

**Chapter 296-150I WAC
MANUFACTURED AND MOBILE HOME INSTALLATION**

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

296-150I-0150 Installer certification tag—Issuance by local enforcement agency. [Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0150, filed 5/30/08, effective 6/30/08.] Repealed by WSR 22-01-193, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapters 43.22 and 43.22A RCW.

WAC 296-150I-0010 Authority, purpose, scope. This chapter is authorized by chapter 43.22A RCW, which requires the department to train and certify manufactured home installers and by chapter 43.22 RCW which authorizes the director of L&I to set installation standards for manufactured and mobile homes. For the purposes of this chapter references to manufactured homes include mobile homes.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0010, filed 12/21/21, effective 1/31/22. Statutory Authority:

WAC 296-150I-0020 Definitions that apply to this chapter. (1)

"Administrative law judge" is any person appointed by the chief administrative law judge (as defined in RCW 34.12.020(1)) to preside at a notice of infraction appeal hearing convened under chapter 43.22A RCW.

(2) **"Appeal hearing"** is any proceeding in which an administrative law judge is empowered to determine legal rights, duties or privileges of specific parties on behalf of the director.

(3) **"Appellant"** means any person, contractor, firm, partnership, corporation, or other entity that has filed an appeal.

(4) **"Approved homeowner"** is an individual person who owns a manufactured home and who also has passed the departments' installer training class and test, with the intention of installing their home and residing in that home upon completion of the installation work.

(5) **"Authorized representative"** means an employee of a state agency, city, or county acting on behalf of the department.

(6) **"Bottom board"** means the close up material on the bottom side of the manufactured home floor that protects it from rodents and transportation damage and meets the requirements of 24 C.F.R. Part 3280.305(g) (6).

(7) **"Certified manufactured home installer"** means a person who is in the business of installing manufactured or mobile homes and who has been issued a certificate by the department as provided in this chapter.

(8) **"Contractor"** is as defined in chapters 18.27, 18.106, and 19.28 RCW.

(9) **"DAPIA"** is a design approval primary inspection agency as approved by the United States Department of Housing and Urban Development and defined by 24 C.F.R. Part 3286.3.

(10) **"Dealer"** is the same as "manufactured/mobile home dealer" below.

(11) **"Department"** refers to the department of labor and industries.

(12) **"Final infraction"** means an infraction that was not appealed during the time period required by RCW 43.22A.200, or was affirmed by an administrative law judge or any court.

(13) **"HUD"** is the U.S. Department of Housing and Urban Development, Office of Manufactured Housing Programs, Washington D.C. 20140-8000.

(14) **"IBTS"** is the Institute for Building Technology and Safety, 45207 Research Place, Ashburn, VA 20147.

(15) **"Infraction"** means a violation of chapter 43.22A RCW.

(16) **"Installation"** means all on-site work necessary for the setting up and completion of a manufactured or mobile home, starting with the preparation of the building site through final permit approval by the local enforcement agency.

(17) **"Local enforcement agency"** means any agency of the governing body of any city, county, or state which enforces laws or ordinances governing the construction of buildings.

(18) **"Manufactured home"** means a single-family dwelling built in accordance with the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.

(19) **"Manufactured/mobile home dealer"** is a vehicle dealer as defined in RCW 46.70.011.

(20) **"Manufacturer"** refers to a manufacturer of single-family dwellings built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.

(21) **"Mobile home"** means a factory-built dwelling built before June 15, 1976, to standards other than the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), and acceptable under applicable state codes in effect at the time of construction or introduction of the home into this state.

(22) **"Notice of infraction"** means a form used by the department to notify contractors or homeowners that an infraction under this chapter has been filed against them.

(23) **"Other equivalent experience"** means six months of hands-on experience installing manufactured homes under the guidance of a reputable, recognized manufactured home installer; or two years experience in residential or commercial construction.

(24) **"Retailer"** means the same as "dealer" for the purposes of this section.

(25) **"Site"** means the parcel of land approved by the local enforcement agency to accommodate the dwelling and auxiliary structures.

(26) **"Vapor retarder"** means a ground cover material of 6 mil black polyethylene sheeting or equivalent.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0020, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0020, filed 5/30/08, effective 6/30/08.]

MANUFACTURED HOME INSTALLER REQUIREMENTS

WAC 296-150I-0030 The manufactured home installer training program requirements. The training program must contain instruction and a written examination. The program curriculum includes, but is not limited to, the following topics:

- Relevant federal, state and local laws and standards;
- Supports, footings, anchors, site preparation, placement, closing in, plumbing, electrical, combustion appliances, skirting, interior, and exterior finishing;
- Operational checks and adjustments;
- Auxiliary or adjacent structures; and
- Alterations.

