

120-3-7-.01 Authority

This Regulation for manufactured and mobile homes is made and promulgated by the Georgia Safety Fire Commissioner pursuant to his authority set forth in O.C.G.A. §§ 8-2-132, 8-2-133, 8-2-135, 8-2-137(b), 8-2-161, 8-2-162, 8-2-165, 8-2-168 and 25-2-1 *–et seq.*

Statutory Authority

O.C.G.A. §§ 25-2-4, 25-2-13, 25-2-16, 33-2-9, 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 50-13-21.

120-3-7-.02 Purpose

- (1) To provide protection to the public against potential hazards to the safety and health of the occupants of manufactured homes.
- (2) To forbid the manufacture and sale of new manufactured homes which are not constructed in compliance with "The National Manufactured Housing Construction and Safety Standards Act of 1974"(42 U.S.C. 5401 *et seq.*, as amended).
- (3) To regulate the installation of manufactured and mobile homes so as to provide protection to the occupants of said homes and to ensure continuing compliance with the federal standards.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.03 Definitions

The terms "Installation" and "Set Up" shall be used interchangeably throughout this Regulation. All other terms which are used in this Regulation shall have the same meaning as defined in O.C.G.A. §§ 8-2-131 and 8-2-160, in addition to the following:

- (1) "Act" means "The National Manufactured Housing Construction and Safety Standards Act of 1974"(42 U.S.C. 5401 *–et seq.*, as amended) and the Rules and Regulations promulgated thereunder;
- (2) "Commissioner" means the Georgia Safety Fire Commissioner;
- (3) "Dispute Resolution" means a program for a timely resolution of disputes between manufactures, retailers and installers of manufactured homes regarding responsibility and for the issuance of appropriate orders for the correction or repairs of defects in the manufactured home that are reported during the ~~1-year~~ 1-year period beginning on the date of installation;
- (4) "Fire Safety Compliance Officer" means an employee of the Safety Fire Division, authorized by the Safety Fire Commissioner to carry out specific responsibilities, including all inspections necessary to administer and enforce O.C.G.A. §§ 8-2-130 *et seq.* and 8-2-160 *et seq.* and the Rules and Regulations promulgated thereunder;
- (5) "HUD" means the United States Department of Housing and Urban Development;

- (6) "In-Plant Primary Inspection Agency (IPIA)" means a state or private organization which has been accepted by the Secretary in accordance with the requirements of Subpart H of the federal regulations adopted pursuant to the Act. An IPIA evaluates the ability of manufactured home plants to follow approved quality control procedures and provides ongoing surveillance of the manufacturing process;
- (7) "Installation" means the construction of a foundation system and the placement or erection of a manufactured home or mobile home on the foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such home and connecting multiple or expandable sections of such home. The term "set up" may be used interchangeably with the term "installation";
- (8) "Installer" means a person responsible for performing an installation and who is required to obtain a license pursuant to O.C.G.A. § 8-2-160 *–et seq.*;
- (9) "Lending Institutions" shall have the same meaning as set forth in O.C.G.A. § 8-2-131(3).
- (10) "Manufactured Housing Act" means O.C.G.A. §§ 8-2-130 *–et seq.*, 8-2-160 *–et seq.* and the Rules and Regulations promulgated thereunder;
- (11) "Retail Broker" shall have the meaning set forth in O.C.G.A. § 8-2-131(8);
- (12) "Retailer" shall have the meaning set forth in O.C.G.A. § 8-2-131(9);
- (13) "Remedial Actions" means the notification and corrective measures required to be taken under Subpart I of the Procedural and Enforcement Regulations adopted pursuant to the Act and under the Rules and Regulations adopted pursuant to O.C.G.A. §§ 8-2-130 *– et seq.* and 8-2-160 *– et seq.*;
- (14) "Safety Fire Division" means the authorized inspection and enforcement authority of the Georgia Safety Fire Commissioner. The Manufactured Housing Section is designated as having the primary responsibility;
- (15) "Secretary" means Secretary of U.S. Department of Housing and Urban Development;
- (16) "Set up" ~~may be used interchangeably with the term~~ and "installation-" ~~Set up~~ means the construction of a foundation system and the placement or erection of a manufactured home or mobile home on the foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such home and connecting multiple or expandable sections of such home;
- (17) "Standards" means the Federal Manufactured Home Construction and Safety Standards as promulgated under Section 604 of the Act, ~~(42 U.S.C. 5403, as Part of the Federal Regulations)~~;
- (18) "State Administrative Agency (SAA)" means an agency of a state which has been approved by HUD to carry out the state plan for enforcement of the standards pursuant to Section 623 of the Act ~~(42 U.S.C. 5422)~~. The Manufactured Housing Section of the Safety Fire Division is the State Administrative Agency for Georgia.

Statutory Authority

O.C.G.A. §§. 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.04 Authorized Representative of the Commissioner

The Commissioner hereby authorizes designated personnel in the Safety Fire Division, including the State Fire Marshal, supervisory personnel and Fire Safety Compliance Officers to administer and enforce the provisions of the Manufactured Homes Act.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.05 Standards of Construction

All manufactured homes produced, assembled, constructed or built in Georgia must conform to the Act and the Rules and Regulations promulgated thereunder by the Secretary as the construction standard for manufactured homes, found in the Title 24 C.F.R. Part 3280, adopted May 11, 1976, as amended. (This standard may be found at 24 C.F.R. 3280 and copies may be obtained from the U.S. Department of Housing and Urban Development, Manufactured Housing Standards Division, 451 Seventh Street, S.W., Washington, D.C. 20410.)

- (1) Each section of each manufactured home shall have a metal label issued by the In-Plant Primary Inspection Agency ("IPIA"), indicating that the manufacturer has certified to the best of the manufacturer's knowledge and belief that the home meets the applicable construction standards of the Act. The label shall be affixed in a permanent manner, generally at the rear of each section of the home.
- (2) In accordance with subsection (1) above, manufactured homes which have been certified as complying with the standards promulgated under the Act, and which have not been damaged by natural forces or otherwise altered in such a manner as to no longer be in compliance with said standards, shall be exempt from the adoption or enforcement by any political subdivision of any other construction standard or from requiring modifications to the design specifications including, but not limited to, the electrical and plumbing systems.

Statutory Authority

O.C.G.A. §§. 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.06 In-Plant Primary Inspection Agency IPIA Inspection Procedures; Disagreements With Procedures

- (1) Inspections of manufactured homes by the IPIA or the Commissioner's designee will be conducted pursuant to Subpart H of the U.S. Department of Housing and Urban Development's "Manufactured Homes Procedural and Enforcement Regulations" (24 C.F.R. 3282.351, adopted May 11, 1976, as amended).
- (2) Whenever a manufacturer disagrees with a finding by an IPIA acting in accord with Subpart H, the manufacturer may request a Presentation of Views or a Hearing as hereafter provided in Rule 120-3-7-.10 of these Rules and Regulations

(3) Fees in connection with permitting or renewal permitting of ~~new~~ manufactured housing plants in Georgia ~~will~~ shall be in accordance with the following schedule:

(a)^o Initial five-day (40-hour) inspection period\$5,000 PER DAY

(b)^o Second five-day (40-hour) inspection period.....\$5,000 PER DAY

(c)^o Third five-day (40-hour) inspection period.....\$5,000 PER DAY

(d)^o Fourth five-day (40-hour) inspection period.....\$5,000 PER DAY

(4) If certification is not completed after four five-day inspection periods, the representatives of the manufacturer and representatives of the Commissioner will arrange a meeting to evaluate the inspection process.

