



**MISSISSIPPI INSURANCE DEPARTMENT
OFFICE OF THE STATE FIRE MARSHAL
BULLETIN 2010-3**

June 29, 2010

MANUFACTURED HOME INSTALLATION INSPECTION PROGRAM

The Mississippi Legislature during the 2008 Regular Legislative Session passed House Bill 1435, which provides that the Commissioner of Insurance, in his duties as State Fire Marshal and the U. S. Housing and Urban Development (HUD) - approved State Administrative Agent, may enter into an agreement with HUD to establish or implement a manufactured housing installation inspections program from and after July 1, 2009. This Bulletin has been prepared to provide assistance regarding the implementation of this program.

Scope

House Bill 1435 shall apply to all manufactured homes and mobile homes, as defined in Miss. Code Ann. §75-49-1 et. seq., (Rev. 2008) and that is sited within the State of Mississippi installed on or after July 1, 2009.

Program Implementation

Beginning on the Effective Date, each manufactured home that is sited within the State of Mississippi shall be subject to inspection under the inspection program prior to homeowners occupying the home. Said inspection shall be conducted by an inspector assigned by the State Fire Marshal's Office ("Inspection Agency") to verify that the installation of the manufactured home meets the Mississippi Installation Standards (MH-5, as amended).

Installation Inspection Procedure:

(1) Scheduling of Inspection:

Three (3) business days prior to the completion of installation, the installer must contact the Inspection Agency to arrange for an inspection of the work performed.

(2) Inspection Checklist:

The installation of every manufactured home shall be inspected for each of the installation elements utilizing an Inspection Checklist.

(3) Re-inspection upon Failure to Pass

(a) Procedures for failed inspection:

If the inspector cannot verify the proper installation of the manufactured home, the inspector must immediately notify the installer of any failures to comply with the installation standards and provide a written explanation with the reasons why the inspector cannot approve installation. If a manufacturer, developer or retailer retained the installer, a copy of the written explanation shall also be sent to them. After correction, the unit must be re-inspected by an inspector before verification can be issued.

(b) Scheduling of Re-inspection:

Within three (3) business days after completion of all work required by inspector, the installer must contact the Inspection Agency to arrange for an inspection of the work performed. Such inspection shall be performed as soon as practicable by an inspector. If work can be corrected within three (3) business days of the original inspection this section does not apply. However, the responsible party shall submit an Affidavit no later than twenty (20) days of the listed noncompliance(s) date indicating that the corrections are complete and in compliance with the Mississippi Installation Program.

(4) Inspection Decal:

Upon passing of final inspection, the inspector shall permanently attach a serial numbered Inspection Decal near the HUD label on new manufactured homes or opposite the hitch-end of used manufactured homes. The Inspection Decal affixed to each manufactured home shall be accepted as proof that the home installation meets the Mississippi Installment Standards as set forth in MH-5, as amended and MH-2009-1.

Public Utilities

To ensure compliance, an agreement shall be offered to the Mississippi Public Service Commission, Boards of Supervisors, building officials and related entities to memorialize cooperation between them and the State of Mississippi in the installation inspection program. The agreement shall stipulate that upon completion of a local jurisdiction inspection, the entities shall, before utilities are connected, permits or compliance certificates issued, inspect to ensure an Inspection Decal was attached by the Inspection Agency.

Program Fees

The Independent Contract Transporter/Installer and/or Retailer and related entities shall request Inspection Decals from the Inspection Agency at the cost of One Hundred and Sixty dollars (\$160.00) per inspection seal to be affixed to each manufactured home which has been installed by the Independent Contract Transporter/Installer and/or Retailer. Upon receipt of the Inspection Decal's request, the Inspection Agency shall invoice the requesting party for the amount per decal. The Inspection Agency shall further inspect the requesting parties' units and when found to be in compliance with the Mississippi Manufactured Home Installation Standards affix the Inspection Decal indicating compliance with MH-5, as amended and MH-2009-1.

Special Appointed Inspectors

Throughout the term of this Program, the Inspection Agency shall maintain a list of personnel that may be available in the event of an immediate inspection due to emergencies, time restraint or related activities.

Violations and Penalties

Failure of a retailer or installer or both to comply with House Bill 1435 may be considered a violation of Miss. Code Ann. § 75-49-7(2). The State Fire Marshal may deny a license application or suspend or revoke a license, or may impose an administrative fine, or both as provided in Miss. Code Ann. § 75-49-19, after giving notice of hearing to the applicant or licensee by serving a written statement of charges on the licensee at least twenty (20) days prior to hearing, in the manner provided for in Miss. Code Ann. § 75-49-13 for any violation of this Regulation.

Effective Date

The provisions contained in this Bulletin shall be effective July 1, 2010.


MIKE CHANEY
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