As part of the training program, the department will provide a training manual to each applicant, with the contents of the above curriculum.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0030, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0030, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0040 Examination—Failure—Retaking. The examination will only include topics covered in the training program. In order to pass the examination, applicants must answer seventy percent of the questions correctly. An applicant who fails the examination will be permitted to retake the training course and/or the examination as often as is necessary to secure a passing rate of seventy percent.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0040, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0040, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0050 Manufactured home installer certification—Application process. A person wanting to be certified as a manufactured home installer under chapter 43.22A RCW must submit a signed application form and the fee specified in WAC 296-150I-3000 to the department. The application must contain the following information:

(1) The applicant's full name, date of birth, driver's license number or other government identification number, and Social Security number. Social Security numbers are required on applications for professional licenses pursuant to RCW 26.23.150 and federal law PL 104-193, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(2) Written affidavit documenting evidence of experience as required under RCW 43.22A.040.

(3) Business name, phone number, and contractor registration number, if applicable. Status of applicant, i.e., owner or employee.

(4) Training/examination location and date preference.

(5) If the application is denied by the department as a result of the applicant's failure to meet the requirements of chapter 43.22A RCW and this chapter, the department will attempt to notify the applicant prior to the date the applicant is scheduled to attend the training and examination.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0050, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0050, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0050, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0060 Manufactured home installer—Continuing education requirements. Certified manufactured home installers must complete a minimum of four credit hours of continuing education every three years. The continuing education credit hours may be satisfied by attending an annual class offered by the department or a class offered by an alternative education provider approved by the department pursuant to chapter 296-150I WAC. All fees required by WAC 296-150I-3000 for continuing education classes must be paid to the department in advance.

(1) Continuing education class curriculum will include statute, code, or rule changes and common installation problems.

(2) If a certified installer is unable to attend the continuing education classes offered by the department or alternative education

provider, the installer may attend a regularly scheduled installer certification training course.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0060, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0070 Manufactured home installer certification renewal—Application process. (1) A certified installer may renew their certification as a manufactured home installer under chapter 43.22A RCW by filing a certification renewal application with the department.

(2) The application must:

(a) Be received by the department on or before the installer's certification expiration date.

(b) Be accompanied by the certification renewal fee specified in WAC 296-150I-3000.

(3) If a certified installer fails to apply for renewal and provide proof of continuing education within ninety days prior to the expiration of the installer's current certification, the installer must reapply for installer certification and meet all requirements for installer certification as set forth in chapter 43.22A RCW and this chapter.

(4) Before a certification renewal will be issued, the certified installer must provide proof to the department that the certified installer has met the continuing education requirements set forth in this chapter.

(5) The department will attempt to notify installers prior to expiration; however, it is the installer's responsibility to ensure timely renewal.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0070, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0070, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0070, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0080 Installer certification—Revocation. (1) The department may revoke an installer's certification if they receive three or more "final infractions" during their current three-year certification period. The department may judge the installer to be incompetent due to multiple infractions of the state manufactured home installer requirements and the manufactured home installation requirements. Revocation of the installer certification will be valid for two years from the effective date of the revocation.

(2) Where applicable, the department must send notice to the certificate holder's employer regarding revocation of an installer certification.

(3) A person may reapply for a manufactured home installer certification two years after the effective date of the revocation by submitting a completed application and payment for training and examination. Upon passing the written examination, a new manufactured home installer certification will be issued.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0080, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0080, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0080, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0090 Requirement for applicable licenses and registrations. The issuance of a manufactured home installer certification by the department under chapter 43.22A RCW and these rules does not exempt the certified installer from compliance with any local, state, or federal requirements relative to any business or occupational licenses or registrations.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0090, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0090, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0100 Manufactured home installation—Manufactured home installer certification required. Manufactured home installation work which falls within the scope set forth in RCW 43.22A.010(6) shall not be performed on a manufactured home without the on-site supervision of a certified manufactured home installer. Some categories of installation work are exempt from certification requirements in accordance with RCW 43.22A.120, WAC 296-150I-0105 and 296-150I-0110.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0100, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0100, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0105 Manufactured home installation—Specialty work by licensed electricians and plumbers. Specialty work performed within the scope of their licenses by licensed plumbers and electricians is exempt from the installer certification requirements of this chapter.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0105, filed 12/21/21, effective 1/31/22.]

WAC 296-150I-0110 Manufactured home installation—Homeowner performing work on their own home—Exceptions. (1) The owner of a manufactured home may install or perform installation work on his or her own home without obtaining certification from the department as a certified manufactured home installer if the home is intended for use as the homeowner's primary residence. For the installation of a manufactured home the homeowner must attend and pass an installer training class prior to starting the work.

(2) The installation work must be performed in compliance with this chapter and be permitted and inspected by the local enforcement agency.

(3) If the owner of a manufactured home hires any individual or business to assist the owner in the installation work, a certified installer is required to be on-site supervising such work and must meet all the requirements of this chapter.

(4) For the purposes of this chapter, an "owner" of a manufactured home does not include a manufactured/mobile home dealer, distributor, park owner or manager, contractor, or developer who installs or performs installation work on a manufactured home intended for resale or rental.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0110, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0110, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0120 Manufactured home installation permit and inspections—Obligation of the dealer and certified installer. (1) A certified installer must assure that a placement permit for the manufactured home installation has been purchased from the local enforcement agency. The certified installer shall ensure that all required installation inspections, relative to the work performed by the certified installer, are completed.