(5) For any inspection lasting longer than four five-day inspection periods, the manufacturer will be responsible for additional fees incurred by the inspectors, including cost lodging and per diem costs.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.07 Consumer Complaint Handling and Remedial Actions

(a) Consumer complaints and remedial actions will be administered and enforced by the Manufactured Housing Section of the Safety Fire Division in accordance with O.C.G.A. §§ 8-2-130 *et seq.*, 8-2-160 *et seq.* and with the Manufactured Homes Procedural and Enforcement Regulations, found in Title 24 C.F.R. Part 3282, Subpart F and Subpart I, 42 Fed. Reg. 2580, Jan. 12, 1977, as amended, wherever such is denoted as an SAA responsibility. Presentation of Views or Hearings will be conducted pursuant to Rule 120-3-7-.10 of these Rules and Regulations.

(ba) Consumer complaints, including remedial actions, that involve the installation of manufactured homes set up after January 1, 1993 will be administered and enforced by the Manufactured Housing Section of the Safety Fire Division in accordance with O.C.G.A. § 8-2-160 *et seq.* and the Rules and Regulations promulgated thereunder. Presentation of Views and Hearings will be conducted pursuant to Rule 120-3-7-.10 of the Rules and Regulations.

(c) A Manufacturer, Retailer, Retail Broker, or Installer issued a notification of any violation by the Commissioner or Safety Fire Division shall rectify such violation and provide documentation of the modification or correction to the Manufactured Housing Section of the Safety Fire Division within thirty (30) days of delivery of such notification. An extension may be granted by the Manufactured Housing Section of the Safety Fire Division if submitted and approved by the Manufactured Housing Section of the Safety Fire Division within the thirty (30) day period.

(d) A reinspection will be conducted after thirty (30) days of delivery of such notification, and if such violations are not corrected and documented as required by subsection (c) the Manufacturer, Retailer, Retail Broker, or Installer issued the notification of violation shall be fined not less than \$250.00. A reinspection violation shall constitute a discrete notification of

[violation and shall require a Manufacturer, Retailer, Retail Broker, or Installer to rectify such violation and provide documentation of the modification or correction to the Manufactured Housing Section of the Safety Fire Division within thirty \(30\) days of delivery of such reinspection violation notification. If a reinspection violation is not cured within thirty \(30\) days, the Manufacturer, Retailer, Retail Broker, or Installer shall pay an additional fine of not less than \\$500.00.](#)

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.08 Annual License

- (1) Every manufacturer who manufactures manufactured homes in Georgia and every manufacturer who manufactures manufactured homes outside the State of Georgia and who sells or offers for sale said manufactured homes in Georgia shall apply for and obtain a license from the Manufactured Housing Section of the Safety Fire Division on the prescribed form and accompanied by the fee as provided in O.C.G.A. §§ 8-2-135(1) and (2). For licensing purposes, each plant location shall be treated as a separate entity and shall adhere to all licensing requirements. The applicant for licensure shall specify the actual physical location where manufactured homes are built or assembled. Every manufacturer receiving a license shall display the license in the place of business and shall make such license available upon request for verification by an authorized representative of the Commissioner.
- (2) Every retailer and retail broker who sells or offers for sale to consumers three (3) or more new or previously owned manufactured or mobile homes in a twelve (12) month period in Georgia shall apply for and obtain a license from the Manufactured Housing Section of the Safety Fire Division on the prescribed form and accompanied by the fee as provided in O.C.G.A. §§ 8-2-135(3) and (5). For licensing purposes, each retailer lot or location and retail broker location shall be treated as a separate entity and shall adhere to all licensing requirements. The applicant for licensure shall specify the actual physical address where manufactured or mobile homes are located. Every retailer or retail broker receiving a license shall keep the license in the place of business and shall make such license available upon request for verification by an authorized representative of the Commissioner. The application for said license shall include a complete authorization form prescribed by the Commissioner of Insurance which allows the verification of criminal history by the department.
- (3) Every installer who installs new or previously owned manufactured or mobile homes anywhere within the State of Georgia in accordance with O.C.G.A. § 8-2-161(1) shall apply for and obtain a license from the Manufactured Housing Section of the Safety Fire Division, to operate as a licensed installer, on the prescribed form and accompanied by the fee as provided in O.C.G.A. § 8-2-161(1). The applicant shall specify an actual physical location where the installer's business is based and where records are maintained. The application for said license shall include a completed authorization form as prescribed by the Commissioner of Insurance which allows the verification of criminal history by the department.

(a) The application for licensure for each installer shall be accompanied by proof of successful completion of an installation training course and corresponding examination, authorized or approved by the Commissioner, and designated for licensure. The course must have been taken within 12 months prior to the initial application for licensure. Continuing education courses approved by the Commissioner shall be taken every 24 months thereafter.

(b) After all licensing requirements for an installer's license is completed, a provisional installer's license will be issued. A provision installer's license shall only be required for a new installer's licensure application and not a renewal application. The first three installations by a provisional installer's licensee shall be monitored by the Commissioner or the Commissioner's designee. If all three installations are found not to violate the Act, Code, or any rule, regulation, order, directive, or bulletin of the Commissioner, then an installer's license shall be issued to the installer. If a violation of the Act, Code, or any rule, regulation, order, directive, or bulletin of the Commissioner is found in the first three installations, then two additional installations shall be monitored by the Commissioner or the Commissioner's designee. If the Commissioner or his designee finds a violation of the Act, Code, or any rule, regulation, order, directive, or bulletin of the Commissioner on the subsequent two installations, then the installers license shall be denied, the provisional license shall be revoked, and the installer shall be required to reapply as a new applicant and pay all required fees thereof.

(cb) A licensed installer may employ or contract with other authorized accountable personnel to assist with the installations of manufactured or mobile homes. The licensee shall be required to be at the installation site at all times, unless at least one authorized accountable personnel is continually at the installation site while the installation work is in progress and is accountable to the licensee. The licensee shall be responsible for ensuring that any installation performed under said license be in compliance with the applicable instructions and the licensee shall be responsible for providing remedial action when required. Proof of licensure and ~~or~~ authorization of accountable personnel, shall be maintained at the installation site at all times for verification by local code officials and authorized representatives of the Commissioner. The proof may be in the form of the original license, copy of the original license or on a form prescribed by the Commissioner. Local jurisdictions are authorized to require proof of licensure prior to issuing any permits necessary to perform installations of manufactured and mobile homes. "Authorized accountable personnel" is defined as a person or persons who have successfully completed the installation training course, and any applicable continuing education courses, and their corresponding examinations, approved by the Commissioner. A certificate of Completion will be provided by the Manufactured Housing Section of the Safety Fire Division to these individuals upon proof of successful completion of these courses and examinations. Any retailer or retail broker licensed under the provisions of the Manufactured Housing Act who uses the services of or otherwise employs a person, partnership, corporation, entity, etc. that is not licensed as an installer in the State of Georgia shall be subject to the revocation of said retailer's and retail broker's license or other penal measures as prescribed by this Regulation. Any failure to comply with the provisions contained herein shall be considered a violation of the Manufactured Housing Act and be subject to penal measures prescribed by the Commissioner of Insurance, including but not limited to, the revocation of any applicable license.

