

15A-1-306 Factory built housing and modular units -- Division responsibility -- Unlawful conduct.

- (1) The division:
 - (a) shall maintain current information on the HUD Code and the portions of the State Construction Code relevant to manufactured housing installation and will provide at reasonable cost the information to compliance agencies, local regulators, or state regulators requesting such information;
 - (b) shall provide qualified personnel to advise compliance agencies, local regulators, and state regulators regarding the standards for construction and setup, construction and setup inspection, and additions or modifications to factory built housing;
 - (c) is designated as the state administrative agency for purposes of the HUD Code;
 - (d) may inspect factory built housing units in the state during the construction process to determine compliance of the manufacturer with this chapter for those units to be installed within the state, and upon a finding of substantive deficiency, issue a corrective order to the manufacturer and provide a copy of the order to the local regulator in the state's political subdivision where the unit is to be installed;
 - (e) shall have rights of entry and inspection as specified under the HUD Code; and
 - (f) shall implement by rule a continuing education requirement for manufactured housing installation contractors.
- (2) The division may assess civil penalties payable to the state for violation of the HUD Code in an amount identical to those set forth in Section 611 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Sec. 5410.
- (3) The state may impose criminal sanctions for violations of the HUD Code identical to those set forth in Section 611 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Sec. 5410, provided that if the criminal sanction is a fine, the fine shall be payable to the state.

Amended by Chapter 262, 2013 General Session