the commissioner, pursuant to this subpart, and will be approved on the basis of the applicant's compliance with this subpart. The commissioner shall provide the final approval regarding the course offering. The commissioner reserves the right to audit course offerings with or without notice to the instructor. The burden of demonstrating that courses impart appropriate and related knowledge falls on the person seeking the approval or credit.

B. To obtain course approval, the following procedure must be followed.

(1) An approved instructor must complete an application for course approval on a form provided by the commissioner and submit all pertinent course materials. The instructor shall also provide on the application the number of classroom hours of continuing education credit requested. Application for course approval must be submitted at least 30 days prior to the course offering. The instructor shall specify whether a test will be required for the course and, if required, provide the minimum passing score to obtain course credit.

(2) The commissioner shall review the application and pertinent course material for appropriate technical content and program length. Courses must be a minimum of one classroom hour in length. Course content must adequately cover the technical area being taught for the classroom hours of continuing education credit being requested.

(3) Following the commissioner's review of the application and course materials, the commissioner shall provide the instructor, within 40 days of receipt, with a final written determination regarding course approval and the number of approved continuing education classroom hours assigned to the course.

C. Course examinations are not required for approved manufactured home continuing education courses, unless they are required by the instructor.

D. Approved courses shall be resubmitted by the instructor to the commissioner for review of course content every three years from the date of the original approval.

Subp. 4. **Fees.** Fees for an approved course of study and related materials must be clearly identified to students. In the event that an instructor cancels a course for any reason, all fees must be returned within 15 days of the date of cancellation. If a student is unable to attend a course or cancels the registration for a course, the instructor's policies regarding refunds shall apply.

Subp. 5. **Facilities and supplementary materials.** Each continuing education course must be held in a classroom or other facility that is adequate to accommodate the instructors and the number of students enrolled. The instructor may limit the number of students enrolled in a course. An adequate supply of supplementary materials to be used or distributed in connection with an approved course must be available at the time and place of the course offering to ensure that each student receives all of the necessary materials. Outlines and any other materials that are reproduced must be legible.

Subp. 6. **Advertising courses.** Advertising for courses must be truthful and not deceptive or misleading. No advertisement, pamphlet, circular, or other similar material pertaining to an approved offering can be circulated or distributed in this state, unless the following statement is prominently displayed: "This course has been approved by the Minnesota Department of Labor and Industry for (approved number of classroom hours) classroom hours for Manufactured Home Licensed Installer continuing education." Advertising for approved courses must be clearly distinguishable from the advertisement for other nonapproved courses. A continuing education course may not be advertised before it has been approved, unless the course is described in the advertising as "approval pending" and the application for approval has been timely submitted to the commissioner and a denial has not been received. The number of classroom hours for which the course has been approved and any testing required for credit must be prominently displayed on the advertisement for the course.

Subp. 7. **Withdrawal of approval.** Failure to comply with the requirements of subparts 2 to 6 shall result in the commissioner's withdrawal of the approval for the continuing education credit and hours for the three-year renewal period, qualifications as an approved instructor, or approval for a course offering. Nothing in this part limits the authority of the commissioner from withdrawing an approval pursuant to this part.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.6800 MANUFACTURED HOMES

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1350.6800 OTHER FEES.

For all other work performed by the Department of Labor and Industry including, but not limited to, the review of plans, specifications, independent agency reports, quality control evaluations, and on-site inspections, a fee as specified in Minnesota Statutes, section 326B.153, subdivision 1, paragraph (c), shall be charged.

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*

1350.7200 LICENSE APPLICATION.

[For text of subp 1, see M.R.]

Subp. 2. **Required information.** The kinds of information listed in items A and B satisfy the related requirements in Minnesota Statutes, section 327B.04, subdivisions 3 and 4.

A. An application for a dealer's license must contain the information in subitems (1) to (9):

[For text of subitems (1) to (4), see M.R.]

(5) The signature of the applicant as the owner, general partner, or corporate president verified under oath.

[For text of subitems (6) to (9), see M.R.]

[For text of item B, see M.R.]

[For text of subps 3 and 4, see M.R.]

Statutory Authority: *MS s 326B.02; 326B.101; 326B.106; 326B.13; 327.32; 327.33; 327B.10*

History: *34 SR 866*