(c) An individual who transports a manufactured or mobile home to the site of installation shall be excluded from licensure as an installer provided he or she performs only such temporary blocking as is necessary to stabilize the home and shall not, under these circumstances, be considered to be an installer. However, any further blocking of the home by the carrier shall be considered to be an installation of the unit, and the carrier shall comply with licensure requirements of an installer and the installation must be performed in compliance with O.C.G.A. § 8-2-160 *et seq.* and the applicable rules of the Commissioner. A partial installation of a manufactured or mobile home is not allowed under the Manufactured Housing Act.

(d) Any installer who is discovered by a state or local inspector to have performed an installation in a manner contrary to the methods indicated by the manufacturers installation instruction manual and Rule 120-3-7-.~~1821~~, as applicable, shall be deemed to be in violation of the Manufactured Housing Act and shall be subject to revocation of his or her license and/or other penal measures as prescribed by the Commissioner of Insurance, this Regulation or other applicable Georgia law.

(e) In all cases in which the installation is arranged by and/or paid for by the retailer or retail broker, the retailer and retail broker shall assume responsibility for the proper set up of the mobile or manufactured home. Failure to comply with the requirements of this subsection shall be deemed a violation of the Manufactured Housing Act and shall be subject to the revocation of the retailer's or retail broker's license or other penal measures as prescribed by this Regulation or other applicable Georgia law. This subsection shall not relieve any installer from any responsibilities and applicable penalties.

(4) Applications for licensure must be approved by the Commissioner or his or her delegate before engaging in any activities contemplated by the Manufactured Housing Act and requiring licensure for manufacturers, retailers, retail brokers or installers. Each license shall be valid from January 1 through December 31 of the year in which the license is issued. License fees shall not be prorated for the remainder of the year in which the application is made but shall be paid for the entire year regardless of the date of application. All licenses are non-transferable regarding ownership and/or location. Any licensed entity changing the business name, or any other information not referenced herein, presented on the original application for licensure shall notify the Manufactured Housing Section of the Safety Fire Division of any change of information contained in the original application for licensure within twenty (20) days and shall complete a revised application.

(5) Applications for renewal licenses for manufacturers, retailers, retail brokers and installers shall be obtained and submitted to the Manufactured Housing Section of the Safety Fire Division on or before January 1 of each year and shall be accompanied by a completed consent form allowing a criminal history background check by the Safety Fire Commissioner's Office. On or before December 1 of each year, the Manufactured Housing Section of the Safety Fire Division shall forward a Notice of Renewal by electronic mail to each licensee at the last known email address on the records of the Safety Fire Commissioner. After sending the Notice of Renewal by electronic mail, the Manufactured Housing Section shall have no further duty or obligation to notify the licensee of the expiration of annual license. The fee for delinquent renewal applications received after January 10 of each year shall be double the regular annual fee.

(6) A license may be refused or a license duly issued may be suspended or revoked or the renewal of such license may be refused by the Commissioner if he or she finds that the applicant or the holder of a license:

(a) has violated any provision of the Act, the Standards, the Manufactured Homes Act or these Rules and Regulations;

(b) has intentionally made any misstatement or misrepresented or concealed any material fact in the application for the license;

(c) has obtained or attempted to obtain a license by fraud or misrepresentation;

(d) has been determined to have engaged in, or to be engaging in, a fraudulent or dishonest practice or to have demonstrated a lack of trustworthiness or lack of competence;

(e) has been convicted by final judgment in any state or federal court of a felony; or

(f) has willfully failed to comply with or has willfully violated any proper order, rule or regulation issued by the Commissioner or the Secretary.

(g) in the case of a license application, if any person having control of the applicant is subject to any of the grounds for refusal stated in subparagraphs (a) through (f) above, the license may be refused. For purposes of this subparagraph, control shall be presumed if the person owns ten percent or more of the applicant, or if the person owns ten percent or more of the voting securities of a corporate applicant.

(7) Before any license application shall be refused or any license shall be suspended or revoked or the renewal thereof refused as provided for in this Rule, the Commissioner shall give notice of his or her intention to do so to the applicant or the holder of a license in accordance with the Georgia Administrative Procedure Act, O.C.G.A. Chapter 50-13, and O.C.G.A. 25-2-29, and applicable Rules and Regulations of the Safety Fire Commissioner.

(8) In situations where persons otherwise would be entitled to a hearing prior to an order, the Commissioner may issue an order to become effective within twenty (20) days from the date of the order, unless persons subject to the order request a hearing within ten (10) days after receipt of the order. Failure to make a request shall constitute a waiver of any provision contained herein for the hearing.

(9) Any person who engages in any activities identified by the Manufactured Housing Act as requiring licensure as a manufacturer, retailer, retail broker or installer without having first obtained the appropriate license or who conducts said business without proper licensure or with an expired license shall be deemed to be in violation of the Manufactured Housing Act and shall be subject to the penalties prescribed in O.C.G.A. §§ 8-2-141 or 8-2-166 after notice and hearing as prescribed by this Regulation.

(10) Lists of licensees shall be made available to the general public upon request pursuant to the provisions of O.C.G.A. § 50-18-70 *et seq.*

Statutory Authority

O.C.G.A. §§ 8-2-133, 8-2-161, 8-2-164.

