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**REGULATION MH-5  
UNIFORM STANDARDS CODE FOR  
FACTORY-BUILT HOMES LAW**

**Section**

<b>MH-5.I</b>	<b>Promulgation and Purpose</b>
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<b>MH- 5.VI</b>	<b>Repeal of Regulation MH-4</b>
<b>MH-5.VII</b>	<b>Effective Date</b>

The Rules and Regulations for the Uniform Standards Code for Factory-Built Homes Law, Section 75-49-1 through 75-49-21, Mississippi Code, 1972, Annotated, as revised and amended by HB1552 effective July 1, 2005 to bring our state statutes into compliance with the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C. Section 5401, et seq.) and as amended by the Manufactured Housing Improvement Act of 2000.

**I. PROMULGATION AND PURPOSE**

**Section 100 General**

These Rules and Regulations for Factory-Built Homes are promulgated by the Commissioner of Insurance of the State of Mississippi acting through the Chief Deputy State Fire Marshal and the Factory-Built Home Division in accordance with the Uniform Standards Code for Factory-Built Homes Law and the Mississippi Administrative Procedures Act, Section 25-43-1, et seq., Mississippi Code, 1972, as amended, and shall become effective after adopted and promulgated in accordance with the provisions of the Mississippi Administrative Procedures Act as provided in Section 25-43-1, et seq., Code of Mississippi (1972).

The purpose of these Rules and Regulations is to prevent the loss of life and property from fire and related hazards, and to restrict health hazards in Factory-Built homes by providing standards for construction, heating systems, and by requiring compliance with such standards during construction, marketing, transport, installation, anchoring and tie-down for Factory-Built homes in the State of Mississippi.

**Section 101 Definitions**

- (A) "Manufactured home" means a structure defined by, and constructed in accordance with, the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, (42 U.S.C. Section 5401 et seq.), and manufactured after June 14, 1976.

- (B) "Mobile home" means a structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufacture Housing Construction and Safety Standards Act of 1974, as amended, (42 U.S.C. Section 5401 et seq.). It is a structure that is transportable in one or more sections, that, in traveling mode, is eight (8) body feet or more in width and thirty-two (32) feet or more in length or when erected on site, is two hundred fifty-six (256) or more square feet and that is built on a chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes any plumbing, heating, air conditioning and electrical systems contained therein. A "mobile home" also includes any structure which meets all the requirements and complies with the standards established under this chapter.
- (C) "Modular home" means a structure which is: (i) transportable in one or more sections; (ii) designed to be used as a dwelling when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems with the home; and (iii) certified by its manufacturers as being constructed in accordance with a nationally recognized building code.
- (D) "Factory-built home" means a mobile home, manufactured home, and a modular home as those terms are defined herein.
- (E) "Commissioner" means the Commissioner of Insurance of the State of Mississippi.
- (F) "Chief Deputy State Fire Marshal" means the individual appointed by the Commissioner of Insurance, who, along with his employees, is designated by the Commissioner to implement and enforce this chapter and to maintain, among other duties, the Factory-Built Home Division of the Insurance Department.
- (G) "Division" means the Factory-Built Division of the State Fire Marshal's Office.
- (H) "Person" means any individual, firm, corporation, partnership, association or other type of business entity.
- (I) "Retailer" means any person engaged in the retail sale of new or used manufactured, mobile or modular homes to the general public. Upon renewal of a license, a retailer must provide documentation to the Department of Insurance that he or she has at least three (3) available manufactured, mobile or modular homes on sales lot. A retailer shall be responsible for installation requirements for manufactured, mobile or modular housing as set forth in Section IV of this Regulation.
- (J) "Developer" means any person who buys factory-built homes and real estate and then offers to sell or lease to the general public land-home "package deals" consisting of a home with real estate. Upon renewal of a license, a developer must provide

documentation to the Department of Insurance that he or she has at least five (5) available manufactured or modular home sites. A developer shall be responsible for installation requirements for manufactured or modular housing as set forth in Section IV of this Regulation.

- (K) "Manufacturer" means any person engaged in the production (construction) of manufactured homes or modular homes.
- (L) "Licensee" means any manufacturer, retailer, developer or installer/transporter who obtains a privilege license from the Factory-Built Home Division of the State Fire Marshal's Office of the Department of Insurance. The licensee shall comply with all laws of the State of Mississippi regarding factory-built homes.
- (M) "Mississippi Department of Transportation (MDOT)" means the regulatory agency for transportation in the State of Mississippi. All licensees (manufacturers, retailers, developers or installer/transporters) shall comply with the requirements regarding transportation of factory-built homes under the jurisdiction of MDOT in the State of Mississippi.
- (N) "Independent contractor installer or transporter" means any person engaged for hire in the movement of, transportation, or both, or the installation, blocking, anchoring and tie-down of a factory-built home. An "independent contractor installer or transporter" shall not include persons who do not hold themselves out for hire to the general public for the purposes described in this definition. An independent contractor installer or transporter shall be responsible for installation requirements for manufactured, mobile or modular homes as set forth in Section IV of the rules and regulations for the Uniform Standards Code for Factory-Built Home Law.
- (O) "Installation Property Locator Form" means a form submitted by any retailer, developer and installer/transporter who is engaged in the set-up (installation, blocking, anchoring and tie-down) of a factory-built home intended for human habitation to the Division within 72 hours (3 days) of the installation of home at the home site.
- (P) "Installation Decal" means the decal issued by the Division that is to be placed on all new and used factory-built homes at the time of installation by any retailer, developer and installer/transporter who is responsible for the set-up (installation, blocking, anchoring and tie-down) of a factory-built home when delivered to a home site intended for human habitation. The label is to be affixed near the HUD seal at the rear of the home and is to be completed by the licensee performing the installation, blocking, anchoring and tie-down at the home site.
- (Q) "Truck Decal" means a decal to be issued and placed on both the driver and passenger doors of the transporter vehicle (toter) which transports (moves) the factory-built home. Escort vehicles are not required to have truck decals. The truck decal is to be placed near the DOT number on each door of the vehicle.

- (R) “Consumer Notice” means any person engaged in the manufacture and retail sale of new manufactured, factory-built, mobile or modular homes to the general public shall post a notice in the kitchen area stating:

<p><b>CONSUMER NOTICE</b></p> <p><b>INSTALLATION REQUIREMENTS FOR BLOCKING, ANCHORS AND TIE-DOWNS FOR ALL NEW AND USED FACTORY-BUILT HOMES IN THE STATE OF MISSISSIPPI BY THE FACTORY-BUILT HOME DIVISION SHALL BE AS DEFINED BELOW:</b></p> <p style="text-align: center;"><b>• NEW FACTORY-BUILT HOMES •</b></p> <p><b>DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).</b></p> <p style="text-align: center;"><b>• USED FACTORY-BUILT HOMES •</b></p> <p><b>DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).</b></p>
<p><b>FACTORY-BUILT HOME DIVISION, OFFICE OF THE STATE FIRE MARSHAL</b>  <b>P. O. BOX 79, JACKSON, MS 39205</b>  <b>(601) 359-1061 OR WATTS: 1-888-648-0877</b></p>

## II. ADMINISTRATION

The Commissioner, acting through the Chief Deputy State Fire Marshal and the Factory-Built Home Division of the Insurance Department, is hereby charged with the administration of this chapter. He may make and amend, alter or repeal, general rules and regulations of procedure for carrying into effect all provisions of this chapter, for obtaining statistical data respecting manufactured, mobile and modular homes, and to prescribe means, methods and practices to make effective such provisions and he may make such investigations and inspection as in his judgment are necessary to enforce and administer this chapter Section 75-49-11.

### Section 200 Rules and Regulations

- (A) After July 1, 1988, every manufacturer engaged in the production (construction) of manufactured, mobile, or modular homes within the State of Mississippi shall apply for and obtain a license from the Commissioner. The application for license must be accompanied by proof of financial responsibility for cargo loss or damage.
- (B) After July 1, 1992, every independent contractor installer or transporter who transports or installs new or used factory-built homes within the State of Mississippi shall apply for

and obtain a license from the Commissioner. The application for license must be accompanied by proof of financial responsibility for cargo loss or damage.

- (C) After July 1, 2005, every retailer or developer who sales, transports or installs new or used factory-built homes within the State of Mississippi shall apply for and obtain a license from the Commissioner. The application for license must be accompanied by proof of financial responsibility for cargo loss or damage.
- (D) After July 1, 2005, any person as defined in Section 75-49-3(h), Code of Mississippi (1972) that repossesses and sells twelve (12) or more new or used factory-built homes within the fiscal year (July 1 through June 30) to be **relocated (moved) from the existing home site where the home was sited** immediately prior to repossession, shall apply for and obtain a retailer's or developer's license, unless the sale is contracted through a current licensed retailer or developer to insure that the factory-built home is installed and set-up by a licensed installer/transporter in compliance with the Division's rules and regulations. Upon license renewal, licensees are exempt from having three (3) units available for retailers; five (5) home sites for developers and from annual educational seminars. Other requirements for licensees are listed in Sections 203 and 204.

Any person as defined in Section 75-49-3(h), Code of Mississippi (1972), who repossesses and sells new or used factory-built homes **that are not to be relocated or moved from the existing home-site** prior to repossession within the State of Mississippi, shall be exempt from obtaining a retailer's or developer's license.

- (E) After July 1, 2005, the Commissioner, upon application, may issue a temporary license to persons or companies who are non-residents of this state and who are otherwise licensed transporters or installers in other states. Such temporary license shall remain in force for a period not to exceed thirty (30) days, unless extended for an additional period of sixty (60) days by the Commissioner or until a contract to transport or install entered into during the period of the temporary license has been completed. Within five (5) days of any applicant delivery or beginning work as a transporter or installer under this section, the employer or person contracting with such person shall provide a copy of their installer license from out-of-state, proof of insurance and certify to the Commissioner such application without being deemed in violation of this act.
- (F) If a factory-built home is new, the applicant shall certify in the application to the Commissioner that the applicant will comply with the Construction Standards set forth under Rules and Regulations provided in Section 75-49-5, Code of Mississippi (1972), and that the applicant has obtained a current and valid tax identification number.
- (G) Applications shall be obtained from and submitted to the Commissioner on forms prescribed by the Commissioner.
- (H) Pursuant to Section 75-49-9 of the Code of Mississippi (1972), the original license fee and all annual renewals thereof shall be Two Hundred Fifty Dollars (\$250.00) for

manufacturing plants located within or without the State of Mississippi manufacturing or delivering homes for sale within the State of Mississippi and One Hundred Fifty Dollars (\$150.00) per retailer location and developer location within the State of Mississippi. The licensing fee for a factory-built home and/or modular independent contractor transporter or installer is One Hundred Dollars (\$100.00) for each company. The fee for modular home plan review shall be Four Hundred Dollars (\$400.00) per floor plan; however, this fee shall not apply to any modular home plan reviews completed before July 1, 1998. Except as otherwise provided in subsection (M) of this section, the license shall be valid for the current license period (July 1 through June 30 of the following year) unless suspended or revoked as provided herein.

- (I) After the effective date of this chapter, every manufacturer, transporter or installer or retailer and developer who first sells, manufacturers, transports or installs a new or used factory-built home in this state, before such first construction, sale, transportation or installation, shall apply for and obtain a license from the Commissioner. (The original license fee, registration fee, annual renewals, and all thereof shall be due as set forth in Section 200). The fees shall be paid to the Commissioner in such a manner as the Commissioner may by rule require. All funds received by the Commissioner shall be deposited in the State Treasury to the credit of the Department of Insurance.
- (J) Every manufacturer of factory-built homes in the State shall pay a monitoring inspection fee to the Secretary of Housing and Urban Development, or the Secretary's Agent, for each manufactured home produced in the State by the manufacturer. The fee shall be in an amount established by the Secretary pursuant to the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401, et seq.) and as amended by the Manufactured Housing Improvement Act of 2000. The portion of the fee which is returned to the State shall be deposited by the Commissioner in the State Treasury to the credit of the Department of Insurance.
- (K) The Commissioner shall investigate and examine all applicants for all licenses by holding such hearings as he shall deem necessary or conducting investigations or examinations, or any combination thereof, as to the fitness or expertise of the applicant for the type of license for which the applicant applied. A license shall be granted only to a person who bears a good reputation for honesty, trustworthiness, integrity and competency to transact the business in such a manner as to safeguard the interest of the public and only after satisfactory proof of such qualifications has been presented to the Commissioner.
- (L) The Commissioner shall take all applicants under consideration after having examined them through oral or written examinations, or both, before granting any license. If the applicant is an individual, examination may be taken by his personal appearance for examination or by the appearance for examination of one or more of his responsible, full time managing employees; and if a partnership or corporation or any other type of business or organization, by the examination of one or more of the responsible, full time managing officers or members of the executive staff of the applicant's firm. Every application by an individual for a license to manufacture, sell, transport or install factory-

built homes, which include mobile homes, new or used manufactured homes and modular homes, shall be verified by the oath or affirmation of the applicant, and every such application by a partnership or corporation shall be verified by the oath or affirmation of a partner or an officer thereof. The applications for licenses shall be in such form and detail as the Commissioner shall prescribe.