(2) Installer certification does not eliminate any contractor registration requirements of chapter 18.27 RCW.

(3) An out-of-state manufactured/mobile home dealer who performs installation work must comply with the contractor registration requirements of chapter 18.27 RCW. The manufactured/mobile home dealer must employ at least one certified installer to supervise the installation.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0120, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0120, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0120, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0130 Manufactured home installer—Responsibilities to the consumer. A certified manufactured home installer shall:

(1) Verify the acceptability of the site preparation before beginning any installation work;

(2) Ensure all phases of the installation work performed by the installer or crew being supervised are complete and in compliance with this chapter;

(3) Notify the local enforcement agency upon completion of the installation work; and

(4) Correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0130, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0130, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0140 Manufactured home installation—Installer certification tags required. Prior to installing or performing installation work on a manufactured home, certified manufactured home installers or the retailers by whom they are employed must obtain an "installer certification tag" from the department. The installer certification tag shall be in the form approved by the department.

No manufactured home may be installed by a certified installer without the installer affixing their certification tag thereto. The certified installer must indicate the installation work they have performed or supervised on the installer tag.

Only currently certified manufactured home installers will be issued installer certification tags.

Approved homeowners performing the installation work on their own manufactured home are required to purchase an installer certification tag for use on their home.

(1) Installer certification tags may only be purchased by a certified manufactured home installer, an approved homeowner, or by a manufactured home retailer licensed by the Washington state department of licensing.

(a) The certified manufactured home installer, approved homeowner, or manufactured home retailer purchasing the installer certification tag is responsible for complying with the security, use, and reporting requirements of this chapter.

(b) Manufactured home retailers may purchase installer certification tags and issue them to certified manufactured home installers employed by the manufactured home retailer.

(2) In order to purchase installer certification tags, the certified manufactured home installer, approved homeowner, or manufactured home retailer must submit an application to the department on a form approved by the department. The application shall be accompanied by the appropriate installer certification tag fee as set forth in WAC 296-150I-3000.

(3) The department may issue a maximum of thirty certification tags to a certified manufactured home installer. A certified manufactured home installer may not have more than thirty installer certification tags issued at any one time for which the reporting requirements of this section have not been met.

(4) Installer certification tags cannot be transferred or assigned without the written approval of the department. Fees paid for installer certification tags are not refundable.

(a) If a certified manufactured home installer's certification is suspended, revoked, or expires, all unused installer certification tags assigned to the certified manufactured home installer must be returned to the department.

(b) If a certified manufactured home installer or manufactured home retailer ceases to do business, all unused installer certification tags must be returned to the department.

(c) If a manufactured home retailer changes ownership, unused installer certification tags may be transferred to the new ownership if

the department approves the transfer following receipt of a written request for transfer from the manufactured home retailer.

(5) Issuance of installer certification tags may be denied if:

(a) The certified manufactured home installer's certification has been revoked or suspended pursuant to chapter 43.22A RCW;

(b) The certified manufactured home installer has failed to comply with the reporting requirements of this chapter;

(c) The department has evidence that the certified manufactured home installer has misused the installer certification tag by not complying with the requirements of this chapter;

(d) The certified manufactured home installer possesses installer certification tags in excess of the quantity authorized by subsection (3) of this section for which the reporting requirements of this chapter have not been met; or

(e) The certified manufactured home installer is not an active registered contractor or an employee of a manufactured home retailer or active registered contractor licensed in Washington.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0140, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0140, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0140, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0160 Installer certification tag—Placement—Removal.

(1) The installer certification tag must be placed on the home upon completion of each installer's portion of the work and prior to inspection by the local enforcement agency.

(2) The installer certification tags must be placed on the end of a home section directly above or below the HUD certification tag or placed on the chassis main I-beam directly adjacent to and visible from the crawl space access.

(3) The local enforcement agency may not issue final approval of a home installation until one or more installer certification tags have been affixed to the home indicating all installation work was performed by a certified manufactured home installer or approved homeowner.

(4) The installer certification tag may only be removed by the owner of the home following final approval of the installation of the home by the local enforcement agency.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0160, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0160, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0170 Monthly certification tag report. Certified manufactured home installers, approved homeowners, and manufactured home retailers who purchase installer certification tags from the department must submit a monthly report to the department on a form approved by the department relative to all installer certification tags issued.

(1) The report is due no later than the **15th day of each month** following the month of installation work being performed on a home. A certification tag report is not required for those months in which no installation work was performed.

(2) A manufactured home retailer who assigns tags to a certified manufactured home installer is responsible for ensuring completion of the monthly report. The manufactured home retailer must file a separate report for each certified manufactured home installer to whom the manufactured home retailer assigned installer certification tag(s).