120-3-7-.09 Public Participation in Presentation of Views or Hearings

- (1) Any interested persons may participate in writing in any Presentation of Views or Hearings held under the provisions of Rules 120-3-7-.10(4) and (5). Such written materials will be considered to the extent practicable.
- (2) Any interested persons may participate in the oral portion of any Presentation of Views or Hearings held under Rules 120-3-7-.10(4) and (5) unless it is determined that such participation should be limited or barred so as not to unduly prejudice the rights of the parties directly involved or unnecessarily delay the proceedings.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.10 Procedures for the Presentation of Views or Hearings

- (1) Request. Upon receipt of a written request for a Presentation of Views or Hearing, the Commissioner shall either grant the relief for which the Presentation of Views or Hearing is requested or shall issue a notice under subparagraph (2) of this Rule. A hearing shall be held only if the Commissioner ~~shall~~ finds that the request is made in good faith, that the applicant would be aggrieved and that such grounds otherwise justify holding such hearing.
- (2) Notice. When the Commissioner decides to conduct a Presentation of Views or Hearing, the Commissioner shall provide notice as follows:
 - (a) Notice shall be given at least ten (10) days prior to the date of the proceeding. Notice shall be provided to interested persons to the maximum extent practicable. Direct notice shall be sent by certified mail to the parties involved in the proceeding.
 - (b) The notice shall include a statement of the time, place and nature of the proceeding; reference to the authority under which the proceeding will be held; a statement of the subject matter of the proceeding; the parties and issues involved; and a statement of the manner in which interested persons shall be afforded the opportunity to participate in the proceeding.
 - (c) The notice shall designate the official who shall preside over the proceedings and to whom all inquiries should be directed concerning such proceedings.
 - (d) The notice shall state whether the proceedings shall be held in accordance with the provisions of paragraph (4) "Presentation of Views" or paragraph (5) "Hearings" of this Rule.
 - (e) Notwithstanding any other provision, in situations where persons otherwise would be entitled to notice or hearing prior to an order, the Commissioner may issue an order to be effective immediately if the Commissioner has reasonable cause to believe that an act, practice, or transaction is occurring or is about to occur; that the situation constitutes a situation of imminent peril to the public health, safety or welfare; and that the situation therefore imperatively requires emergency action. The emergency order shall contain findings to this effect and reasons for the determination. The order shall contain or be accompanied by a notice of opportunity for hearing which may provide that a hearing will be held if and only if a

person subject to the order requests a hearing within ten (10) days of receipt of the order and notice.

(3) Reporting and transcription. Oral proceedings shall be ~~stenographically or mechanically reported~~recorded and transcribed, unless the Commissioner and the parties otherwise agree, in which case a summary approved by the presiding officer shall be kept. The original transcript or summary shall be a part of the record and the sole official transcript or summary. The cost of such ~~reporting~~recording and transcription may, in the discretion of the Commissioner, be charged to the party seeking a Presentation of Views or Hearing. A copy of the transcript or summary shall be available to any person at a fee established by the Commissioner.

(4) Presentation of Views.

(a) A Presentation of Views may be written or oral, and may include an opportunity for oral presentation, whether requested or not, whenever the Commissioner concludes that an oral presentation would be in the public interest, and so states in the notice. The purpose of such presentations shall be to gather information to allow fully informed decision making.

(b) Presentation of Views shall not be adversary proceedings. Oral presentations shall be conducted in an informal but orderly manner. The presiding officer shall have the duty and authority to conduct a fair proceeding, to take all necessary action to avoid delay, and to maintain order.

(c) In the absence of extraordinary circumstances, an oral Presentation of Views shall not require that testimony be given under oath or affirmation and shall not permit either cross-examination of witnesses by other witnesses or their representatives, or the presentation of rebuttal testimony by persons who have already testified. The rules of evidence prevailing in courts of law or equity shall not control the conduct of oral Presentation of Views.

(d) Within ten (10) days after a Presentation of Views, the presiding officer shall refer to the Commissioner all documentary evidence submitted, the transcript, if any, a summary of issues involved and the information presented in the Presentation of Views and the presiding officer's recommendations.

(e) The Commissioner shall issue a Final Determination concerning the matters at issue within thirty (30) days of receipt of the presiding officer's summary.

(5) Hearings. A Hearing is an adversary proceeding and includes an opportunity for the oral and documentary presentation of evidence in accordance with the Georgia Administrative Procedure Act (~~O.C.G.A. § 50-13-1 et seq.~~), the Georgia Insurance Code (~~O.C.G.A. § 33-2-1 et seq.~~) and ~~Chapter Subject~~ 120-~~32~~-2 of the Rules and Regulations of ~~Safety Fire~~ Commissioner of Insurance; except where such provisions are in direct conflict with the Act and the Rules and Regulations promulgated in Title 24 C.F.R. Part 3282, Subpart D, adopted May 13, 1976, as amended.

(6) Decision or Final Determination. A Decision or Final Determination, issued by the Commissioner in accordance with paragraphs (f) and (g) of 24 C.F.R. Part 3292.152, shall include:

(a) A written statement of findings of fact, with specific references to principal supporting items of evidence in the record and conclusions, as well as the reasons or basis therefore, upon all of the material issues of law or discretion presented on the record; and

(b) An appropriate order.

Statutory Authority

O.C.G.A. Secs. 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.11 Request for Extraordinary Interim Relief

Any person requesting a Presentation of Views or Hearing under Rules 120-3-7-.10(4) and (5) may request that the Commissioner provide such interim relief as may be appropriate pending the issuance of a Decision or Final Determination. No interim relief will be granted absent extraordinary cause shown. The Commissioner shall grant, deny or defer decision of any request for interim relief.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.12 Dispute Resolution

Any dispute between a manufacturer, retailer, retail broker, and/or installer of manufactured homes regarding their responsibility for defects in a new manufactured home that is reported during the 1-year period beginning on the date of installation may, by mutual agreement of all of the parties to the dispute, be submitted to the Commissioner for resolution. In that case, the dispute shall be resolved by the Commissioner through the following procedures:

(a) Based upon an investigation and determination of information received from any credible source concerning defects in a new manufactured home, the Commissioner will issue appropriate written orders to a manufacturer, an installer, a retailer, or a retail broker, for the correction of defects in manufactured homes. As part of his investigation, the Commissioner may order an on-site inspection.

(b) If the above procedure is utilized and the dispute is not resolved, or if any of the parties to the procedure are dissatisfied with the resolution, an administrative hearing shall be convened pursuant to § 120-3-7-.10 and the statutory and regulatory provisions cited therein. Administrative costs may be assessed against the party determined to be responsible.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.13 Installation Requirements

(1) ~~(1)~~ In addition to the licensure requirements of Rule 120-3-7-.08(3) of these Regulations, any installer performing any installation of a new or used manufactured or mobile home in the State of Georgia shall first purchase a permit from the Commissioner. [The installation permit will include both a temporary installation permit and a permanent installation permit.](#) The cost of each permit is prescribed in O.C.G.A. § 8-2-164(2). Each installer shall provide any information required by the Commissioner to obtain a permit. The installation permit shall be attached by the installer to the panel box of each manufactured or mobile home upon completion of the installation. The prescribed permit shall be designed by the Commissioner. A permit shall be issued only to a licensed installer, and shall not be transferable.

(a) The installation permit application for a temporary permit must be submitted at least 48 hours before the installation process is to begin. If the application is submitted less than 48 hours then a late fee (\$250) will be assessed. The temporary permit must be placed on the first day of installation on the home and clearly displayed.

(b) If a home was installed or completed and an installation permit was never purchased for the installation, then the installer will have to purchase a permit, and pay a fee of \$500.

(c) Date of installation completion will be defined as:

1. The date the licensed installer has certified that all the requirements have been completed from the manufacturers installation manual, all utilities are connected and the manufactured home is ready for occupancy; or

2. If no manufacturer installation manual is available then the date the licensed installer has certified that all the requirements of Rule 120-3-7-.18 are met or all utilities are connected and the manufactured home is ready for occupancy.