(M) Pursuant to Section 75-49-9(8), Code of Mississippi (1972), which states:

“The commissioner shall take all applicants under consideration after having examined them through oral or written examinations, or both, before granting any license. If the applicant is an individual, examination may be taken by his personal appearance for examination or by the appearance for examination of one or more of his responsible, full-time managing employees...”

Effective July 1, 2005, every independent contractor installer or transporter who transports or installs new or used factory-built homes within the State of Mississippi shall have passed a written examination (passing score of 70 or above). The examination shall consist of questions determined by the Commissioner to establish an applicant's knowledge related to the rules and regulations and administration relative to factory-built homes in the State of Mississippi and questions specifically related to the practical installation (anchoring, blocking, and tie-down) of factory-built homes in this state. The examination shall be provided by the Commissioner or by a testing service acting on behalf of the Commissioner. The applicant is responsible for registering with the testing service to schedule the examination and is responsible for all fees. The applicant shall follow all procedures established with regard to conduct at the examination. Failure to comply with all procedures established with regard to conduct at the examination may be grounds for denial of application.

Prior to the issuance of a privilege license, the applicant shall verify in writing and/or submit a copy of training certificate, that he has attended an approved eight (8) hour installation and set up training class pursuant to the Manufactured Housing Improvement Act of 2000.

(N) The holder of any valid license issued by the Commissioner at the time this section becomes effective shall be automatically issued an equivalent license in the same category for which his previous license was issued if the licensee is in compliance with this chapter.

(O) Pursuant to Section 75-49-9(h), Code of Mississippi (1972), every license shall be issued annually and shall expire on June 30 following the date upon which it was issued. License fees shall not be prorated for the remainder of the year in which the application was made but shall be paid for the entire year regardless of the date of the application. The Commissioner shall on or before April 30 of each year, forward a "Notice of Renewal" by regular United States mail to each licensee at his or its last known mailing address.



After depositing the "Notice of Renewal" in the United States mail, the Commissioner shall have no other duty or obligation to notify the licensee of the expiration of his or its annual license. The failure of the licensee to obtain a renewal license on or before June 30 of the ensuing license period shall act as an automatic suspension of the license unless the Commissioner, for good cause shown in writing and the payment of an amount equal to double the renewal fee for said delinquency, lifts the suspension and issues the renewal license. During the period of suspension, any practice by the licensee under the color of such license shall be deemed a violation of this chapter.

Annual renewals of a retailer's license shall require, as a condition precedent, that the retailer verify by oath or affirmation that he maintains a retail sales lot in accordance with all rules and regulations promulgated by the Commissioner and that the lot has three (3) or more new or used factory-built homes located thereon for retail sale as a residential dwelling or for any other use at the time of application. Annual renewals of a developer's license shall require, as a condition precedent, that the developer verify and submit a copy of legal documentation indicating that the developer has five (5) or more locations for a factory-built home/land package.

With annual renewal applications, it shall be the responsibility of each retailer, developer and installer/transporter to request in writing the number of truck decals needed for their transporter vehicles (toter). A decal is to be placed on the driver and passengers doors of each transporter vehicle. Escort vehicles are not required to have decals.

- (P) Any company/individual who is found to be operating without an appropriate privilege license in the State of Mississippi shall:
- (1) Show good cause in writing to the Factory-Built Home Division of the State Fire Marshal's Office why this violation occurred and the approximate number of homes sold prior to obtaining a privilege license.
  - (2) Request a retailer's and/or developer's privilege license application. This application is to be returned, signed and notarized with a check for \$150.00 payable to the Office of the State Fire Marshal.
  - (3) Set an inspection date with the State Fire Marshal's Office which is required to verify compliance with this chapter prior to issuance of license.
  - (4) Be subject to penalties as set forth in §75-49-19 – *Violations; Penalties; Exceptions* – Code of Mississippi (1972).
- (Q) All licensees performing the installation, blocking, anchoring and tie-down at the home site, shall permanently attach a serial numbered installation decal near the HUD label on new or used factory-built homes built after June 1976, and opposite the hitch-end of mobile homes built prior to or on June 1976, a decal to each manufactured or mobile

home accepted as having been installed in accordance with the manufacturer's specification, the authority having jurisdiction in coded areas or in the absence of an installation manual, the State of Mississippi's rules and regulations by:

Requesting such decals from the State Fire Marshal's Office who will supply decals to each licensed independent installer/transporter upon written request. Each decal will have the installer's name, address, date of installation and license number, and will bear the following statement:

**THIS FACTORY-BUILT, MOBILE OR MODULAR HOME HAS BEEN INSTALLED IN COMPLIANCE WITH THE UNIFORM STANDARDS CODE FOR THE FACTORY-BUILT HOMES LAW. ANYONE TAMPERING WITH OR REMOVING THIS INSTALLATION DECAL FROM THIS UNIT WILL BE PROSECUTED AS SET FORTH IN THESE RULES AND REGULATIONS, AND SHALL BE SUBJECT TO SUSPENSION OR REVOCATION OF THEIR PRIVILEGE LICENSE. (SECTION 75-49-1 ET SEQ., CODE OF MISSISSIPPI (1972), AS AMENDED)**

- (i) Each decal to be attached to a factory-built, mobile or modular home shall be assessed an administrative fee.
  - (ii) Decal fees shall be paid by check or money order made payable to the State Fire Marshal's Office, P. O. Box 79, Jackson, MS 39205.
- (R) No retailer, developer, transporter or installer shall deliver or cause to be delivered any factory-built home to any person at any site where such home is to be used for human habitation without anchoring and blocking such home in accordance with rules, regulations and procedures promulgated by the Commissioner of Insurance. A period of thirty (30) days from date of delivery shall be allowed for the anchoring and blocking of homes. This requirement is provided for in Section 75-49-9(2), Code of Mississippi (1972).

To ensure compliance with Section 75-49-9(2), it shall be the responsibility of each manufacturer, retailer, developer and installer/transporter to submit a Installation Property Locator form to the Factory-Built Home Division of the State Fire Marshal's Office for all factory-built, manufactured, mobile or modular homes that is scheduled to be delivered or installed within seventy-two (72) hours (3 days) of the installation of home during regular business hours. The Installation Property Locator form is to enable the Factory-Built Home Division to conduct random inspections as required according to the Division. The report must include:

- (1) The retailer/developer's name, license number, address, telephone number, and fax number;
- (2) The installer/transporter's name, address, telephone number, and fax number;

- (3) The homeowner's name, address, telephone number, county where home is located, date and time of installation;
- (4) The serial number of home, size of home, HUD number, Wind Zone, year/make/model of home, new or used, and the manufacturer of the home;
- (5) The installation decal serial number;
- (6) Directions to the home; and
- (7) A map showing directions to the home-site from a known starting point.

Nothing contained herein shall restrict or limit the customer's option of independently contracting with a properly licensed transporter or installer for set-up and installation rather than purchasing transportation and installation services from the retailer or developer.

- (S) It shall be the responsibility of each installer/transporter that transports or installs a home to submit a report to the Factory-Built Home Division of the State Fire Marshal's Office for all factory-built, manufactured, mobile or modular homes delivered or installed within seventy-two (72) hours of installation. **This report is required for new and used homes that are transported or installed by an installer/transporter for someone other than a licensed retailer or developer.** The report must include:
- (1) The retailer/developer's name, license number, address, telephone number, and fax number;
  - (2) The installer/transporter's name, address, telephone number, and fax number;
  - (3) The homeowner's name, address, telephone number, county where home is located, date and time of installation;
  - (4) The serial number of home, size of home, HUD number, Wind Zone, year/make/model of home, new or used, and the manufacturer of the home;
  - (5) The installation decal serial number;
  - (6) Directions to the home; and
  - (7) A map showing directions to the home-site from a known starting point.

The State Fire Marshal's Office will devise an acceptable form for reporting purposes for designated licensees as mentioned above. The report shall be submitted to the State Fire Marshal's Office by fax or mail within seventy-two (72) hours of delivery.

### **Section 201 - License Exceptions**

- (T) Pursuant to Section 75-49-5, Code of Mississippi (1972), the following entities or individuals are not required to have a privilege license:
1. An individual installing the manufactured home is the owner thereof, or the manufactured home is owned by a member of the individual's family, and the home is not intended for sale, exchange, lease or rent;
  2. An individual performing maintenance, repairs, or corrections to an installation for the purpose of customer service on behalf of manufacturers, retailers or developers;
  3. A transporter that conducts interstate transport through the State of Mississippi for manufacturers, retailers or developers and does not install at home sites intended for human habitation.

### **Section 202 Manufacturers**

- (U) All manufacturer applicants shall certify in the application that they will fully comply with 24 CFR 3280 and CFR 3282 of the National Manufactured Home Construction Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.) and as amended by the Manufactured Housing Improvement Act of 2000, set forth pursuant to Section 75-49-5 and 75-49-11, Code of Mississippi (1972), as amended.
- (V) All manufacturers of modular homes shall certify in the application that they will fully comply with the Regulation Number ME-2 for the Uniform Standards Code for the Factory-Built Homes Law as Related to Modular Homes.
- (W) Demonstrate to the Commissioner that any retailer or developer engaged in the manufacture and retail sale of new manufactured, factory-built, mobile or modular homes to the general public shall post a notice in the kitchen area stating:

**CONSUMER NOTICE**

**INSTALLATION REQUIREMENTS FOR BLOCKING, ANCHORS AND TIE-DOWNS FOR ALL NEW AND USED FACTORY-BUILT HOMES IN THE STATE OF MISSISSIPPI BY THE FACTORY-BUILT HOME DIVISION SHALL BE AS DEFINED BELOW:**

**• NEW FACTORY-BUILT HOMES •**

**DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).**

**• USED FACTORY-BUILT HOMES •**

**DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).**

**FACTORY-BUILT HOME DIVISION, OFFICE OF THE STATE FIRE MARSHAL  
P. O. BOX 79, JACKSON, MS 39205  
(601) 359-1061 OR WATTS: 1-888-648-0877**

**Section 203 Retailers**

In order to protect the health, safety and welfare of the public of this state, each applicant for a retailer's license shall:

- (X) Demonstrate to the Commissioner that he has a good general working mechanical knowledge of factory-built manufactured home construction and repair;
- (Y) Demonstrate to the Commissioner that he has a good practical working knowledge of the manner in which factory-built homes are anchored and blocked in accordance with rules, regulations and procedures promulgated by the Commissioner;
- (Z) Demonstrate to the Commissioner that any retailer or developer engaged in the manufacture and retail sale of new manufactured, factory-built, mobile or modular homes to the general public shall post a notice in the kitchen area stating:

**CONSUMER NOTICE**

**INSTALLATION REQUIREMENTS FOR BLOCKING, ANCHORS AND TIE-DOWNS FOR ALL NEW AND USED FACTORY-BUILT HOMES IN THE STATE OF MISSISSIPPI BY THE FACTORY-BUILT HOME DIVISION SHALL BE AS DEFINED BELOW:**

**• NEW FACTORY-BUILT HOMES •**

**DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).**

**• USED FACTORY-BUILT HOMES •**

**DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).**

**FACTORY-BUILT HOME DIVISION, OFFICE OF THE STATE FIRE MARSHAL  
P. O. BOX 79, JACKSON, MS 39205  
(601) 359-1061 OR WATTS: 1-888-648-0877**