(3) The installer certification tag report must contain the following information for each installation:

- (a) The installer certification tag number;
- (b) The address of the installation;
- (c) The date of the installation;
- (d) The name and certification number of the certified manufactured home installer; and
- (e) Any other information required by the department.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0170, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0170, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0180 Alternative education providers—Approval process and compliance. Pursuant to RCW 43.22A.060, the department may approve education providers to offer the certification training and/or continuing education required by RCW 43.22A.050, 43.22A.070 and this chapter. The factory assembled structures board will review each installer training course and will recommend approval or disapproval of the course to the department. The department will either approve or disapprove the course.

(1) To be considered for approval, an installer certification course must:

- Consist of not less than twelve hours of instruction for new applicants;
 - Consist of not less than four hours for continuing education;
- and
- Be open to monitoring by a representative of the department.

If the department determines that the continuing education course does not meet or exceed the minimum requirements for approval, the department may deny the course approval or reduce the number of credited hours.

(2) The education provider must submit to the department a written proposal including the following:

- (a) The education and experience of proposed instructors;
- (b) A detailed description of course content and materials; and
- (c) The proposed course schedule.

(3) All instructors identified by the education providers must meet the following requirements:

- (a) Two years' experience in one or more of the following areas:
 - (i) Supervising manufactured home installation, service, or repair;
 - (ii) Design, engineering, or architectural work related to building construction;

(iii) Inspecting manufactured home installation or construction for a local, state, or federal agency;

(iv) Completion of a two-year educational program in a construction-related field; or

(v) A combination of any of the above to meet the two-year requirement; and

(b) Complete the department-sponsored training and pass the certification exam with a score of ninety percent or higher.

(4) The curriculum proposed by the education provider must meet or exceed the department-sponsored training curriculum.

(5) The department must provide the education service provider written notice of approval or rejection as an alternative education service provider within sixty days of submittal of the complete proposal.

(6) All approved alternative education providers must:

(a) Make all necessary arrangements (scheduling class dates/times and facilities) and provide all educational materials for the classes presented;

(b) Provide to the department a list of participants within ten days of each class;

(c) Provide to the participant a certificate of completion. Each certificate must indicate:

(i) The name of participant;

(ii) The date of training;

(iii) A statement indicating the participant has completed the training as required by chapter 43.22A RCW.

(7) The alternative education provider must notify the department in writing fourteen days prior to the scheduled class date of the date, time and location of each class. Department representatives must be permitted to audit any class without fee.

(8) Curriculum changes must be submitted to and approved by the department prior to implementation.

(9) If the application is not approved, the rejection notice will include an explanation of the reason(s) for rejection. If the course sponsor disagrees with the board's decision, the course sponsor may request a reconsideration hearing by the full factory assembled structures advisory board. A request to appeal course rejection must be received by the department forty-five days before a regularly scheduled board meeting.

The course sponsor must submit, to the department, any additional information to be considered during the hearing, in writing, at least thirty days before the board hearing.

The course sponsor must provide at least twenty copies of any written information to be submitted to the board.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0180, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0190 Legal action—Installer certification required. No person may file a lien against a homeowner, or bring or maintain in any court of this state a suit or action, that seeks compensation for the performance of any work requiring certification under chapter 43.22A RCW or for the breach of any contract for installation work which is subject to chapter 43.22A RCW unless:

(1) The manufactured home installer was certified under chapter 43.22A RCW at the time the installer entered into contract for performance of the work and was certified continuously while performing the work for which compensation is sought; or

(2) The supervising manufactured home installer was the employee of the contractor or retailer seeking compensation and was certified under chapter 43.22A RCW continuously during performance of the work for which compensation is sought.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0190, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0200 Departmental assurance of installer compliance with the requirements of chapter 43.22A RCW. The department of labor and industries will ensure installers comply with the requirements of RCW 43.22A.130 which requires a certified manufactured home installer to be present for each phase of the installation being performed by all members of the installation crew by:

(1) Random site inspections of manufactured home installations and verification of installer certification and supervision;

(2) Investigations of complaints and violations reported to the department; and

(3) Audit of installers certification tag reports and usage.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0200, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0200, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0200, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0210 Violations of RCW 43.22A.130 that can result in the issuance of a notice of infraction. (1) Under RCW 43.22A.130, the department can issue a notice of infraction to a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent for:

(a) Failure to have a certified installer on the installation site whenever installation work is being performed;

(b) Failure to correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same;

(c) Failure by a certified installer to affix a certification tag to an installed manufactured home;

(d) Transfer of certification tag(s) from a certified installer to another certified installer without prior written approval of the department;

(e) Transfer of certification tag(s) from a certified installer to a noncertified installer.

(2) Each worksite and day at which a violation occurs constitutes a separate infraction.

(3) Once a violation of chapter 43.22A RCW or this chapter becomes final, any additional violations within three years become a "second," "third," or "additional" violation subject to an increased penalty as set forth in WAC 296-150I-3000.