(d) Once the installation is completed, the application for a permanent permit must be completed. The application shall be completed no later than three calendar days after the installation is completed.

(2) Whenever the manufacturer's instructions do not stipulate certain installation requirements, or when clarification is needed, or when the manufacturer's instructions state that the issue is left to the regulatory authority having jurisdiction, then the installation instructions incorporated herein by reference in Rule 120-3-7-.~~1824~~ of these Regulations shall be followed. Manufacturers of manufactured homes constructed under the provisions of the Act shall provide an installation manual with each manufactured home as required by the Act. The manual shall describe a foundation and anchorage system and provide instructions for site preparation and utility connections. O.C.G.A. § 8-2-165 requires compliance with the manufacturer's installation instructions. Pursuant to O.C.G.A. § 8-2-165, previously occupied manufactured and mobile homes which do not have the manufacturer's instructions as required by the Act shall be installed in accordance with said Rule 120-3-7-.~~1824~~ of these Regulations.

(a) Each new manufactured home shall bear a data plate to be affixed in a permanent manner near the main electrical panel or other readily accessible and visible location as required by the Act. The data plate shall contain the name of the manufacturer, the serial number and model designation, the date the home was manufactured, the design-approval agency, factory-installed equipment and the wind, roof load, and thermal zones for which the unit was constructed. Local jurisdictions shall not prohibit the placement of any manufactured home built in compliance with the design standards for the zone in effect on the date that the data plate indicates the home was constructed. Manufactured homes shall not be placed in any zone(s) which exceed the design limitation for which the manufactured home was constructed as identified by the data plate.

(b) The Installer is responsible for proper site preparation. The manufactured or mobile home shall be placed on a properly prepared stand. The site shall have a grade that will allow water

to drain away from the home stand, and all organic matter, debris, grass, grass sod and other foreign matter shall be removed where footings or pier foundations are to be installed. [All drainage must be diverted away from the home and must slope a minimum of one-half inch per foot away from the foundation for the first ten feet.](#) A written contractual agreement between the homeowner, the retailer, retail broker ~~and~~/or installer shall determine which party is to perform the site preparation which shall include proper drainage of water away from the home. The existence of said contractual agreement shall not relieve the installer of the responsibility of set up on a properly prepared stand. Installations of manufactured or mobile homes shall not be performed on improperly prepared stands. [The Installer shall decline to install the home if the site is not properly prepared.](#)

(c) Pursuant to O.C.G.A. §§ 8-2-167 and 43-14-13(k), a person licensed as a manufactured or mobile home installer pursuant to these Regulations shall not be subject to the electrical and plumbing licensure requirements of O.C.G.A. Title 43, Chapter 14 when performing the functions specified in O.C.G.A. § 43-14-13(k).

(d) The following shall not be the responsibility of the installer unless contracted in writing by the homeowner and/or dealer/retailer and/or installer to provide for same:

1. Skirting. When required by local jurisdiction and provided pursuant to contractual agreement, skirting shall be installed in accordance with the skirting manufacturer's instructions ~~or Rule 120-3-7-.21(13)(d) of these Regulations.~~ [and 24 C.F.R. Part 3285.504.](#)
2. Masonry curtain walls. Load bearing masonry curtain walls shall not be required by local jurisdictions for manufactured or mobile homes. Non-load bearing masonry curtain walls may be provided by contractual agreement between the homeowner, the dealer/retailer, and/or installer and shall be constructed in accordance with drawings and/or instructions provided in the manufacturer's installation manual, or instructions and other drawings or procedures approved by the Commissioner. Non-load bearing walls shall have no contact with the manufactured home or any portion thereof for the purpose of structural support.
3. Stairs and landings. When required by local jurisdiction and provided by contractual agreement, stairs and landings shall be constructed in accordance with the provisions of the State Minimum Standard Building Codes which are enforced by local jurisdiction.

(f) These installation requirements established by the Manufactured Housing Act are applicable only to manufactured and mobile homes as defined in O.C.G.A. § 8-2-131 and the Act.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.14 Inspections

(1) Local building code inspectors are authorized to make inspections of manufactured and mobile home installations to ensure compliance with O.C.G.A. § 8-2-160 ~~-et seq.~~ and the Rules and Regulations promulgated thereunder. No political subdivision may adopt or enforce any requirement not consistent with these Rules and Regulations.

(2) The authorized representatives of the Commissioner shall perform any inspections necessary to ensure compliance with O.C.G.A. § 8-2-160 *–et seq.* The Commissioner or his or her specially appointed designee is the final authority on the correctness of the installation as prescribed in O.C.G.A. § 8-2-160 *–et seq.* and the Rules and Regulations promulgated thereunder.

(3) The Commissioner or Commissioner's his or her agent designee shall perform random inspections on installations performed by each installer each year. If the Commissioner or designee finds violations of the Code or any Order, Directive, Bulletin, or Rule during the inspection, future inspections may be performed to ensure compliance therewith. If violations persist following an inspection, the Commissioner or Commissioner's designee may require the Installer to notify the Manufactured Housing Section of the Safety Fire Division of any future installations to be performed and require the Commissioner or Commissioner's designee to monitor any future installations until the violations are cured. The inspections required by this section shall be independent of any requirements under subpart I of Part 3282 of the Manufactured Home Procedural and Enforcement Regulations of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. ~~Section §~~ 5401 *–et seq.*

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.15 Reports of Manufactured and Mobile Home Installations

(a) Each installer licensee of manufactured and mobile homes shall report all installations performed to the Manufactured Housing Section of the Safety Fire Division ~~no later than three business days prior to the completion of the installation and releasing the completed home set to the homeowner for occupancy, on the real-time form prescribed by the Commissioner. Reports submitted to the Commissioner shall also include the permit number as required to be placed on each manufactured or mobile home installed. Reports shall include an accurate reading from a torque probe test within two feet of each corner of the home, and the soil-bearing capacity determined by the installer, and used in the installation of the home's footers and piers. This Rule shall be applicable regardless of the number of installations performed. A report must be filed for each installation performed, regardless of whether the installation is a new home, or a secondary move~~as required by Rule 120-3-7-.13(1).

(b) The Commissioner may require each retailer/broker to submit reports of manufactured and mobile homes sold to consumers as he deems necessary.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.16 Literature

At a minimum, the manufacturer's installation instructions and/or homeowners manual must be delivered by the dealer/retailer to the purchaser prior to occupancy of the new home. Signed acknowledgment of receipt of said literature and manual(s) by the consumer shall be obtained by the dealer/retailer at the time

the literature is delivered to the consumer, and a copy of the receipt shall be mailed to the **Safety Fire Division** within 45 days of the date on the receipt.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-132, 8-2-133, 8-2-137, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.17 Disclosure of Damage

The sale by a dealer/retailer of any manufactured home which has experienced interior or exterior damage by fire or flood shall include a disclosure of said damage to the purchaser.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-133, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.18 Installation Instructions

(1) Installation instructions provided with manufactured homes must be followed for installation. These instructions are designed to be applicable when certain aspects of the manufacturer's installation instructions are not explicit, not stipulated or need clarification, or when the manufacturer's instructions indicate that the requirement may be left to the authority having jurisdiction. The Federal Manufactured Home Construction and Safety Standards Program (-24 C.F.R. [Part 3280, 3282, and 3283, 3285 and 3286](#)) requires that all manufactured homes be provided with installation instructions covering foundation, anchoring, utility connections, and other items. Such installation instructions shall be utilized and followed for the installation of all new manufactured homes. Previously occupied manufactured homes and mobile homes which do not have manufacturer's installation instructions shall be installed according to requirements herein. The term mobile home shall be synonymous with the term manufactured home when used herein. Manufactured homes located within rental communities shall not be required to have poured concrete or permanent foundations.