- (AA) Demonstrate to the Commissioner that he shall have or has adequate facilities for the repair and servicing of factory-built homes and storage of parts and accessories and has at least one operable service truck. If, however, the retailer is contracting out all installation, repair and service, then he shall provide a duplicate of the executed contract to the Commissioner and said contract shall contain a clause stating that the Commissioner shall be notified 30 days in advance of its cancellation.
- (AB) Demonstrate to the Commissioner that he has adequate space to display his factory-built homes at each sales lot and that he has or shall maintain a permanent sales office located at each of those sales lots with running water and sewer facilities for public comfort and convenience and to comply with the county health department regulations and other applicable safety standards for a permanent sales site in the county or municipality in which they are located. Nothing in this regulation shall prohibit a licensed Mississippi permanent retailer sales center from conducting a temporary promotional activity to retail consumers at a location other than its licensed permanent retailer location center so long as:
- (1) The activity does not exceed seventeen (17) consecutive days in duration and is not repeated at that location within the next six (6) months;
  - (2) The activity is within the county in which the retailer sales center has a permanent license or within fifty (50) miles radius of the location of the permanent licensed Mississippi sales center location, whichever is greater;

- (3) The temporary promotional site has:
    - (a) running water and sewer facilities for public comfort and convenience and to comply with the health and safety standards as well as other local ordinance requirements for a temporary sales site in the county or municipality in which the site is located;
    - (b) if running water and sewer facilities are not fully accessible to the public at the site during the operation of the promotional event, then other arrangements must be made to ensure compliance to Section AA (3)(a);
  - (4) The temporary promotional site has a sign at least four (4) feet by eight (8) feet in size with lettering at least twelve (12) inches high advising the public that this is a temporary location and designating the address of the permanent licensed sales center retailer location, with the sign to be prominently located on the temporary promotional site for viewing by the public. This sign cannot be placed on a public right-of-way, and it must be placed in the display area where the event is held;
  - (5) There is adequate space to display the factory-built homes at the temporary promotional site, and;
  - (6) A license must be is granted by the Commissioner for each temporary promotional site where employees or agents of the retailer meet the public regardless of whether or not sales will be made on site;
  - (7) The licensed Mississippi retailer shall provide a thirty (30) day advance notice to the Factory-Built Home Division of the State Fire Marshal's Office for the purpose of license application, all counties or municipalities, permits and site inspection. The license will only be good for the seventeen (17) day time-frame requested.
  - (8) The licensed Mississippi retailer shall submit its application for a license to the Factory-Built Home Division of the State Fire Marshal's Office at least thirty (30) days prior to the proposed effective date of the temporary promotional event. The failure to submit the license application at least thirty (30) days in advance can serve as a basis for denial of a license. Any license issued will only be valid for the seventeen (17) day time-frame or any shorter period of time requested. Any license issued will only be effective for that period of time [actual days] in which sales are actively solicited or the period of time in which the homes are promoted by the retailer.
- (AC) Demonstrate to the Commissioner that he has a good general knowledge of and will comply with the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended, and as amended by the Manufactured Housing Improvement Act of 2000 and the rules and regulations promulgated by the Department of Insurance for the State of Mississippi and by the

Department of Housing and Urban Development as they pertain to the responsibilities of a retailer to properly safeguard the public interest in that no retailer or developer shall make use of transportation affecting interstate or foreign commerce or the mails to sell, lease, or offer for sale or lease in the State of Mississippi any factory-built home unless the developer or retailer, acting as a reasonable developer or retailer, does not know that the factory-built home does not conform to applicable standards. This prohibition of sale applies to any affected manufactured homes until the completion of the entire sales transaction. A sales transaction with a purchaser is considered completed when all the goods and service that the retailer has agreed to provide at the time the contract was entered into have been provided. Completion of a retail sale will be at the time the retailer completes setup of the factory-built home if the retailer has agreed to provide setup, if the retailer has not agreed to transport or setup the factory-built home, this prohibition of sale does not apply; and ensure that within one (1) year of employment, all sales staff will attend eight (8) hours training and thereafter, attend eight (8) hours training every three (3) years to be approved and/or provided by the Factory-Built Home Division. (Display current training certificates of all sales staff at the retailer's current business location.) The employer of sales staff is responsible for submitting in writing to the Factory-Built Home Division a list of all sales staff and their date of employment.

With annual renewal applications, all copies of approved certificates of training shall be submitted by the retailer for their sales staff to the Factory-Built Home Division and affirmation in writing, as required by the Division, as having three (3) factory-built homes on retail lot.

With annual renewal applications, it shall be the responsibility of each retailer to request in writing the number of truck decals needed for their transporter (toter) vehicles. A decal is to be placed on the driver and passengers doors of each transporter vehicle. Escort vehicles are not required to have decals.

All licensed retailers performing the installation, blocking, anchoring and tie-down at the home site, shall permanently attach a serial numbered installation decal near the HUD label on new or used factory-built homes built after June 1976, and opposite the hitch-end of mobile homes built prior to or on June 1976, a decal to each manufactured or mobile home accepted as having been installed in accordance with the manufacturer's specification, the authority having jurisdiction in coded areas or in the absence of an installation manual, the State of Mississippi's rules and regulations by:

1. Requesting such decals from the State Fire Marshal's Office who will supply decals to each licensed independent installer/transporter upon written request. Each decal will have the installer's name, address, date of installation and license number, and will bear the following statement:



**THIS FACTORY-BUILT, MOBILE OR MODULAR HOME HAS BEEN INSTALLED IN COMPLIANCE WITH THE UNIFORM STANDARDS CODE FOR THE FACTORY-BUILT HOMES LAW. ANYONE TAMPERING WITH OR REMOVING THIS INSTALLATION DECAL FROM THIS UNIT WILL BE PROSECUTED AS SET FORTH IN THESE RULES AND REGULATIONS, AND SHALL BE SUBJECT TO SUSPENSION OR REVOCATION OF THEIR PRIVILEGE LICENSE. (SECTION 75-49-1 ET SEQ., CODE OF MISSISSIPPI (1972), AS AMENDED)**

- (iii) Each decal to be attached to a factory-built, mobile or modular home shall be assessed an administrative fee.
  - (iv) Decal fees shall be paid by check or money order made payable to the State Fire Marshal's Office, P. O. Box 79, Jackson, MS 39205.
- (AD) To ensure compliance with Section 75-49-9(2), Code of Mississippi (1972), it shall be the responsibility of each retailer to submit an Installation Property Locator form to the Factory-Built Home Division of the State Fire Marshal's Office for all factory-built, manufactured, mobile or modular homes that is scheduled to be delivered or installed within seventy-two (72) hours of installation. The Installation Property Locator form is to enable the Factory-Built Home Division to conduct random inspections as required according to the Division. The form must include:
- (1) The retailer/developer's name, license number, address, telephone number, and fax number;
  - (2) The installer/transporter's name, address, telephone number, and fax number;
  - (3) The homeowner's name, address, telephone number, county where home is located, date and time of installation;
  - (4) The serial number of home, size of home, HUD number, Wind Zone, year/make/model of home, new or used, and the manufacturer of the home;
  - (5) The installation decal serial number;
  - (6) Directions to the home; and
  - (7) A map showing directions to the home-site from a known starting point.

The State Fire Marshal's Office will devise an acceptable form for reporting purposes for designated licensees as mentioned above. The report shall be submitted to the State Fire Marshal's Office by fax or mail within seventy-two (72) hours of delivery.

## Section 204 Developers

In order to protect the health, safety and welfare of the public of this state, each applicant for a developer's license shall:

- (AE) Demonstrate to the Commissioner that he has a good general working mechanical knowledge of factory-built home construction and repair;
- (AF) Demonstrate to the Commissioner that he has a good practical working knowledge of the manner in which factory-built homes are anchored and blocked in accordance with rules, regulations and procedures promulgated by the Commissioner;
- (AG) Demonstrate to the Commissioner that any developer or retailer engaged in the manufacture and retail sale of new manufactured, factory-built, mobile or modular homes to the general public shall post a notice in the kitchen area stating:

**CONSUMER NOTICE**

**INSTALLATION REQUIREMENTS FOR BLOCKING, ANCHORS AND TIE-DOWN OF ALL NEW AND USED FACTORY-BUILT HOMES IN THE STATE OF MISSISSIPPI BY THE FACTORY-BUILT HOME DIVISION SHALL BE AS DEFINED BELOW:**

**• NEW FACTORY-BUILT HOMES •**

**DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).**

**• USED FACTORY-BUILT HOMES •**

**DURING THE FIRST 12 MONTHS FROM THE DATE THE FACTORY-BUILT HOME IS SITED AT THE LOCATION INTENDED FOR HUMAN HABITATION AS VERIFIED BY THE DATE ON THE INSTALLATION DECAL AFFIXED TO THE FACTORY-BUILT HOME BY THE LICENSEE IN COMPLIANCE WITH SECTION 75-49-7(2).**

**FACTORY-BUILT HOME DIVISION, OFFICE OF THE STATE FIRE MARSHAL  
P. O. BOX 79, JACKSON, MS 39205  
(601) 359-1061 OR WATTS: 1-888-648-0877**

- (AH) Demonstrate to the Commissioner that he shall have or has adequate facilities for the repair and servicing of factory-built homes and storage of parts and accessories and has at least one operable service truck. If, however, the developer is contracting out all installation, repair

and service, then he shall provide a duplicate of the executed contract to the Commissioner and said contract shall contain a clause stating that the Commissioner shall be notified 30 days in advance of its cancellation.

- (AI) Demonstrate to the Commissioner that he has an adequate space to display his factory-built homes at each development site and that he has or shall maintain a permanent sales/business office within the State of Mississippi with running water and sewer facilities for public comfort and convenience and to comply with the county health department regulations and other applicable safety standards for a permanent structure in the county or municipality in which they are located.
- (AJ) Demonstrate to the Commissioner that he has a good general knowledge of and will comply with the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended, and as amended by the Manufactured Housing Improvement Act of 2000 and the rules and regulations promulgated by the Department of Housing and Urban Development as they pertain to the responsibilities of a developer to properly safeguard the public interest in that no distributor, or developer shall make use of transportation affecting interstate or foreign commerce or the mails to sell, lease, or offer for sale or lease in the State of Mississippi any factory-built home unless the distributor or retailer, acting as a reasonable distributor or developer, does not know that the factory-built home does not conform to applicable standards. This prohibition of sale applies to any affected factory-built homes until the completion of the entire sales transaction. A sales transaction with a purchaser is considered completed when all the goods and service that the developer has agreed to provide at the time the contract was entered into have been provided. Completion of a retail sale will be at the time the developer completes setup of the factory-built home if the developer has agreed to provide setup, if the developer has not agreed to transport or setup the factory-built home, this prohibition of sale does not apply; and ensure that within one (1) year of employment, all sales staff will attend eight (8) hours training, and thereafter, attend eight (8) hours training every three (3) years to be approved and/or provided by the Factory-Built Home Division. (Display current training certificates of all sales staff at the developer's current business location.)

With annual renewal applications, all copies of approved certificates of training shall be submitted by the developer for their sales staff to the Factory-Built Home Division and affirmation in writing, as required by the Division, as having five (5) factory-built home sites available.

With annual renewal applications, it shall be the responsibility of each developer to request in writing the number of truck decals needed for their transporter (toter) vehicles. A decal is to be placed on the driver and passengers doors of each transporter vehicle. Escort vehicles are not required to have decals.