(4) See WAC 296-150I-3000 for the specific monetary penalties associated with each of the violations discussed in this section.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0210, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW. WSR 17-23-173, § 296-150I-0210, filed 11/21/17, effective 1/1/18. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0210, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0220 Information that must be included in a notice of infraction. When an installer violates chapter 43.22A RCW, the department may issue a notice of infraction.

(1) The department shall prescribe the form of the notice of infraction issued under this chapter.

(2) The notice of infraction must include the following:

(a) A statement that the notice represents a determination that the infraction has been committed by the person named in the notice and that the determination is final unless contested as provided in this chapter;

(b) A statement that the infraction is a noncriminal offense for which imprisonment may not be imposed as a sanction;

(c) A statement of the specific infraction for which the notice was issued;

(d) A statement of a monetary penalty that has been established for the infraction;

(e) A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;

(f) A statement that, at a hearing to contest the determination, the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed, and that the person may subpoena witnesses including the authorized representative who issued and served the notice of the infraction; and

(g) A statement that failure to respond to a notice of infraction is a misdemeanor and may be punished by a fine or imprisonment in jail.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0220, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0220, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0230 Issuance of a notice of infraction. A person, firm, contractor, partnership, or corporation may be issued a notice of infraction for violations of chapter 43.22A RCW and this chapter.

The department must send the written notice, by certified mail, of civil penalties imposed under chapter 43.22A RCW and this chapter to the last known address of the party named in the notice.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0230, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0230, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0240 Appealing a notice of infraction. A person, firm, contractor, partnership, corporation or certified installer may appeal a notice of infraction by:

(1) Filing two copies of an appeal notice, specifying the reasons for the appeal, at the office designated on the notice of infraction; and

(2) Filing the appeal notice within twenty days of the date the infraction is mailed.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0240, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0240, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0250 Appeal hearings. An administrative law judge from the office of administrative hearings will preside over the hearing and give a decision. The hearing shall be conducted in the county where the infraction occurred. However, both the appellant and the department have a right to ask the administrative law judge to change the hearing's location.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0250, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0250, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0260 Representation at the appeal hearings. Appellants may either represent themselves or be represented by an attorney. The department will be represented by the office of the attorney general.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0260, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0260, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0270 Appeal hearing process. The hearing process shall be conducted according to chapter 34.05 RCW, Administrative Procedure Act and chapter 10-08 WAC. All appeals of the hearing decision shall be to the superior court according to chapter 34.05 RCW.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0270, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0270, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0280 Departmental review and consideration of appeal notices. (1) Appeal notices that are received timely are first reviewed by the department for purposes of reconsideration.

(2) Appeal notices that are not received timely will be returned to the appellant with appeal rights stated.

(3) Appeal notices that are received timely and are not reconsidered according to subsection (1) of this section are recorded and for-

warded to the office of the attorney general, then to the office of administrative hearings.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0280, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0280, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0290 Payment of assessed monetary penalties. (1)

If a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent named in a notice of infraction does not choose to appeal the notice, then they must pay the department the amount of the penalty prescribed for the infraction.

(2) After an administrative law judge decides that an infraction has been committed, a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent who does not appeal the decision to a superior court has thirty days to pay any outstanding monetary penalties.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0290, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0290, filed 5/30/08, effective 6/30/08.]

MANUFACTURED HOME INSTALLATION REQUIREMENTS

WAC 296-150I-0300 Installation standards for manufactured homes.

(1) The director of labor and industries is responsible for establishing uniform standards and requirements for the installation of manufactured homes within the state.

(2) Local jurisdictions may adopt additional installation requirements only for those installation situations not covered by federal standards. For example, local jurisdictions may impose fire sprinkler requirements, noise control construction ordinances, prescribe the frost depth and soil bearing capacity at the installation site, and adopt requirements to protect manufactured homes in hazardous areas (see WAC 296-150I-0340).

Also, local jurisdictions may impose their requirements for snow loads as long as all structures within their jurisdiction are required to comply with the same standard and provided those installing the manufactured home are given options in satisfying that standard. Such an option might include, but not be limited to, allowing an installer to erect an additional structure, which meets local standards, and protects the manufactured home. For example, an installer could erect a freestanding roof structure over a manufactured home to protect it from local snow loads.

Local jurisdictions may not:

(a) Dictate alternate foundation design and construction when a foundation is built according to either the manufacturer's installation instructions or a design created by an engineer or architect licensed in Washington state.

(b) Impose regulations on smoke detectors and carbon monoxide detectors because they are regulated by federal standards.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0300, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0300, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0310 Instructions for manufactured home installation. The installation of all manufactured homes shall comply with the requirements of this section.

(1) Installation of a new manufactured home.

(a) The installation of a new manufactured home must be conducted according to the manufacturer's instructions.

(b) If the manufacturer's instructions do not address an aspect of the installation, you may request:

(i) Specific instructions from the manufacturer; or

(ii) Specific instructions from a professional engineer or architect licensed in Washington state.