(2) Definitions:

- (a) Anchoring Equipment: Straps, cables, turnbuckles and chains, including tensioning devices, that are used with ties to secure a manufactured home to ground anchors;
- (b) Anchoring System: A combination of ties, anchoring equipment and ground anchors that will, when properly designed and installed, resist the overturning of the home or the moving of the home sideways by wind;
- (c) Footing: That part of the support system that sits directly on the ground at, below or partly below grade to support the piers;
- (d) Ground Anchor: A device at the manufactured home stand designed to transfer manufactured home anchoring loads to the ground;
- (e) Pier: That portion of the support system between the footing and the manufactured home, exclusive of caps and shims. Types of piers include, but are not limited to, the following:

1. Manufactured steel stands;
2. Manufactured concrete stands;
3. Concrete blocks;
4. Other approved or listed equivalent.

(f) Radius Clips: Means or method to protect strapping from sharp edges during loading.

(g) Site, Manufactured Home: A parcel of land designed and designated for the location of one manufactured home, its accessory buildings or structures, and accessory equipment for exclusive use of the home;

(h) Stabilizing Devices: All components of the anchoring and support systems such as piers, footings, ties, anchoring equipment, ground anchors, or any other materials and methods of construction which support and secure the manufactured home to the ground;

(i) Stand, Manufactured Home: That area of a manufactured home site which has been reserved for placement of a manufactured home;

(j) Support System: A combination of footings, piers, caps and shims that will, when properly installed, support the manufactured home;

(k) Tie: Strap, cable or securing device used to connect the manufactured home to ground anchors;

(l) Vertical Tie: A tie intended to resist the uplifting and overturning forces.

(3) Foundation Systems for New Manufactured Homes.

(a) A manufactured home foundation system is one constructed in accordance with the foundation system included in the manufacturer's installation instructions.

(b) The manufacturer or homeowner shall be permitted to design for unusual installation not provided for in these regulations or in the manufacturer's standard installation directions provided the design is approved in writing by a licensed professional engineer or architect and a copy provided to the Manufactured Housing Section of the Safety Fire Division.

(c) The manufacturer's instructions include a typical foundation system designed by a registered professional engineer or architect to support the anticipated loads specified in the manufacturer's installation instructions for the design zone (including climate) of installation, and shall be deemed to meet the requirements of these regulations. These instructions shall be provided to the homeowner as required by Rule 120-3-7-.18.

(4) Foundation Systems for Previously Owned Manufactured Homes.

(a) Foundation systems for previously owned manufactured homes shall be according to requirements contained herein. Previously occupied manufactured homes can be installed according to manufacturer's installation instructions if available.

(b) Subparagraph (7) contains information for the design of manufactured home foundation systems which meet the minimum criteria established in this regulation.

(c) The manufacturer or homeowner shall be permitted to design for an unusual installation not provided for in the manufacturer's installation instructions, or these Regulations, provided

that the design is approved in writing by a licensed professional engineer or architect and a copy sent to the Manufactured Housing Section of the Safety Fire Division and the manufacturer.

(5) Stabilizing Devices and Design.

(a) Each new or previously owned manufactured home being installed on a manufactured home stand shall have stabilizing devices and shall be installed on a foundation constructed in accordance with the manufacturer's installation instructions for new manufactured homes or standards included within these regulations for previously occupied manufactured homes.

(b) Stabilizing devices not provided with the manufactured home shall be listed or labeled to meet or exceed the design and capacity requirements of the manufactured home manufacturer's installation instructions and these regulations.

(6) Anchoring.

(a) Each manufactured ground anchor shall be listed and installed in accordance with the terms of its listing and the anchor manufacturer's instructions and shall include means of attachment of ties meeting the requirements of the manufacturer's installation instructions for new manufactured homes or subparagraph (6)(h) of these regulations for previously occupied manufactured homes.

(b) Ground anchor manufacturer's installation instructions shall include tensioning adjustments which may be needed to prevent damage to the manufactured home.

(c) Each ground anchor shall have the manufacturer's identification and listed model identification number marked thereon so that the number is visible after installation.

(d) Instructions shall accompany each listed ground anchor specifying the types of soil for which the anchor is suitable under the requirements of Section E.

(e) Ground anchors, including means for attaching ties, shall be located to effectively match the anchoring system instructions provided by the manufactured home manufacturer, or for previously occupied manufactured homes, in accordance with the requirements of this section.

(f) Concrete slabs or footings: If concrete slabs or continuous footings are used in lieu of ground anchors to transfer the anchoring loads to the ground, steel rods cast in concrete, or deadman, or concrete anchors shall be required and shall be capable of resisting loads as specified in subparagraph 6)(g)1.

(g) Anchors:

1. Capacity of Anchors: Each approved single head ground anchor, when installed, shall be capable of resisting an allowable working load at least equal to 3,150 pounds, plus a 50% overload (4,725 pounds), without failure when pulled in the direction of the tie. Anchors designed for connection of multiple ties shall be capable of resisting the combined working load and overload as outlined in this Section. Anchor type and size to be determined by soil probe test. Probe tests must be performed within 2 feet of each corner of unit. [The lowest reading on the probe tests shall determine the anchor type and size.](#)

2. Anchoring Equipment: Anchoring equipment shall be capable of resisting an allowable working load equal to or exceeding 3,150 pounds and shall be capable of withstanding a

50% overload (4,725 pounds) without failure of either the anchoring equipment or the attached point on the manufactured home. When the stabilizing system is designed by a qualified registered professional engineer or architect, alternative working loads may be used provided the anchoring equipment is capable of withstanding a 50% overload. All anchoring equipment shall be listed or labeled as being capable of meeting all the requirements of this section.

3. Selection of Helical Anchors: Anchor selection shall be based on a determination of the soil class at the depth the anchor helical plate will be installed.

4. Other Anchoring Devices: Other anchoring devices meeting requirements of this section shall be permitted if acceptable to the Manufactured Housing Section of the Safety Fire Division.

5. Depth of Anchors: All anchors shall be installed to the full depth shown in the anchor manufacturer's installation instructions.

6. Anchors installed in line with the pull must be of sufficient additional length to compensate for loss of depth.

7. Anchors are to be placed within 2 feet of each end of each section in Zone I, ~~and II~~ and III. In addition:

(i) Zone I anchors must be placed 8 feet on center maximum along the length of both exterior sidewalls.