- (AK) All licensed developers performing the installation, blocking, anchoring and tie-down at the home site, shall permanently attach a serial numbered installation decal near the HUD label on new or used factory-built homes built after June 1976, and opposite the hitch-end of mobile homes built prior to or on June 1976, a decal to each manufactured or mobile home accepted as having been installed in accordance with the manufacturer's specification, the authority having jurisdiction in coded areas or in the absence of an installation manual, the State of Mississippi's rules and regulations by:

1. Requesting such decals from the State Fire Marshal's Office who will supply decals to each licensed independent installer/transporter upon written request. Each decal will have the installer's name, address, date of installation and license number, and will bear the following statement:

**THIS FACTORY-BUILT, MOBILE OR MODULAR HOME HAS BEEN INSTALLED IN COMPLIANCE WITH THE UNIFORM STANDARDS CODE FOR THE FACTORY-BUILT HOMES LAW. ANYONE TAMPERING WITH OR REMOVING THIS INSTALLATION DECAL FROM THIS UNIT WILL BE PROSECUTED AS SET FORTH IN THESE RULES AND REGULATIONS, AND SHALL BE SUBJECT TO SUSPENSION OR REVOCATION OF THEIR PRIVILEGE LICENSE. (SECTION 75-49-1 ET SEQ., CODE OF MISSISSIPPI (1972), AS AMENDED)**

- (v) Each decal to be attached to a factory-built, mobile or modular home shall be assessed an administrative fee.
  - (vi) Decal fees shall be paid by check or money order made payable to the State Fire Marshal's Office, P. O. Box 79, Jackson, MS 39205.
- (L) To ensure compliance with Section 75-49-9(2), it shall be the responsibility of each developer to submit an Installation Property Locator form to the Factory-Built Home Division of the State Fire Marshal's Office for all factory-built, manufactured, mobile or modular homes that is scheduled to be delivered or installed within seventy-two (72) hours of installation. The Installation Property Locator form is to enable the Factory-Built Home Division to conduct random inspections as required according to the Division. The form must include:
- (1) The retailer/developer's name, license number, address, telephone number, and fax number;
  - (2) The installer/transporter's name, address, telephone number, and fax number;
  - (3) The homeowner's name, address, telephone number, county where home is located, date and time of installation;
  - (4) The serial number of home, size of home, HUD number, Wind Zone, year/make/model of home, new or used, and the manufacturer of the home;
  - (5) The installation decal serial number;
  - (6) Directions to the home; and
  - (7) A map showing directions to the home-site from a known starting point.

The State Fire Marshal's Office will devise an acceptable form for reporting purposes for designated licensees as mentioned above. The report shall be submitted to the State Fire Marshal's Office by fax or mail within seventy-two (72) hours of delivery.

### **Section 205 Independent Contractor Installer or Transporter**

In order to protect the Health, Safety and Welfare of the public of this State, each applicant for an independent contractor installer or transporter license shall:

- (AM) Demonstrate to the Commissioner that he has a good general working mechanical knowledge of factory-built home construction and repair;
- (AN) Demonstrate to the Commissioner that he has a good practical working knowledge of the manner in which factory-built homes are anchored and blocked, in accordance with rules, regulations and procedures promulgated by the Commissioner and the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended and the Manufactured Housing Improvement Act of 2000;
- (AO) Demonstrate to the Commissioner that he has a good general knowledge of and will comply with the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended, and the Manufactured Housing Improvement Act of 2000, and the rules and regulations promulgated by the Department of Housing and Urban Development as they pertain to the responsibilities of installers or transporters to properly safeguard the public interest;
- (AP) Demonstrate to the Commissioner that he is in full compliance with the Mississippi Department of Transportation (MDOT) and any local requirements pertaining to the transportation of factory-built homes;
- (AQ) Demonstrate to the Commissioner that he has submitted a copy of his approved eight (8) hour installation and set up training certificate to the Factory-Built Home Division pursuant to the Manufactured Housing Improvement Act of 2000.
- (AR) Demonstrate to the Commissioner that effective July 1, 2005 he has passed a written examination (passing score of 70 or above) provided by the Commissioner or by a testing service acting on behalf of the Commissioner to establish an applicant's knowledge related to the rules and regulations and administration relative to factory-built homes in the State of Mississippi and questions specifically related to the practical installation (anchoring, blocking, and tie-down) of factory-built homes in this state.
- (AS) Demonstrate to the Commissioner that, effective July 1, 2005, he and all employees engaged in installation/set-up will attend eight (8) hours of training per licensing year (July 1 to June 30) as provided by, approved by, or recommended by the Factory-Built Home Division of the State Fire Marshal's Office. The Commissioner of Insurance or the State Chief Deputy Fire Marshal may at his discretion consent to reciprocity for

training of licensees with other states that has established training programs that meet or exceed the National Manufactured Home Construction and Safety Standards Act or State of Mississippi requirements of this chapter.

- (AT) Demonstrate to the Commissioner that effective July 1, 2005 installer/transporters who conducts secondary moves of factory-built homes shall have a written contract with the consumer and that the installer/transporter will maintain a copy of the said contract on file for a period of not less than twelve (12) months available for random inspections by the Factory-Built Home Division pursuant to Section 75-49-5, Code of Mississippi (1972);
- (AU) All installer/transporters who install new or used factory-built homes or modular homes shall be required to display a license decal on the driver's and passenger's doors of all trucks (toters). The original decals will be issued by the State Fire Marshal's Office/Factory-Built Home Division, based upon the number requested by the licensee at time of renewal. Any additional decals required by the licensee will have to be purchased from the Division at the cost of production of the decals. These decals shall denote the current date of the licensing period. A decal must be placed on the driver's door and the passenger's door of the vehicle in plain view to verify current license.
- (AV) On or from July 1, 2005, after the receipt of verifiable information from any source, all independent contract installers retained by homeowners, retailers, developers or manufacturers shall be subject to the fines as set forth in this chapter for the improper installation of mobile, factory-built or modular homes.
- (AW) All licensed independent contracted installer/transporters shall permanently attach a serial numbered installation decal near the HUD label on new or used factory-built homes built after June 1976, and opposite the hitch-end of mobile homes built prior to or on June 1976, a decal to each manufactured or mobile home accepted as having been installed in accordance with the manufacturer's specification, the authority having jurisdiction in coded areas or in the absence of an installation manual, the State of Mississippi's rules and regulations by:
1. Requesting such decals from the State Fire Marshal's Office who will supply decals to each licensed independent installer/transporter upon written request. Each decal will have the installer's name, address, date of installation and license number, and will bear the following statement:

**THIS FACTORY-BUILT, MOBILE OR MODULAR HOME HAS BEEN INSTALLED IN COMPLIANCE WITH THE UNIFORM STANDARDS CODE FOR THE FACTORY-BUILT HOMES LAW. ANYONE TAMPERING WITH OR REMOVING THIS INSTALLATION DECAL FROM THIS UNIT WILL BE PROSECUTED AS SET FORTH IN THESE RULES AND REGULATIONS, AND SHALL BE SUBJECT TO SUSPENSION OR REVOCATION OF THEIR PRIVILEGE LICENSE. (SECTION 75-49-1 ET SEQ., CODE OF MISSISSIPPI (1972), AS AMENDED)**

- (vii) Each decal to be attached to a factory-built, mobile or modular home shall be assessed an administrative fee.
  - (viii) Decal fees shall be paid by check or money order made payable to the State Fire Marshal's Office, P. O. Box 79, Jackson, MS 39205.
- (2) To ensure compliance with Section 75-49-9(2), it shall be the responsibility of each installer/transporter to submit an Installation Property Locator form to the Factory-Built Home Division of the State Fire Marshal's Office for all factory-built, manufactured, mobile or modular homes that is scheduled to be delivered or installed within seventy-two (72) hours of installation. The Installation Property Locator form is to enable the Factory-Built Home Division to conduct random inspections as required according to the Division. The report must include:
- (i) The retailer/developer's name, license number, address, telephone number, and fax number;
  - (ii) The installer/transporter's name, address, telephone number, and fax number;
  - (iii) The homeowner's name, address, telephone number, county where home is located, date and time of installation;
  - (iv) The serial number of home, size of home, HUD number, Wind Zone, year/make/model of home, new or used, and the manufacturer of the home;
  - (v) The installation decal serial number;
  - (vi) Directions to the home; and
  - (vii) A map showing directions to the home-site from a known starting point.

The State Fire Marshal's Office will devise an acceptable form for reporting purposes for designated licensees as mentioned above. The report shall be submitted to the State Fire Marshal's Office by fax or mail within seventy-two (72) hours of delivery.

- (AX) With annual renewal application, copies of approved certificates of training and contracts shall be submitted by the installer/transporter to the Factory-Built Home Division. It shall be the responsibility of each installer/transporter to request in writing the number of truck decals needed for their transporter vehicles (toters). A decal is to be placed on the driver and passenger doors of each transporter vehicle. Escort vehicles are not required to have decals.

### III. INSPECTION PROCEDURES

- (A) The Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect each manufacturing location to assist and insure that factory-built homes are being constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, (42 U.S.C.S. 5401 et seq.), the Manufactured Housing Improvement Act of 2000 as amended, as well as the governing federal regulations pertaining to manufactured housing construction.
- (B) In the interest of public safety, deputy state fire marshals, who are certified law enforcement officers, are duly authorized to stop and conduct inspections of installer/transporters that are transporting factory-built homes to verify compliance with Sections 75-49-9, 75-49-19 and these rules and regulations.
- (C) The Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect each retailer and developer location to insure that factory-built homes offered for sale comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, as Amended, (42 U.S.C.S. 5401, et seq.), and the Manufactured Housing Improvement Act of 2000, pertinent federal regulations, as well as these rules and regulations.
- (D) Results of the inspection may be made available to manufacturers, retailers or developers upon request. When serious violations are found on HUD certified units, the Factory-Built Home Division of the State Fire Marshal's Office shall immediately attach a non-compliance identification tag to the unit in question.
- (E) It shall be a violation of these Rules and Regulations for any factory-built home to be sold or offered for sale which has a non-compliance identification tag attached. The wording on such tag shall be as follows:
- "This unit, having been found to be in **NON-COMPLIANCE** with the Uniform Standards Code for Factory-Built Homes Law and having been so identified, shall not be sold or offered for sale in the State of Mississippi. Anyone tampering with or removing this Identification Tag from this unit will be prosecuted as set forth in this Act, and shall be subject to revocation of his license."
- (F) A non compliance identification tag attached to a unit may be removed only by the Factory-Built Home Division of the State Fire Marshal's Office. Such tag shall be completed as required thereon.
- (G) When the State Fire Marshal has reasonable grounds to believe that a unit has been constructed in non-compliance with these standards, he may require, at the manufacturers expense that the walls, floors, decking or other panels be removed for the purpose of inspection.



- (H) Units having been identified as being in non-compliance with these Rules and Regulations and having a non-compliance tag attached may be transported and relocated only after notice has been given to the Factory-Built Home Division of the State Fire Marshal's Office. Such notice will set forth the purpose for moving such unit, to whom the unit is to be delivered along with complete mailing address and telephone number, serial number, HUD label number and any other information as may be requested.
- (I) When such violation(s) have been corrected, the unit in question shall be re inspected by the Factory-Built Home Division of the State Fire Marshal's Office and if found in compliance with the National Manufactured Home Construction and Safety Standards Act, the Manufactured Housing Improvement Act of 2000 and these Rules and Regulations, the inspector shall remove the non-compliance identification tag. The unit can then be sold or offered for sale.
- (J) All factory-built homes, which include new or used manufactured homes, mobile or modular homes, delivered by retailers, developers or independent contractor installers or transporters to any site where such home is to be used for human habitation shall be anchored and blocked in accordance with Rules, Regulations and Procedures as required by the Factory-Built Home Division of the State Fire Marshal's Office, Section 75-49-7, Code of Mississippi (1972).
- (K) The Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect site locations where factory-built homes, which include new and used manufactured homes and modular or mobile homes, have been delivered by retailers, developers or independent contractor installers or transporters when such home is to be used for human habitation to insure that the home is tied down, anchored and blocked as required by these Rules and Regulations, Section 75-49-7, Code of Mississippi (1972).
- (L) In cases of complaints of improper installation and set-up of new or used manufactured, modular or mobile homes lodged against retailers, developers, or installers/transporters, the Factory-Built Home Division of the State Fire Marshal's Office will conduct the necessary inspections and investigations of problems reported during the first twelve (12) months from the date the home is sited at the location intended for human habitation and the date on the installation decal affixed to the factory-built home by the installer/transporter to be in full compliance with Section 75-49-7(2).
- (M) Manufactured Home Plants located in the State of Mississippi, Manufactured Home Retail Sales Lots, Developers, and Independent Contractor Installers or Transporters business locations and equipment shall be subject to inspection by the State Chief Deputy Fire

Marshal, State Deputy Fire Marshals or Duly Authorized Representative as may be required to insure Compliance with Section 75-49-11, Code of Mississippi (1972), as amended, all applicable federal statutes and regulations as well as these Rules and Regulations.