For example:

- A manufactured home is installed over a basement and the manufacturer's instructions do not address this application;

- A manufactured home is installed on a site where the specific soil bearing capacity is not addressed in the manufacturer's instructions.

(c) All manufactured homes installed in Washington state must be permanently anchored except for those installed on dealer lots. On dealer lots, temporary sets are permitted without anchoring being installed. A manufactured home must be anchored according to the manufacturer's installation instructions or according to the design of a professional engineer or architect licensed in Washington state. Local jurisdictions **may not** prescribe anchoring methods.

(d) A manufactured home must have a skirting around its entire perimeter. Skirting must be installed in accordance with the manufacturer's installation instructions or if the manufacturer is not specific, to the standards in this section. Do not enclose with skirting, areas under recessed entries, porches or decks, (whether constructed as part of the home or added on site) unless skirting is of the fully vented type and installed so as to allow water to freely flow out from under the home. Porch areas open to the crawl space area of the home must have the vapor retarder removed and the ground directly below the porch must slope away from the home. Skirting must be vented and allow access to the under floor area in accordance with the manufacturer's installation instructions or as required below if the manufacturer's instructions are not available.

If the manufacturer's skirting and access instructions are not specific, skirting, ventilation and access shall be installed as follows:

(i) Skirting:

- Must be made of materials suitable for ground contact.

- Metal fasteners must be made of galvanized, stainless steel or other corrosion-resistant material.

- Ferrous metal members in contact with the earth, except those made of galvanized or stainless steel, must be coated with an asphaltic emulsion.

- Must not trap water between the skirting and siding or trim.

- Must be recessed behind the siding or trim.

(ii) Ventilation:

For homes sited in a flood plain, contact the local jurisdiction regarding proper skirting ventilation. Except for those manufactured homes sited in a flood plain, all skirting and vent openings must:

- Be covered with corrosion-resistant wire mesh to prevent the entrance of rodents. The size of the mesh opening cannot exceed 1/4 inch.

- Have a net area of not less than one square foot for each one hundred fifty square feet of under floor area.

- Be located as close to corners and as high as practical and provide cross ventilation on at least two opposite sides.

(iii) Access:

- The under floor area of a manufactured home must have a finished opening at least eighteen inches by twenty-four inches in size.

- Opening must be located so that all areas under a manufactured home are available for inspection.

- Opening must be covered. The cover must be made of material suitable for skirting or venting as required in this chapter.

(e) A manufactured home site must be prepared in accordance with the manufacturer's installation manual or to the requirements of the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285, Subpart C.

(f) If the home is pit set, a drainage system must be installed to divert groundwater from the underside of the home.

(g) Heat duct crossovers must be installed in accordance with the manufacturer's installation instruction manual or if the manufacturer's instructions are not available, to the requirements in the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285.606.

Heat duct crossovers must be installed to avoid standing water and installed to prevent compression, sharp bends, and to minimize stress at the connections. In all cases, the duct must be supported at least one inch off the ground (exception to the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285).

(h) Dryer vents must exhaust to the exterior side of the wall or skirting. Dryer ducts outside the manufactured home shall comply with the dryer manufacturer's specifications or shall be made of metal with smooth interior surfaces.

(i) Water heater pans are only required where the installation instructions specifically require a pan for warranty or the home was produced after May 31, 2006. The water heater pan drain line must drain to the exterior of the home. The water heater pan drain line and the PRV drain line must not be interconnected.

(j) Water heater expansion tanks are not required by the department; however, you should check with your local jurisdiction for their requirements prior to installation.

(k) Water piping must be protected against freezing in accordance with the manufacturer's installation instructions or by use of a heat tape listed for use with manufactured homes and installed as required by the heat tape manufacturer's installation instructions.

(l) The testing of water lines, waste lines, gas lines, and electrical systems must comply with the manufacturer's installation instructions. If the manufacturer's installation instructions require testing of any of these systems, the local jurisdiction is responsible for verifying that the tests have been performed and passed. Electrical connections and testing are the responsibility of the electrical section of labor and industries except where a city has assumed the electrical inspection responsibilities for their jurisdiction. In that

case, the city's electrical inspectors are responsible for the electrical connections and testing.

(m) A vapor retarder must be installed under all manufactured homes.

Joints in vapor retarders must overlap a minimum of twelve inches. Voids, cuts, and tears in the vapor retarder must be patched or repaired with an approved method.

(n) Clearances underneath manufactured homes must be maintained at a minimum of eighteen inches beneath at least seventy-five percent of the lowest member of the main frame (I-beam or channel beam) and the ground or footing. In no case shall clearance be less than twelve inches anywhere under the home and eighteen inches at the heat duct cross over locations.

(o) Heat pump and air conditioning condensation lines must be extended to the exterior of the manufactured home.

(p) Roof ridge cap or ridge vent must be installed as required by the manufacturer's installation instructions.

(2) Installation of a relocated manufactured home.

(a) A relocated manufactured home must be installed according to the manufacturer's installation instructions.