(ii) Zone II and III anchors must be placed 6 feet on center maximum along the length of both exterior sidewalls.

(iii) Both Zone I and II must have two longitudinal ties and anchors at each end of each section attached to the main "I" Beams. For ~~pier heights exceeding 49 inches,~~ strap angles over 45 degrees, anchors must be strapped to both "I" Beams. ~~NOTE:~~ Zone II and III homes produced since July 1994 must have vertical ties at each diagonal tie location.

8. Anchor length and/or type must be determined by probe testing all four corners, within two feet of corners. Results may be averaged and used to determine anchors based on the anchor manufacturer's installation and/or user manual requirements.

9. Approved alternate systems of anchoring may be used ~~when proof that the manufacturer has approved such systems is provided.~~

(h) Ties:

1. Strappings or other approved methods or materials shall be used for ties. All ties shall be fastened to ground anchors and drawn tight with turnbuckles or other adjustable tensioning devices or devices supplied with the ground anchor. Strapping must be protected at sharp edges with radius clips. NOTE: Splicing for vertical ties only; overlap strap 12 inches minimum with two clips (one facing each way), double crimp each clip with proper crimping tool.

2. Tie materials shall be capable of resisting an allowable working load of 3,150 pounds and shall withstand a 50% overload (4,725 pounds total). Ties shall comply with 24 CFR 3280.306.
 3. Ties shall connect the ground anchor to the top portion of the main structural steel frame (I-beam or other shape) which runs lengthwise under the manufactured home. Ties shall not connect to steel outrigger beams which fasten to and intersect the main structural frame unless specifically stated in the manufacturer's installation instructions.
 4. Number of Ties: The minimum number of ties per side for various lengths of manufactured homes in Wind Zone I and Wind Zone II shall be in accordance with subparagraph (g).
 5. Location of Ties: When continuous straps are provided as vertical ties, such ties shall be positioned at rafters and studs. Where a vertical tie and diagonal tie are located at the same place, both ties shall be permitted to be connected to a single ground anchor, provided that either the anchor used is capable of carrying both loadings, or that the load capacity of the total number of anchors used is equal to 3,150 pounds working load plus 50% overload (4,725 pounds) times the number of ties specified in subparagraph (g).
 6. Shearwall and/or other provided ties and/or brackets must be anchored with same anchor as probe test results required for remainder of home.
 7. When longitudinal brackets are provided, strapping material and anchors as described in Subparagraph (g) must be installed. [Manufactured homes must also be stabilized against wind in the longitudinal direction in all Wind Zones. Manufactured homes located in Wind Zone II and III must have longitudinal ground anchors installed on the ends of the manufactured home transportable section\(s\) or be provided with alternative systems that are capable of resisting wind forces in the longitudinal direction](#)
 8. Special Ties: Clerestory roofs and add-on sections of expandable manufactured homes shall have provisions for vertical ties at the exposed ends. When not originally installed by manufacturer, over-the-roof or vertical ties shall not be required for manufactured homes constructed with "A"Line and shingle roofs.
 9. Alternate Method Using Cable Ties: Connection of the cable frame tie to the manufactured home I beam or equivalent main structural frame member may be by a 5/8 drop-forged closed eye bolt through a hole drilled in the center of the I-beam web or other approved methods. The web shall be reinforced if necessary to maintain designed I-beam strength. Cable ends shall be secured with at least three (3) U bolt-type cable clamps with the U portion of the clamp installed on the short (dead) end of the cable to assure strength equal to that required by Section E(8).
 10. Tensioning Device Design: Tensioning devices such as turnbuckles or yoke-type fasteners shall be ended with a clevis or forged or welded eyes.
 11. Permanency of Connections: Anchoring equipment shall be designed and installed to prevent self-disconnection, lateral deflection or failure.
- (i) Resistance to Weather Deterioration: All portions of the anchor which are exposed to weathering shall have a resistance to weather deterioration. The remainder of the anchoring

equipment shall have resistance at least equivalent to that provided by a coating of zinc on steel of not less than 0.30 ounces per square foot on each side of the surface coated, as determined by ASTM Standard Methods of Test for Weight of Coating on Zinc-Coated (Galvanized) Iron or Steel Articles (ASTM A90-81).

(7) Foundation Standards.

(a) Unless the entire support system is designed by a professional engineer or architect, the support system shall be designed in accordance with this standard.

(b) Footings shall be sized to support the loads shown in the manufacturer's instructions. Where no manufacturer's instructions are available, subparagraph (7) shall apply.

(c) All grass and organic material shall be removed from the pier foundation location(s), and the pier foundation placed on stable soil at a depth sufficient to protect the footings from the effects of frost heave. For purpose of the installation of a manufactured or mobile home in the State of Georgia, all footers must be protected from the effects of frost heave. When properly designed by a registered professional engineer, a "floating slab" system may be used above the frost line. The design shall accommodate the anchorage requirements identified within this regulation and/or the manufacturer's installation instructions.

(d) The pier foundation shall be a 16"x16"x4" solid concrete pad, precast or poured in place, or other approved methods and /materials. Where poured concrete foundations are required by local authority for multiple section homes; the footing size shall be 24"x24"x6" filled with poured concrete, or other approved materials/methods. Concrete in footings shall have an ultimate compressive strength of not less than 2500 psi at 28 days. Footer size may vary on piers used with alternate anchoring systems, when installed per system manufacturer's instructions, and marriage wall piers as required by manufacturer's instructions.

[1. ABS footing pads are permitted if they are installed in accordance with the pad manufacturer's installation instructions and are certified for use in the soil classification of the installation site. All ABS footing pads must be listed or labeled for the required load capacity.](#)

[2](#)**1.** For the purpose of installing a manufactured/mobile home in the State of Georgia . The bases of concrete or other pad types are to be placed at or below the frost line. Other types of footings such as pans, domes, or open pans are to be placed with the topmost point that serves as the base set at or below the frost line, so as to avoid the effects of frost heave. The frost line in the State of Georgia is determined to be:

(i) 4" for the following counties and all counties to the north of these counties: Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Washington, Jefferson, and Burke;

(ii) 2" for the following counties and all counties to the south of these counties: Harris, Talbot, Upson, Crawford, Bibb, Twiggs, Wilkinson, Johnson, Emanuel, Jenkins, and Screven.

(e) Footings or pier foundations (unless approved by a registered professional engineer) when required, shall be placed level on firm undisturbed soil or on controlled fill which is free of grass or organic materials to minimum load-bearing capacity of 1000 psf.