- (N) The Factory-Built Home Division of the State Fire Marshal's Office when scheduling a site inspection regarding a consumer complaint the manufacturer, retailer, developer, and installer/transporter licensee shall be present for each such inspection. If the licensee is unable to attend the site inspection, his duly authorized representative shall be a person employed by the licensee with authority make decisions regarding corrective action and remedial plans if required.
- (O) When any provision of Section 75-49-1 through 75-49-21, Code of Mississippi (1972), as amended, effective July 1, 1992, is violated, the State Chief Deputy Fire Marshal, State Deputy Fire Marshals or Duly Authorized Representative shall file appropriate action as set forth in Section 75-49-19, Code of Mississippi (1972). The penalties include:
- (1) Any person who knowingly and willfully violates any of the provisions of this chapter or any rules and regulations made hereunder shall be liable to the State of Mississippi for a civil penalty of not more than One Thousand Dollars (\$1,000.00) for each such violation. Each violation of a provision of this chapter or a rule or regulation made hereunder shall constitute a separate violation with respect to each factory-built home or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty may not exceed One Million Dollars (\$1,000,000.00) for any related series of violations occurring within one (1) year from the date of the first violation.
  - (2) An individual, or a director, officer or agent of a corporation, who knowingly and willfully violates any of the provisions of this chapter or any rules and regulations made hereunder in a manner which threatens the health and safety of any purchaser of a factory-built home is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both.
  - (3) This chapter shall not apply to any person who establishes that he did not have reason to know in the exercise of due care that such factory-built home is not in conformity with applicable factory-built construction and safety standards, or to any person who, before to such first purchase, holds a certificate issued by the manufacturer or importer of such factory-built home to the effect that such factory-built home conforms to all applicable factory-built home construction and safety standards, unless such person knows that such factory-built home does not so conform.
  - (4) An individual, or director, officer or agent of a corporation, who knowingly and willfully fails to obtain the applicable license under this chapter and who is required to obtain such a license under this chapter, and who may knowingly and willfully violate any provisions of this chapter or any rules and regulations made hereafter with respect to the manufacture or, selling or distribution of, safe anchoring and blocking of a factory-built home when

intended to be used for human habitation is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both.

**Civil Penalties, Section 75-49-19(1):** Whenever the State Chief Deputy Fire Marshal or State Deputy Fire Marshal has probable cause to believe that any person knowingly and willingly violates any of the provisions of this chapter or any rule or regulation made hereunder shall be liable to the State of Mississippi for a civil penalty of not more than One Thousand Dollars (\$1,000.00) for each such violation.

Each violation of a provision of this chapter or a rule or regulation made hereunder shall constitute a separate violation with respect to each factory-built home or with respect to each failure or refusal to allow or perform an act require thereby, except that the maximum civil penalty may not exceed One Million Dollars (\$1,000,000.00) for any related series of violations occurring within one year of the date of the first violation.

The schedule for civil penalties is listed below:

1. First Offense \$250.00 per violation;
  2. Second Offense within twelve (12) months of the first offense \$500.00 per violation;
  3. Third Offense within twelve (12) months of the first offense \$1000.00 per violation.
  4. In lieu of the civil penalty and making the required corrections, the licensee has the option to request an administrative hearing.
- (P) An administrative review of all licensees [manufacturers, retailers, developers, and installer/transporters] privilege licenses pursuant to Section 75-49-9(7), Code of Mississippi (1972), shall be conducted upon receipt of any verifiable complaint(s) of any nature that exceed sixty (60) days in length without resolution, which may lead to a possible licensure hearing (hereafter known as the Dispute Resolution Program) pursuant to Section 75-49-13 of the Code of Mississippi (1972) as amended. The sixty (60) day period shall not serve as a mandatory waiting period, and in the appropriate case the Commissioner may, at his discretion, schedule a licensure hearing prior to the expiration of sixty (60) days.

The Dispute Resolution Program is as follows:

- (1) The Commissioner shall not:

- (a) Deny an application for a license without first giving the applicant a hearing, or an opportunity to be heard, on the question of whether he is qualified under the provisions of this chapter to receive the license applied for.
  - (b) Revoke or suspend a license without first giving the licensee a hearing, or an opportunity to be heard, on the question of whether there are sufficient grounds under the provisions of this chapter upon which to base such revocation or suspension.
- (2) Any interested party shall have the right to have the Commissioner call a hearing for the purpose of taking action in respect to any matter within the Commissioner's jurisdiction by filing with the Commissioner a verified complaint setting forth the grounds upon which the complaint is based.
- (3) The Commissioner may on his own motion call a hearing for the purpose of taking action in respect to any matter within his jurisdiction.
- (4) When a hearing is to be held before the Commissioner, the Commissioner shall give written notice thereof to all parties whose rights may be affected thereby. The notice shall set forth the reason for the hearing and the questions or issues to be decided by the commissioner at such hearing and the time when and the place where the hearing will be held. All such notices shall be mailed to all parties, whose rights may be affected by such hearing by registered or certified mail, and addressed to their last known address.
- (5) All parties whose rights may be affected at any hearing before the Commissioner shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against them, and to produce evidence and witnesses in their own behalf. The commissioner shall make and keep a record of each such hearing and shall provide a transcript thereof to any interested party upon his request and at his expense. Testimony taken at all such hearings shall be taken either stenographically or by machine.
- (6) If any party who is notified of a hearing in accordance with the requirements of this chapter fails to appear at such hearing, either in person or by counsel, then and in that event the Commissioner may make any decision and take any action he may deem necessary or appropriate with respect to any issue or question scheduled for hearing and decision by him at such hearing which affects or may affect the rights of such defaulting party, and such defaulting party shall have no right of appeal under the provisions of this chapter.
- (7) All decisions of the Commissioner with respect to the hearings provided for in this section shall be incorporated into orders of the Commissioner. All such orders shall be made available during normal office hours for inspection by interested persons.

- (8) It shall be the duty of the sheriffs and constables of the counties of this state and of any employee of the Commissioner, when so directed by the Commissioner, to execute any summons, citation or subpoena which the commissioner may cause to be issued and to make his return thereof to the commissioner. The sheriffs and constables so serving and returning same shall be paid for so doing fees provided for such services in the circuit court. Any person who appears before the Commissioner or a duly designated employee of his department in response to a summons, citation or subpoena shall be paid the same witness fee and mileage allowance as witnesses in the circuit court. In case of failure or refusal on the part of any person to comply with any summons, citation or subpoena issued and served as above authorized or in the case of the refusal of any person to testify or answer to any matter regarding which he may be lawfully interrogated or the refusal of any person to produce his record books and accounts relating to any matter regarding which he may be lawfully interrogated, the chancery court of any county of the State of Mississippi, or any chancellor of any such court in vacation, may, on application of the Commissioner, issue an attachment for such person and compel him to comply with such summons, citation or subpoena and to attend before the Commissioner or his designated employee and to produce the documents specified in any subpoena Duces Tecum and give his testimony upon such matters as he may be lawfully required. Any such chancery court, or any chancellor of any such court in vacation, shall have the power to punish for contempt as in case of disobedience of like process issued from or by any such chancery court, or by refusal to testify therein in response to such process, and such person shall be taxed with the costs of such proceedings.
- (9) The following procedure shall govern in taking and perfecting appeals:
- (a) Any person who is a party to any hearing before the Commissioner and who is aggrieved by any decision of the Commissioner with respect to any hearing before him, unless prevented by the provisions of subsection (6) of this section, shall have the right of appeal to the chancery court of the county of such person's residence or principal place of business within this state, but if any such person is a nonresident of this state he shall have the right of appeal to the chancery court of the first judicial district of Hinds County, Mississippi. All such appeals shall be taken and perfected within sixty (60) days from the date of the decision of the Commissioner which is the subject of the appeal, and the chancery court to which such appeal is taken may affirm such decision or reverse and remand the same to the Commissioner for further proceedings as justice may require or dismiss such decision. All such appeals shall be taken and perfected, heard and determined, either in term time or in vacation, on the record, including a transcript of pleadings and evidence, both oral and documentary, heard and filed before the Commissioner. In perfecting any appeal provided by this chapter, the provisions of law respecting notice to the reporter and allowance of bills of exceptions, now or hereafter in force, respecting appeals from the chancery court to the supreme court shall be applicable, provided, however, that the reporter shall transcribe his notes,

taken stenographically or by machine, and file the record with the Commissioner within thirty (30) days after approval of the appeal bond, unless, on application of the reporter, or of the appellant, an additional fifteen (15) days shall have been allowed by the Commissioner to the reporter within which to transcribe his notes and file the transcript of the record with the Commissioner.

- (b) Upon the filing with the Commissioner of a petition of appeal to the proper chancery court, it shall be the duty of the Commissioner, as promptly as possible, and in any event within sixty (60) days after approval of the appeal bond, to file with the clerk of said chancery court to which the appeal is taken, a copy of the petition for appeal and of the decision appealed from, and the original and one (1) copy of the transcript of the record of the proceedings and evidence before the Commissioner. After the filing of said petition, the appeal shall be perfected by the filing of a bond in the penal sum of Five Hundred Dollars (\$500.00) with two (2) sureties or with a surety company qualified to do business in Mississippi as surety, conditioned to pay the costs of such appeal, said bond to be approved by the Commissioner or by the clerk of the chancery court to which such appeal is taken.
- (10) No decision of the Commissioner made as a result of a hearing under the provisions of this section shall become final with respect to any party affected and aggrieved by such decision until such party shall have exhausted or shall have had an opportunity to exhaust all of his remedies provided for by this section; provided, however, any such decision may be made final if the Commissioner finds that failure to do so would be detrimental to the public interest or public welfare, but the finality of any such decision shall not prevent any party or parties affected and aggrieved thereby to appeal the same in accordance with the appellate procedure set forth in this section.
- (11) The Commissioner shall prescribe his rules of order or procedure in hearings or other proceedings before it under this chapter; provided, however, that such rules of order or procedure shall not be in conflict or contrary to the provisions of this section.
- (Q) Nothing in these rules and regulations shall prohibit informal disposition by settlement or consent order, i.e., an order based upon an agreement in writing, between the parties in lieu of an administrative hearing.

#### **IV. MINIMUM STANDARDS FOR BLOCKING, ANCHORS, AND TIE DOWNS**

Any local government (county or municipality) which has adopted the latest edition and Appendices of the Southern Building Code published by the Southern Building Code Congress International or the International Residential Code for One and Two-Family Dwellings as published by the International Code Council (ICC) or the board of supervisors of any county who has adopted Section 75-49-21, Code of Mississippi (1972), will be regarded by the Factory-

Built Home Division of the State Fire Marshal's Office as being in full compliance with these Rules and Regulations of the "Uniform Standards Code for Factory-Built Homes Law" and as such will assume responsibility for local code enforcement for the installation, blocking, anchoring and tie-downs, and inspection procedures to ensure compliance with the National Manufactured Home Construction and Safety Standards Act, of factory-built homes, which are defined as manufactured, mobile or modular homes within their respected jurisdictions. Additionally, homes that are installed and set-up in accordance with federal guidelines required to meet the financing criteria of a federal agency are regarded by the Factory-Built Home Division of the State Fire Marshal's Office as being in full compliance, However, the Factory-Built Home Division of the State Fire Marshal's Office is the State Administrative Agency for the Department of Housing and Urban Development only.

Minimum standards for blocking, anchors and tie-downs for factory-built, manufactured, mobile or modular homes in non-coded areas of the state, when delivered to a home site location in the State of Mississippi, where they are intended to be used for human habitation shall be installed in accordance

with all applicable Rules and Regulations so as to prevent loss of life and property from wind storms and related hazards. A period of thirty (30) days from the date of delivery is allowed for blocking and anchoring of the home.

"Non-coded area" means any local jurisdiction (county or municipality) who have not adopted the latest edition and Appendices of the International Building Code published by the International Code Council or Southern Building Code published by the Southern Building Code Congress International or the board of supervisors of any county who has not adopted Section 75-49-21, Code of Mississippi (1972), or other recognized building codes or portion thereof.

"Human habitation" shall mean any manufactured, mobile or modular home which is wholly or partly used or intended to be used for living or sleeping by human occupants. (According to the Webster's Collegiate Dictionary, habitation means: (1) act of habitation; occupancy, (2) a dwelling place; residency).