(b) If the manufacturer's instructions are not available, you may use either:

(i) The Model Manufactured Home Installation Standards 24 C.F.R. Part 3285; or

(ii) The instructions of a professional engineer or architect licensed in Washington state.

(c) For the installation of a relocated manufactured home, all of the requirements of subsection (1)(c) through (p) of this section must also be followed.

(d) Hot water tank pressure relief valve (PRV) drain lines must be installed in accordance with Sec. 3280.609 of the Manufactured Home Construction and Safety Standards Act (Title 24 C.F.R. Part 3280).

(e) Carbon monoxide alarms shall be installed in accordance with Sec. 3280.211 of the Manufactured Home Construction and Safety Standards Act (Title 24 C.F.R. Part 3280). Carbon monoxide detectors installed in relocated homes are permitted to be battery operated.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0310, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0310, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0310, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0320 How to obtain a copy of the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285. The standard may be obtained from the Institute for Building Technology and Safety (IBTS) or the U.S. Government Publishing Office (GPO).

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0320, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0320, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0330 Requirements for temporary placement of manufactured homes. Manufactured homes placed on temporary display or in storage by a manufacturer, dealer or distributor in excess of thirty days shall be:

(1) Supported under each main frame beam by supports located within two feet of each end and within four feet of the front and rear axle and other supports so that no span shall exceed sixteen feet;

(2) Made weather tight at any marriage line joint at the roof and wall lines; and

(3) In addition to subsections (1) and (2) of this section, manufactured homes in storage or on display longer than ninety days must also be supported at each centerline column and along each rim joist at the manufacturer's identified support points.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0330, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0330, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0340 Special requirements of local enforcement agencies for installing manufactured homes in hazardous areas. (1) Local enforcement agencies may have special installation requirements for manufactured homes installed in hazardous areas.

(2) A hazardous area is:

(a) An area recognized as a flood plain by the local jurisdiction; or

(b) An area considered hazardous due to the probability of earthquake. In such areas, local jurisdictions may require an earthquake resistant bracing system designed for the earthquake zone in which the home is located by the home manufacturer or by a registered professional engineer or architect.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0340, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0340, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0350 Certification requirements for installing a manufactured home. (1) A manufactured home may be installed by:

- An approved homeowner;
- A certified installer;
- An individual who is supervised by an on-site certified installer; or
- A specialty trades person as specified in WAC 296-150I-0105.

(2) A certified installer must be a registered contractor, an employee of a registered contractor, or an employee of a licensed dealership.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0350, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0350, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0350, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0360 Manufactured home installation permit requirements. (1) A dealer, owner or agent must not deliver a manufactured home to its site without verifying that an installation permit has been obtained;

(2) Manufactured home installation work shall not be performed until a permit for such work has been issued by the local enforcement agency; and

(3) Any permit fees set by the local enforcement agency must be paid in full and included with the permit application.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0360, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0360, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0370 Manufactured home installation inspections. All manufactured home installations must be inspected and approved by the local enforcement agency as required by regulations established by HUD for manufactured housing.

Local enforcement agencies may enter into interagency agreements with the department to perform installation inspections on their behalf. A permit must be purchased with the department for these inspections.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0370, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0370, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0370, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0375 State monitoring of manufactured home installations and inspections. The department monitors the installation and inspection of manufactured homes within the state to assure compliance with the regulations established by HUD, for manufactured housing.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0375, filed 12/21/21, effective 1/31/22.]

WAC 296-150I-0380 Manufacturer's installation instructions. A manufacturer's installation manual must be provided for the inspecting jurisdiction when the manufacturer's original installation instructions are not available for a secondary installation, the installer shall provide an affidavit in lieu of the installation instruction manual, that the home is installed to the provisions of this chapter.

(1) The installation instructions must be located between the I-beam and the bottom board within five feet of the main electrical feeder when the skirting has not been installed.

(2) When the skirting has been installed, the installation instructions shall be located between the I-beam and the bottom board within five feet of the access opening.

(3) Instructions must be returned to this location when the inspection is completed.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0380, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0380, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0390 Requirements for structures adjacent to manufactured homes and who regulates them. Adjacent structures such as, but not limited to, additions, decks, porches, and awnings should be self-supporting, unless the manufacturer has designed the manufactured home to support an "attached accessory building or structure" as indicated on the HUD data plate posted in the home.

(1) Local enforcement agency jurisdiction.

(a) Adjacent self-supporting structures that do not use any of the systems in the manufactured home are under the authority of the local enforcement agency for all permitting, review and inspections.

Adjacent self-supporting structures may be attached and flashed to the manufactured home and do not require an L&I permit.

(b) Accessory structure ready homes:

(i) When a manufactured home is designed to support an "attached accessory building or structure," typically a garage or carport, the manufacturer's installation instructions will address the requirements for fire separation, protection of openings, duct penetrations, allowable loads, attachment points, support and anchorage requirements. The garage or carport may be either site built or built in the factory. The design and construction of a site built accessory structure is subject to regulation by the local enforcement agency.

