

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*

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