- (A) All new and used factory-built homes shall be installed in compliance with the set-up/installation instructions manual, in accordance with Federal Manufactured Home Construction and Safety Standards, 24 CFR Section 3280.306, Windstorm protection support and anchoring systems as follows: (a) Provisions for support and anchoring systems. Each factory-built home shall have provisions for support/anchoring or foundation systems that, when properly designed and installed, will resist overturning and lateral movement (sliding) of the factory-built home as imposed by the respective design loads. For Wind Zone I, the design wind loads to be used for calculating resistance to overturning and lateral movement shall be the simultaneous application of the wind loads indicated in Section 3280.305 (c)(1)(i), increased by a factor of 1.5 [D 7 76]. The 1.5 factor of safety for Wind Zone I is also applied simultaneously to both the vertical building projection, as horizontal wind load, and across the surface of the full roof structure, as uplift loading. For Wind Zones II and III, the resistance shall be determined by the simultaneous application of the horizontal drag and uplift wind loads, in accordance with Section 3280.305 (c)(1)(ii). The basic allowable stresses of materials required to resist overturning and lateral movement shall not be increased in the design

and proportioning of these members. No additional shape or location factors need to be applied in the design of the tie down system. The dead load of the structure may be used to resist these wind loading effects in all Wind Zones.

- (B) Used factory-built homes, as defined in this chapter, not provided with such set-up/installation instruction manuals, and not provided with instructions shall comply with the specifications listed under Section 400 State Minimum Installation Standards below.

#### **Section 400 State Minimum Installation Standards - Factory-Built Homes Tie-Down Standards**

- (C) Manufactured Home Tie-Down Standards

- (1) Site Preparation

- (a) Planning and Site Preparation

Retailers, developers and/or installer/transporters are responsible for site preparation. In the event that site preparation work is recommended by the retailer, developer or the installer/transporter, as applicable, and the property owner or homeowner refuses to allow the retailer, developer or installer/transporter to perform the recommended site preparation, the retailer, developer or the installer/transporter, as appropriate, shall document this refusal by the homeowner or property owner. The documentation must be detailed by specifically describing the work that was recommended. A general statement that work was recommended but was not accepted by the customer will not suffice. A copy of this documentation shall be attached to the property locator report required by Chapter II, Section 200, paragraphs Q and R of these regulations and the original shall be kept in the possession and control of the retailer, developer and/or installer/transporter for a minimum of twelve (12) months as anticipated by Chapter III, paragraph L of these regulations.

- (b) Fire Separation

Separation from adjacent structures and lot lines is based on the fire resistance rating of the home pursuant to **NFPA 501A Standard for Fire Safety Criteria for Manufactured Home Installations, Sites and Communities**, Section 4 2.1, entitled "Fire Safety Separation Requirements," Sub section 4.2.1.1 as follows:

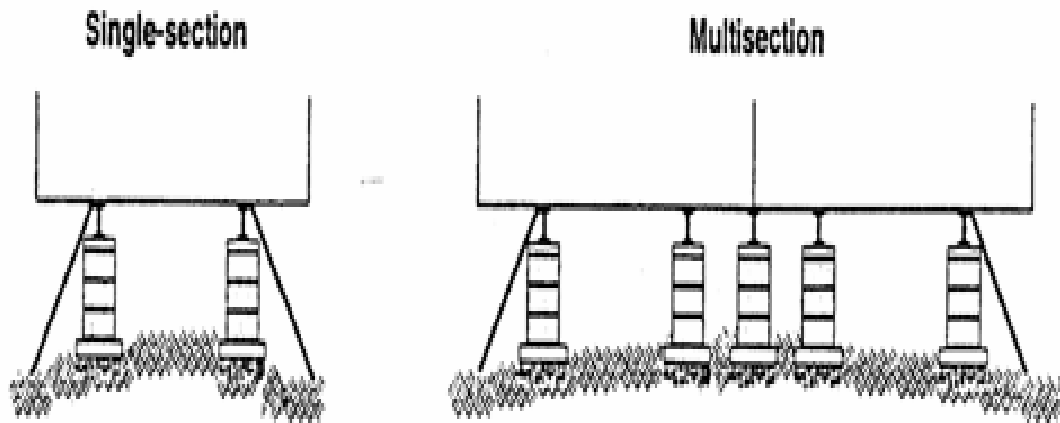
"Any portion of a manufactured home, excluding the tongue, shall not be located closer than 10 ft (3 m) side to side, 8 ft (2.4 m) end to side, or 6 ft (1.8 m) end to end horizontally from any other manufactured home or community building unless the exposed composite walls and roof of either structure are without openings and constructed of materials that will



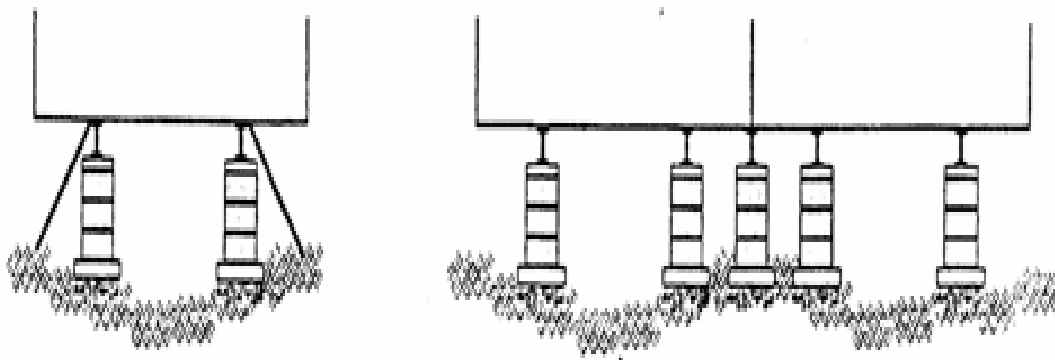
provide a one hour fire rating or the structures are separated by a one hour fire rated barrier." Most manufactured, factory-built, mobile or modular homes may be classified as "non-rated" construction. However, manufacturers may, in some instances, construct one hour rated walls. Information regarding the fire rating of the unit may be obtained from the manufacturer or third party inspection agency identified on the data plate.

(c) Clearance Under Homes

The site should be graded such that a minimum clearance of 12 inches is maintained beneath the lowest member of the main frame (I beam or channel beam) in the area of utility connections.

**FIGURE 1 - SITE GRADING**

**DO:** Crown and grade site to slope away from home,



**DON'T:** Grade site so that water collects beneath home.

(d) Drainage of Site (Figure I)

Site drainage is the responsibility of the retailer, developer and installer/transporter, as contemplated by Mississippi Code Ann., Section 75-49-5, and applicable HUD Regulations. Each site should have a finished grade that will provide for drainage away from the home. Collection of water beneath the home may lead to reduced durability of siding and bottom board, condensation in walls and ceilings, etc. Improper drainage and soil saturation may also cause buckling of walls and floors, problems with the operation of the doors and windows, etc.

(e) Removal of Organic Material

Remove all decayable material, such as grass, roots, twigs, and wood scraps, from beneath the footings of the home to minimize settling and insect damage.

(f) Before attempting to move a home, ensure that the transportation equipment and home can be routed to the installation site. Special transportation permits may be required from federal, state, county, or city officials.

(2) Soil Type/Capacity

(a) Under the Federal Standards, manufacturers are only required to provide one acceptable method for installing the home. However, manufacturers usually provide installation instructions that can be applied to a number of sites. These "generic" instructions commonly specify a minimum acceptable bearing capacity of the soil. Additionally, the manufacturer may offer options for acceptable footing sizes based on the bearing capacity of the soil. Installers and inspection personnel should first determine the bearing capacity of the soil in order to determine the proper size footing or foundation. Different soil types will have different bearing and holding capacities. The bearing capacity of the soil is the load per unit area that can be supported safely by the ground. The performance of the ground anchor is related to the soil's holding capacity. In the absence of borings, test pits, and other soil investigations that provide information on the proposed site, the following description of soil types may be used for homes installed in Mississippi:

**TABLE I - SOIL CLASSIFICATION**

<b>psf</b>	<b>kg/m<sup>2</sup></b>	<b>Soil Type</b>
2000	9765	Loose sand clay soils or medium soft clay
3000	14647	Firm or stiff clay
4000	19530	Loose fine sand or compact inorganic silt soils
6000	29295	Compact sand clay soils
8000	39059	Loose coarse to medium compact fine sand

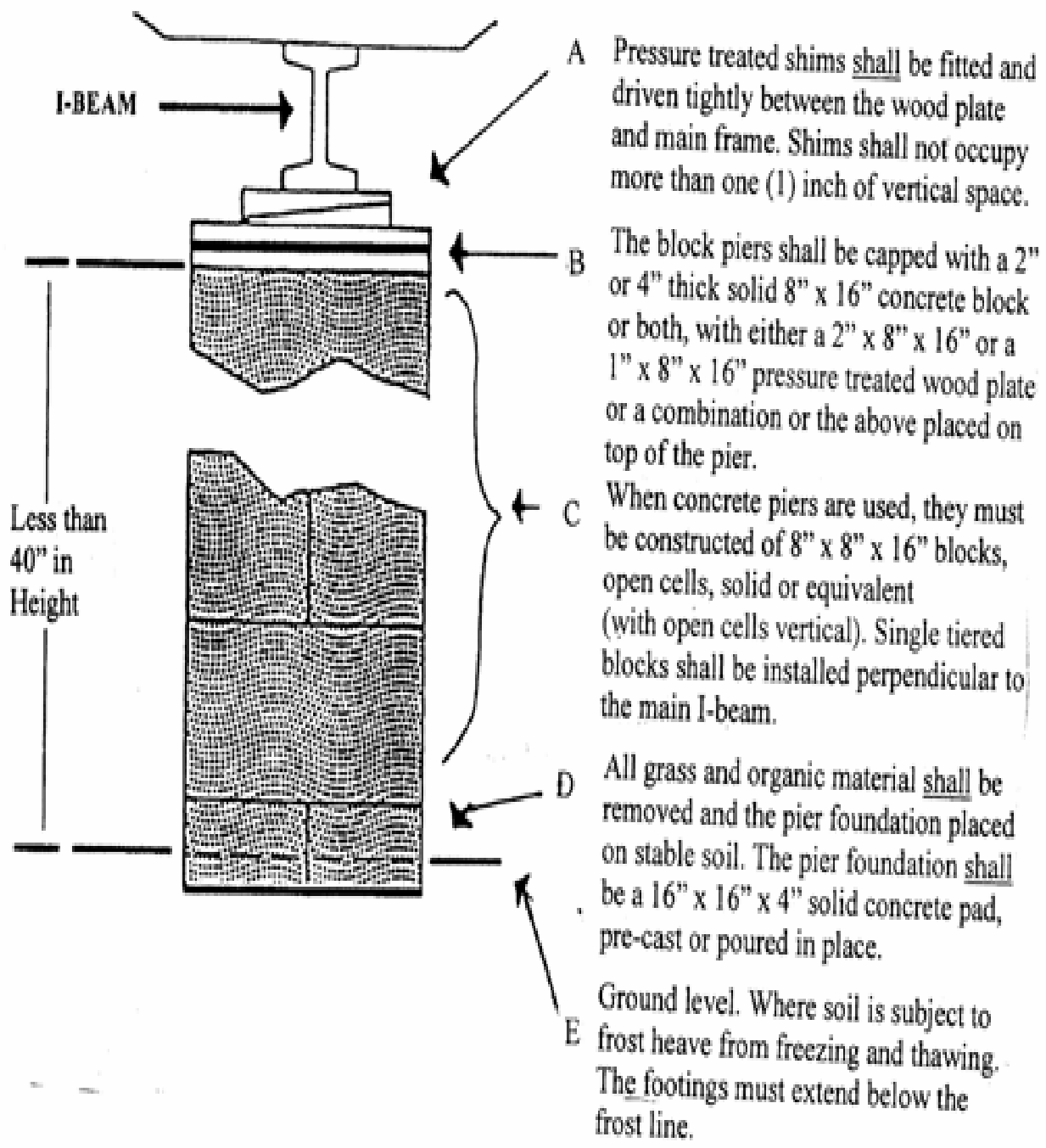
\*Note: The above table may be used if the soil characteristics are known. If the soil type is unknown, the following resources may be consulted to determine the soil type/bearing capacity:

- (i) Local authorities having jurisdiction;
- (ii) Soil conservation district;
- (iii) United States Geological Survey;
- (iv) The Resource Conservation Agency of the U. S. Department of Agriculture;
- (v) Highway Department;
- (vi) Qualified Professional Engineer; and/or
- (vii) Other methods approved by the Commissioner.