(ii) Extension of one or more of the systems of the manufactured home, and other alterations to the home not covered by the installation instructions require a permit and inspection by the department in accordance with chapter 296-150M WAC.

(2) Department of labor and industries jurisdiction.

Adjacent structures that are supported by the manufactured home, use one or more of the systems of the manufactured home, or have other structural alterations to the home, require a permit and inspection by the department in accordance with chapter 296-150M WAC. They may also require permits, review and inspection by the local enforcement agency.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0390, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0390, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0400 Dispute concerning an installation requirement. (1) If a dispute arises between any person, business, or local enforcement agency concerning an installation requirement of the Model Manufactured Home Installation Standards 24 C.F.R. Part 3285 or this chapter, the issue may be submitted to the factory assembled structures advisory (FAS) board.

(2) The board may provide an opinion on the requirement.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0400, filed 12/21/21, effective 1/31/22. Statutory Authority:

Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0400, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-0410 Requirements if a home is damaged prior to, or during installation. (1) Manufactured homes that are damaged prior to, or during installation and are repaired at a location other than the manufacturer's facility require permits, inspections, and approval of the repairs from labor and industries. Permits are not required for the repair of minor damage such as shingle repairs, broken window(s), paint damage, minor siding damage and damaged bottom board or similar.

Electrical and plumbing repairs to the damaged home shall be performed by a Washington state licensed electrician and/or plumber, except as exempted by RCW 18.27.090 and 18.106.150.

The repair and inspection shall be performed to either:

(a) Plans approved by the manufacturer's DAPIA and verified by the FAS plan review section; or

(b) Plans approved by an engineer or architect licensed in Washington and approved by the FAS plan review section.

(2) Manufactured homes that are repaired at the manufacturer's facility do not require an L&I permit.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 22-01-193, § 296-150I-0410, filed 12/21/21, effective 1/31/22. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-0410, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0410, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-3000 Penalties, fees, and refunds.

Penalties

(1) Monetary penalties for infractions listed in WAC 296-150I-0210 may be assessed for each violation of chapter 43.22A RCW in the following amount:

(a) Failure to have a certified installer on the installation site whenever installation work is being performed:

First Final Violation	\$250.00
Each Additional Final Violation	\$1,000.00

(b) Failure to correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same:

First Final Violation	Warning
Second Final Violation	\$250.00
Third Final Violation	\$500.00
Each Additional Final Violation	\$1,000.00

(c) Failure by a certified installer to affix a certification tag to an installed manufactured or mobile home:

First Final Violation	Warning
Second Final Violation	\$250.00
Third Final Violation	\$500.00

Each Additional Final Violation	\$1,000.00
(d) Transfer of certification tag(s) from a certified installer to another certified installer without prior written approval of the department:	
First Final Violation	Warning
Each Additional Final Violation	\$250.00
(e) Transfer of certification tag(s) from a certified installer to a noncertified installer:	
First Final Violation to Each Contractor in Violation	\$250.00
Each Additional Final Violation to Each Contractor in Violation	\$1,000.00

Fees and Refunds

The following fees are payable to the department in advance:

Installer test and certification	\$321.80
Homeowner test and approval	\$160.80
Manufactured home installation inspector test and certificate	\$160.80
Refund	\$31.90
Certification renewal	\$160.80
Continuing education class	\$64.10
Retake failed examination and training at scheduled class	\$48.10
Manufactured home installer training manual (on thumb drive)	\$15.90
Installer certification tag	\$11.00
L&I manufactured home installation inspection permit*	See WAC 296-150M-3000 for fee

* Only available when L&I has an interagency agreement with the local enforcement agency in accordance with WAC 296-150I-0370.

(2) The department shall refund fees paid for training and certification or certification renewal as a manufactured home installer if the application is denied for failure of the applicant to comply with the requirements of chapter 43.22A RCW or these rules.

(3) If an applicant has paid fees to attend training or to take an examination and is unable to attend the scheduled training or examination, the applicant may:

- (a) Change to another scheduled training and examination; or
- (b) Request a refund.

(4) An applicant who fails the examination shall not be entitled to a refund.

[Statutory Authority: Chapters 43.22 and 43.22A RCW. WSR 23-21-084, § 296-150I-3000, filed 10/17/23, effective 12/1/23; WSR 22-19-074, § 296-150I-3000, filed 9/20/22, effective 11/1/22; WSR 22-01-193, § 296-150I-3000, filed 12/21/21, effective 1/31/22; WSR 21-07-126, § 296-150I-3000, filed 3/23/21, effective 4/23/21. Statutory Authority: Chapters 18.27, 70.87, 43.22, and 43.22A RCW. WSR 18-24-102, § 296-150I-3000, filed 12/4/18, effective 1/4/19. Statutory Authority: Chapter 43.22A RCW. WSR 17-23-173, § 296-150I-3000, filed 11/21/17, effective 1/1/18. Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-3000, filed 2/23/10, effective

4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR
08-12-040, § 296-150I-3000, filed 5/30/08, effective 6/30/08.]