(3) Required Piers and Anchorage (Figure II)

- (a) All manufactured or mobile homes require diagonal ties to restrict the unit from being pushed from its piers. These diagonal ties also restrict overturning. Additional over the top tie downs to restrict overturning are required by some manufactured home installation instructions.
- (b) Piers or load-bearing supports or devices shall be designed and constructed to evenly distribute the loads. Piers shall be securely attached to the frame of the manufactured home or shall extend at least 6 inches (152 mm) from the centerline of the frame member. Manufactured load-bearing supports or devices shall be listed or approved for the use intended, or piers shall be constructed as follows:
  - (i) Except for corner piers, piers less than 40 inches (1016 mm) high, shall be constructed of masonry units, placed with cores or cells vertically. Piers shall be installed with their long dimensions perpendicular to the main (I beam) frame member it supports and shall have a minimum cross sectional area of 119 sq in (0.077 m<sup>2</sup>). Piers shall be capped with a minimum 2 inch (51 mm) solid masonry unit or concrete cap, or equivalent.

FIGURE II - MINIMUM BLOCKING STANDARDS



- (ii) Piers between 40 and 80 inches (1016 and 2032 mm) high and all corner piers over 24 inches (610 mm) shall be at least 16x16 inches (406x406 mm) consisting of interlocking masonry units and shall be fully capped with a minimum 4 inch (102 mm) solid masonry unit or equivalent.
  - (iii) Piers over 80 inches (2032 mm) high shall be constructed in accordance with the provisions of paragraph 2 above, provided the piers shall be filled solid with grout and reinforced with four continuous No. 5 bars. One bar shall be placed in each corner cell of hollow masonry unit piers, or in each corner of the grouted space of piers constructed of solid masonry units.
  - (iv) Cast in place concrete piers meeting the same size and height limitations of paragraphs 1, 2 and 3 above may be substituted for piers constructed of masonry units.
  - (v) All piers shall be constructed on footings of solid concrete not less than 16 x 16 x 4 inches (406 x 406 x 102 mm).
- (c) Piers shall be located in accordance with the manufactured home installation instructions. If the manufactured home installation instructions are not available for a used home, piers for single section homes are to be placed under each longitudinal main frame member not to exceed 8 ft (2438 mm) on center spacing for homes that are 14 ft (4267 mm) wide or less and 6 ft (1829 mm) on center for homes that are over 14 ft (4267 mm) wide. Piers for multi section homes are to be placed under each longitudinal main frame member not to exceed 6 ft (1829 mm) on center spacing. For used multi section homes, piers are to be placed under the center marriage line within one foot at each end, under ridge beam support columns, and under both sides of openings at the marriage line greater than 12 ft (3657 mm). For all homes, exterior doors shall have piers directly under both sides of the door openings. Where practical for all homes, end piers shall be placed within 1 ft (305 mm) of the ends of the main frame. When the location and spacing of wheels and axles, or other structural members of home frames, or undercarriages prevent spacing of piers on 8 or 6 ft (2438 or 1829 mm) centers, the spacing shall be as near 8 or 6 ft (2438 or 1829 mm) maximum spacing as practicable in the area of the obstruction. Piers shall be placed under other concentrated loads such as porch posts, bay window overhangs, and masonry faced fireplaces on floor overhangs. Units that exceed 16 ft (4877 mm) in width shall have perimeter piers under the sidewalls every 6 ft (1829 mm) and at each corner. Perimeter piers shall be under the intersection of a perimeter joist and a transverse joist or shall be under a 4x4 inch (102x102 mm) brace that supports at least two floor joists.

**TABLE II - MAXIMUM PIER LOAD IN POUNDS**

Number of Concrete Blocks	Soil Bearing Value	Maximum Allowable Load
1	1,000 lbs/square foot	4,800 lbs.
2	2,000 lbs/square foot & greater	9,600 lbs.

\* ABS Pad types include the following:

13 1/4" x 26 1/4" Pad 2.395 square feet ID#4148 4 or  
 20" x 20" Pad 2.777 square feet ID#1055 7

**TABLE III - MAXIMUM PIER LOAD**

Type	Pad Configuration	Pad Area (in square inches)	Soil Bearing Capacity PSF (in pounds)					Remarks
			1000	1500	2000	2500	3000	
1	1-16 x 16 w/1 or w/2 CMUs	256	1780	2670	3560	4450	5340	Max: 5340 #
2	1-18.5 x 18.5 w/1 CMU	342	2375	3563	4750	5598	5598	Max: 5600 #
3	1-18.5 x 18.5 w/2 CMUs	342	2375	3563	4750	5938	7125	Max: 7125 #
4	2-13.13 x 26.13 w/1 CMU	342	2375	3563	4750	5938	6400	Max: 6400 #
5	1-18.5 x 18.5 w/1 CMU ID# SPA 264-1-1	342	2375	6563	4750	5938	7125	Max: 7125 #
6	1-20 x 20 w/1 CMU	400	2775	4167	5556	5600	5600	Max: 5600 #
7	1-20 x 20 w/2 CMUs	400	2775	4167	5556	6944	8333	Max: 8333 #

*All pad sizes shown are nominal dimensions and may vary up to 1/8 inch.*

(4) Installation Instructions for ABS Pads

- (a) The purpose of this section is to emphasize that the ground under the ABS pads must be leveled, evenly compacted, and cleared of all vegetation and debris before the placement of the pads. For ABS Pads having model numbers different from those specified in this regulation, installation instructions shall be approved by the Commissioner.

- (b) Note that if pad deflects more than 5/8 of an inch when installed, pier spacing is incorrect for soil conditions. The maximum deflection in a single pad is 5/8 of an inch measured from the highest point to the lowest point of the top.
- (c) Installation Instructions for ABS Pads B 26X 26 Inch Pad Configuration
- (i) All pads are to be installed flat side down, ribbed side up.
  - (ii) The ground under the pads should be leveled as smooth possible with all vegetation removed. Pads to be placed on natural grade unless otherwise permitted by the local building authority.
  - (iii) Pier and pad spacing will be determined by the manufactured home manufacturer's written set up instructions. In the absences of manufacturer's written set up instructions and written set up instructions from the manufacturer of the pads, pier and pad spacing shall be no greater than 6 ft apart for Zone I and no greater than 4 ft for Zone II.
  - (iv) The open cells between the ribbings on the upper side of the pads may be filled with soil or sand after installation to prevent any accumulation of stagnant water in the pads.
  - (v) A pocket penetrometer may be used to determine the actual soil bearing value. If soil testing equipment is not available, use an assumed soil value of 1000 lbs/square foot.
  - (vi) All pad sizes shown are nominal dimensions and may vary to 1/8 of an inch.
  - (vii) The maximum deflection in a single pad is 5/8 of an inch measured from the highest point to the lowest point of the top face. (Please review Table IV and Figures III and IV).

**TABLE IV – SIZE AND LOAD**

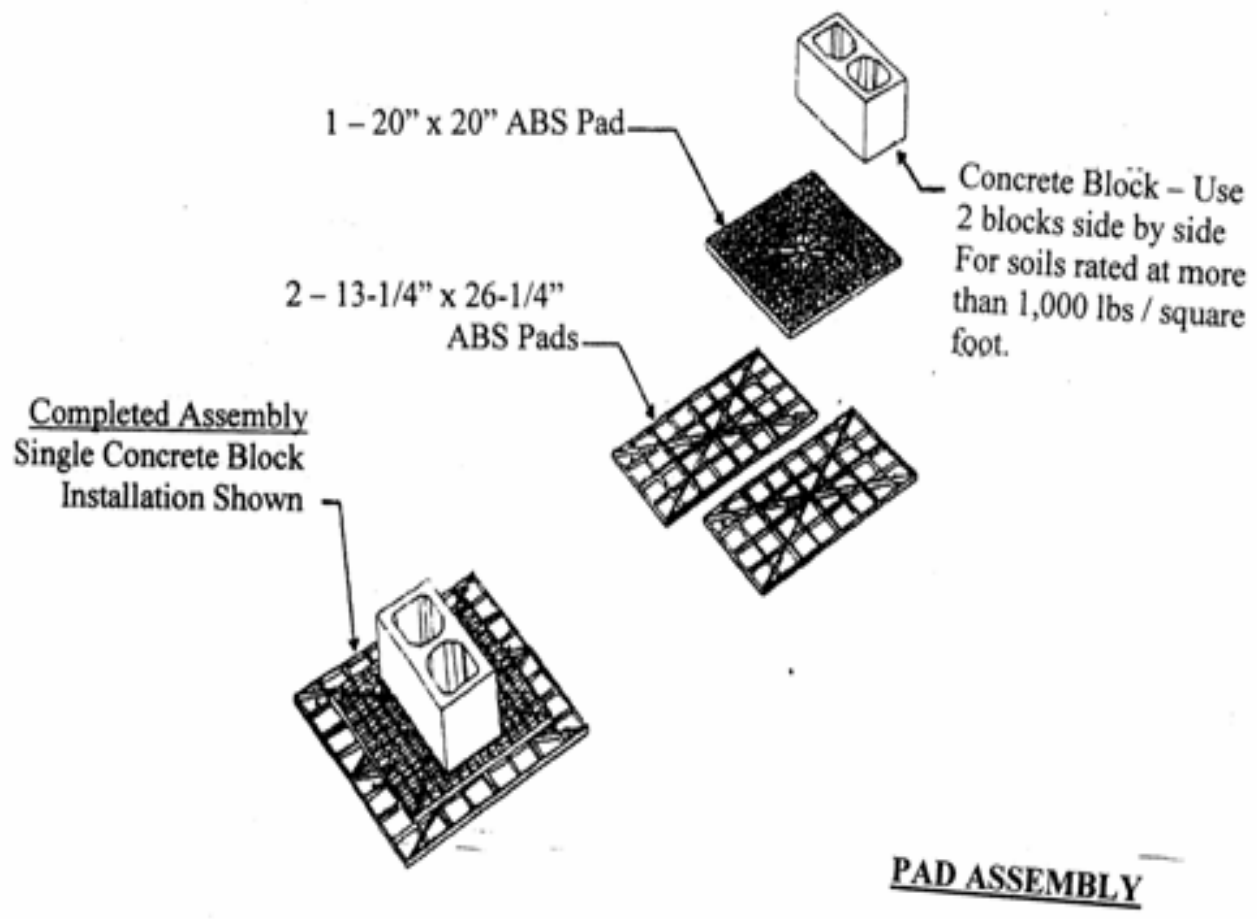
<b>PAD SIZE</b>	<b>PAD AREA</b>	<b>1000 LB.SOIL</b>	<b>2000 LB.SOIL</b>	<b>3000 LB.SOIL</b>
16" X 16"	256 sq. in.	1,780 lbs.	3,560 lbs.	5,333 lbs.
18.5" X 18.5"	342 sq. in.	2,375 lbs.	4,750 lbs.	7,125 lbs.
20" X 20"	400 sq. in.	2,750 lbs.	5,500 lbs.	8,250 lbs.

1. Any configuration above may be used to replace a home manufacturer's recommended concrete or wood base pad.



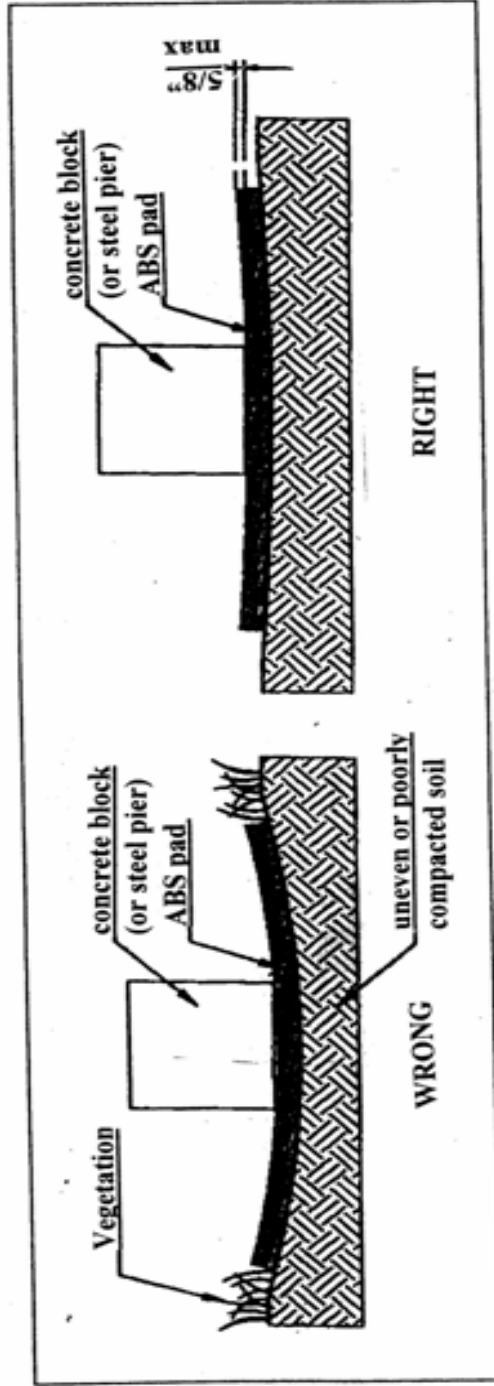
2. The maximum load at any intermediate solid value may be determined as the average of the next lower and next higher soil values given in the above table.
3. Pad sizes shown are nominal dimensions and may vary up to 1/8 inch.
4. Pad loads are the same when using single stack or double stack blocks.

**FIGURE III – ABS PAD ASSEMBLY**  
**Installation Instructions for ABS Pads**  
**26" x 26" Pad Configuration**



**FIGURE IV - ABS PAD INSTALLATION INSTRUCTIONS**  
Addendum (9 October 1995, Revised 27 September 1996)

The purpose of this addendum is to emphasize that the ground under the ABS pads must be leveled, evenly compacted, and cleared of all vegetation and debris before the placement of the pads.



The maximum deflection in a single pad is 5/8" measured  
From the highest point to the lowest point of the top.

(5) Definitions

- (a) DIAGONAL TIE - any tie-down designed to resist horizontal or shear forces and which deviates not less 30° (0.52 rad) from a vertical direction.
- (b) GROUND ANCHOR - any device at the manufactured home stand designed for the purpose of securing a manufactured home to the ground.
- (c) WIND (HURRICANE) ZONE II - Hancock, Harrison, Jackson, George, Stone and Pearl River Counties are all Wind Zone II areas for the State of Mississippi.
- (d) TIEDOWN - any device designed for the purpose of anchoring a manufactured home or mobile home to the ground anchors.

(6) Tie-downs

- (a) Manufactured or mobile homes with provisions for installation of anchor systems, including instructions, in accordance with Federal Manufactured Home Construction & Safety Standards, Section 24 CFR 3280.306 shall be installed in accordance with the manufacturer's instructions. Manufactured homes or mobile homes not provided with such installation instructions, or manufactured homes or mobile homes not provided with instructions for the zone (wind or non-wind) in which they are being installed shall comply with the following:
  - (i) The number of tie-downs for single wide (10 ft, 12 ft, or 14 ft) manufactured homes or mobile homes shall comply with Tables V and Table VI.
  - (ii) Manufactured homes or mobile homes shall be tied down in accordance with these tables unless the anchoring system is designed and approved by a registered professional Mississippi engineer (as per manufacturer's installation instructions).
  - (iii) Single section manufactured homes or mobile homes shall have diagonal and vertical ties and anchors in accordance with the tables below unless manufacturer's installation instructions are utilized.

**TABLE V - MINIMUM NUMBER OF TIEDOWNS FOR WIND ZONE II**

<b>Length of manufactured home, excluding draw bar (ft.)</b>	<b>Number of vertical ties</b>	<b>Number of diagonal ties, each side</b>	<b>Total required anchors per home</b>
0-40	2	4	8
41-60	3	6	12
61-84	4	8	16
** 85 +			

**TABLE VI MINIMUM NUMBER OF TIEDOWNS FOR WIND ZONE I**

<b>Length of manufactured home, excluding draw bar (ft.)</b>	<b>Number of vertical ties</b>	<b>Number of diagonal ties, each side</b>	<b>Total required anchors per home</b>
0-40	2	3	6
41-60	3	5	10
61-84	3	6	12
** 85 +			

\* These tables are based on a minimum working load per tie of 3,150 lbs with a 50 % overload (4,725 lbs total).

\*\* The number of vertical ties, diagonal ties, and total required anchors of homes that exceed 85+ feet is subject to the approval of the Commissioner.

- (iv) Multiple wide manufactured or mobile homes shall have diagonal ties and anchors as required above for single wide manufactured or mobile homes as listed in Tables V and VI above.
- (v) Alternate systems. These specifications are minimum standards. Other anchor systems shall be approved by the Division or local building official(s) provided that such designs are prepared by a registered professional Mississippi engineer or architect based on the criteria set forth in Federal Manufactured Home Construction & Safety Standards, Section 3280.306.
- (vi) Tie-down Spacing and Sizes
  - (1) Over the top tie-downs shall be positioned at stud and rafter locations near each end of the manufactured or mobile home. Others, if needed, may be positioned between them.

- (2) Wherever feasible, over the top tie-downs and frame ties directly beneath them may use the same anchors.
- (3) Cable or strapping or other approved methods or materials shall be used for ties. All ties shall be fastened to ground anchors and drawn tight with turnbuckles, yoke type fasteners or other such tensioning devices listed with the ground anchor.
- (4) Cable shall be either 7/32 inch (5.6 mm) diameter or greater (7x7) steel cable or 1/4 inch (6.4 mm) diameter or greater (7x19) aircraft cable. All cable ends shall be secured with at least two U bolt type cable clamps or other fastening device as approved by the building official.
- (5) Tie materials shall be capable of resisting an allowable working load of 3,150 lbs (14.0 kN) with no more than 2% elongation and shall withstand a 50% overload [4,725 lbs (21.0 kN) total]. Tie-downs exposed to weathering shall be resistant to weathering deterioration at least equivalent to that provided by a coating of zinc on steel of not less than 0.30 oz per square foot (92 g/m<sup>2</sup>) of surface coated. Type I, Class B, Grade I, steel strapping 1 1/4 inches (32 mm) wide and 0.035 inch (0.89 mm) thick, conforming to Federal Specifications QQ S 781 F, is judged to conform to this section.
- (6) Materials used for ties must terminate with D-rings bolts, or other fastening devices, which will not cause distortion of the band or reduce its breaking strength of 4,725 lb (21.0 kN). Please note that ties should be double wrapped (double looped) at top of beam, not at the bottom.
- (7) Connection of the cable frame tie to the I-beam (or other shape) main structural frame member should be by a 5/8 inch (15.9 mm) drop forged closed eye bolted through a hole drilled in the center of the I-beam web. A washer, or equivalent, shall be used so that the beam is sufficiently reinforced around the hole. If steel strap ties are used, care should be exercised to insure that minimum bending radius is adhered to so that the breaking strength of the strap is not reduced.
- (8) Frame ties shall connect the anchor and the steel I-beam (or other shape) main structural frame member which runs lengthwise under the manufactured home or mobile home.

Frame ties shall never be connected to any of the steel outrigger beams which fasten to and intersect the main I beam at right angles.

- (9) Ground anchors should be aligned with center of piers. Also, they should be situated immediately below the outer wall to accommodate over the top ties as well as frame ties.

(7) Anchors

- (a) Devices used to anchor manufactured or mobile homes shall meet the following requirements:
  - (i) Ground anchors shall be aligned close to the end of the piers, but not in exact center that will interfere with frame ties.
  - (ii) Auger-type (or other C-4 rated) anchors shall be at least 4 ft in length, have a minimum diameter of 6 inches (arrowheads 8 inches) and be sunk their full depth when sandy soils are present. When the condition of the soil (including ground density, composition and compaction) will not allow the Auger-type or other C-4 rated anchors to be sunk to their full depth, the Auger-type or other C-4 rated anchor attempted to be sunk shall be left in place and C-2 rated anchors may be used. Steel rods shall be at least 5/8 of an inch in diameter, have a forged or welded eye at top, or have a yoke type fastening and tensioning device or a threaded connector and tensioning device. C-4 anchors shall be capable of withstanding 4,750 lbs of pull (in a vertical or diagonal direction) without failure.
  - (iii) Anchors to reinforced concrete slabs must be strength comparable to that presented above.
  - (iv) Other anchors which are capable of withstanding 4,750 lbs of pull without failure may be approved by the Factory-Built Home Division of the State Fire Marshal's Office as equivalent to above specifications.
  - (v) All ground anchors having frame tie connections only shall have approved stabilizing plates installed on the inside (direction of pull) with the top of the stabilizing plate driven flush with the soil. Exception: Stabilizer plates are not required with coral anchors or at centerline or marriage wall locations.

- (vi) The "Standard Method of Test for Manufactured Home Anchors, Parts A and B" is described in the Federal Manufactured Home Construction and Safety Standards, 24 CFR Section 3280.401.

(D) General

- (1) All new manufactured, mobile or modular homes shall be installed in accordance with the home installation instructions. These instructions may include the following details.
  - (a) Skirting must have vents and an opening for access to the crawl space and heat tape outlet.
  - (b) The dryer exhaust vent must terminate outside the home.
  - (c) Combustion air vents may be needed for sealed combustion units and fireplaces.
  - (d) A vapor barrier may be required on the soil.
  - (e) A clearance must be maintained between the soil and wood floor joists.
  - (f) Water supply lines may be required to be insulated.
  - (g) The lot should be graded to avoid standing water under the home.
  - (h) The air conditioning condensate drain may be specified to have a termination outside the home.
  - (i) Specifications for utility connections must be followed.
- (2) If the installation instructions for used manufactured or mobile homes are not available, the anchoring and support requirements of this standard shall be followed and other aspects of the home installation shall conform to the minimum standards for occupancy established by the Rules and Regulations of the Factory-Built Home Division.
- (3) Manufactured or mobile homes, both new and used, built after July 13, 1994 that conform to Wind Zone I ratings only, cannot be installed within a designated Wind Zone II area, unless approved by the county or municipality having jurisdiction within the Wind Zone II area. The Wind Zone II area for homes manufactured after July 13, 1994, consists of the following counties: Hancock, Harrison, Jackson, George, Pearl River, and Stone.
- (4) For used manufactured or mobile homes that were built prior to July 13, 1994, the following shall apply, If the manufactured home or mobile was built to the HUD



Hurricane Zone rating that existed prior to July 13, 1994, it may be installed in one of the post-July 13, 1994, counties that are listed in No. 3 above. For reference, HUD designated Hurricane Zone counties that existed prior to July 13, 1994, were as follows: Hancock, Harrison, Jackson, George, Pearl River, Stone, Greene, Perry, Forrest, Lamar, Marion, Walthall, Pike, Amite, and Wilkinson. However, if the county or municipality having jurisdiction within the post-July 13, 1994, Wind Zone II area has adopted more restrictive requirements that would prohibit the installation of a pre-July 13, 1994 Hurricane Zone house, then the requirements of such county or municipality shall govern.

- (5) For the sales and installation of all manufactured housing, the retailer or developer shall determine whether the house is constructed to the properly rated Wind/Hurricane zone for its intended use and installation by referring to the HUD data plate.
- (6) The support and anchoring systems of all mobile homes that bear the HUD label shall be designated by a Registered Professional engineer or architect and meet the requirements of 24 CFR Section 3280.306, pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. Section 5401, et seq.) and the Manufactured Housing Improvement Act of 2000 as amended. The manufacturer shall provide complete tie-down instructions with each manufactured or mobile home.
- (7) From and after July 1, 2005, no retailer, developer, transporter or installer shall deliver or cause to be delivered any factory-built home to any person at any site where such home is to be used for human habitation without anchoring and blocking such home in accordance with rules, regulations and procedures promulgated by the Commissioner pursuant to Section 75-49-5; provided, however, that a period of thirty (30) days from date of delivery shall be allowed for the anchoring and blocking of such homes.

## V. OFFICIAL NOTICES AND BULLETINS

- (A) All manufacturers, retailers, developers and installer/transporters shall maintain any and all official notes and/or bulletins issued by the Factory-Built Home Division for five (5) years from the date of issuance. If so required by this Factory-Built Home Division, all manufacturers, retailers, developers and installer/transporters shall display official notices and bulletins in plain view for the public. Exception: Any official notices and bulletins marked as permanent records or **DO NOT DESTROY**.

## VI. REPEAL OF REGULATION MH-4

Regulation MH-4 shall be repealed upon adoption of this Regulation.

**VII. EFFECTIVE DATE**

This Regulation shall become effective on January 1, 2006.