(f) Piers and Spacing:

1. Piers or load-bearing supports or devices shall be designed and constructed to evenly distribute the loads. [Piers may be offset up to six inches due to obstructions.](#)
2. Double piers are to be placed within 2 feet of each end of each main I-beam, and remaining piers spaced no more than 6 feet on center for the remaining length of each main I-beam.
3. Piers are to be placed on each side of exterior wall opening 4 feet wide or greater (footers at these openings may be 4"x 8"x 16", or equivalent product).
4. Piers shall be placed on each side of exterior door opening-, [any other side wall openings of 48 inches or greater width, and under load-bearing porch posts and factory installed fireplaces and fireplace stoves.](#) ~~F~~(footers may be 4"x 8"x 16", or equivalent). Openings for endwalls with full headers or cross members do not require piers and footings for the openings.
5. The marriage line of multiple section manufactured homes shall be supported by piers spaced no more than 20 feet apart and shall have piers located within 2 feet of each end of the home, under the marriage line, in conjunction with these piers, piers must be placed at each end of openings ~~4~~6 feet wide or more. ~~Marriage line piers must support both marriage line floor rails~~[Piers used for perimeter support must be installed with the long dimension parallel to the perimeter rail. Due to obstructions, such perimeter piers may be recessed a no more than 10" from the perimeter rails with a 4x4 pressure treated lumber member installed above the pier that spans a minimum of two floor joists adjacent to the floor studs.](#) Footers must be a minimum of 16"x 16"x 4" or equivalent.
6. Load-bearing supports or devices shall be listed or approved and shall be designed by a registered professional engineer or architect and shall be approved for the use intended or piers shall be constructed as follows:
 - (i) ~~Piers less than 40 inches in height shall be constructed of open or closed cell, 8 inch by 16 inch, concrete blocks with open cells vertically placed upon the footing. The pier shall be covered with a 2 inch by 16 inch by 8 inch wood or nominal concrete plate.~~[Frame piers less than 36 inches high.](#)
 - (A) [Frame piers less than 36 inches high are permitted to be constructed of single, open, or closed-cell concrete blocks, eight inches by eight inches by sixteen inches, when the design capacity of the block is not exceeded.](#)
 - (B) [The frame piers must be installed so that the long sides are at right angles to the supported I-beam.](#)
 - (C) [The concrete blocks must be stacked with their hollow cells aligned vertically and must be positioned at right angles to the footings.](#)
 - (D) [Horizontal offsets from the top to the bottom of the pier must not exceed one-half inch.](#)
 - (E) [Mortar is not required, unless specified in the installation instructions or required by a registered professional engineer or registered architect.](#)

~~(ii) Piers between 40 inches and 80 inches in height and all corner piers shall be double blocked with blocks interlocked and capped with a 4 inch by 16 inch by 8 inch solid concrete block or equivalent or 2 inch by 8 inch nominal pressure treated wood or hardwood covering the cell area.~~ Frame piers 36 inches to 67 inches high and corner piers.

(A) All frame piers between 36 inches and 67 inches high and all corner piers over three blocks high must be constructed out of double, interlocked concrete blocks, when the design capacity of the block is not exceeded. Mortar is not required for concrete block piers, unless otherwise specified in the installation instructions or required by a professional engineer or registered architect.

(B) Horizontal offsets from the top to the bottom of the pier must not exceed one inch.

~~(iii) Piers over 80 inches in height must be designed and approved by a registered professional engineer.~~ All piers over 67 inches high.

(A) Piers over 67 inches high must be designed by a registered professional engineer or registered architect, in accordance with acceptable engineering practice. Mortar is not required for concrete block piers, unless otherwise specified in the manufacturer installation instructions or by the design.

~~(iv) Steel piers, or other approved piers, when used, shall be in compliance with subparagraph (6)(i) after fabrication to provide corrosion protection.~~ Perimeter piers and marriage line piers may be single stacked up to 54”.

~~(v) Load bearing and non-load bearing walls constructed on-site shall be constructed of concrete, masonry, pressure treated wood or any other approved material or system. Minimum thickness shall be that required to resist lateral pressure from adjacent earth and support design loads as determined by acceptable engineering practice.~~

~~(vi) Plates, Shims and Wedges: Nominal 2"x 8"x 16"pressure treated wood, hardwood, 4"concrete caps or the equivalent, shall be placed on top of the pier for the purpose of a top plate. Plate must cover cell area in both single or double stack blocks. Any gap between the top plate and the I-beam frame may be filled with pressure treated wood or hardwood, nominal minimum size of 8"x 4"x 1", fitted and driven tight. Wedges shall not occupy more than one inch of vertical space and shall be at least 3"wide and 6"long, fitted from both sides and driven tight together between the I-beam and plate or shim. Wood and wedges may occupy no more than 4"of the space between the pier and main frame.~~

(8) Placement of Manufactured Homes.

(a) Clearance Under Homes: A minimum clearance of 12 inches shall be maintained beneath the lowest member of the main frame (I-beam or channel-beam) in the area of utility connections. No more than 25% of the underside of the main frame of the home shall be less than 12 inches above grade.

(b) Elevated Manufactured Homes: When the manufactured home is installed on a basement or split entry type foundation over a habitable lower-level area, the foundation system shall be designed by a registered professional engineer or architect.

(9) Ventilation of Manufactured Homes.

(a) Ventilation of Underfloor Areas:

~~1. Provisions shall be made to minimize condensation in underfloor areas through ventilation openings or other suitable means. A 6 mill poly vapor barrier, or equivalent, must be placed on the ground area in the crawl space. A minimum of 90 percent of the ground area must be covered, not to include area under footers. Vapor retarder. If the space under the home is to be enclosed with skirting or other materials, a vapor retarder must be installed to cover the ground under the home, unless the home is installed in an arid region with dry soil conditions.~~

2. Vapor retarder material. A minimum of six mil polyethylene sheeting or its equivalent must be used.

3. Proper installation.

(i) The entire area under the home must be covered with the vapor retarder, as noted in § 3285.204(a), except for areas under open porches, decks, and recessed entries. Joints in the vapor retarder must be overlapped at least 12 inches.

(ii) The vapor retarder may be placed directly beneath footings, or otherwise installed around or over footings placed at grade, and around anchors or other obstructions.

(iii) Any voids or tears in the vapor retarder must be repaired.

2. If combustion air for heat-producing appliance(s) is taken from within the underfloor areas, ventilation shall be adequate to assure proper operation of the appliance(s). This requirement shall take precedence over the provisions of subparagraph (9)(a)1. Note: This is in addition to the crawl space requirement.

3. A minimum of four ventilation openings totaling no less than four square feet of net free vent area, must be provided. One shall be placed at or near each corner as high as practicable. Crawl space ventilation net free requirement shall be calculated as follows:

$a=A/1500$ where:

A=the area of the crawl space, square foot
a=the total net free vent space.

If the manufacturer's installation instructions require additional vents or openings, the manufacturer's instructions shall apply.

4. Openings shall provide cross ventilation on at least two opposite sides. The openings shall be covered with corrosion resistant wire mesh not less than 1/8 inches, and not more than 1/2 inches in any dimension or with screened louvered openings to retard entry of dry vegetation, waste materials, or rodents. As an option to individual vents, ventilation can be provided by means of vinyl material which has openings for air ventilation as provided in the minimum requirements above.

(b) Intake air for ventilation purposes shall not be drawn from underfloor spaces of the home.

(c) Moisture producing devices, such as dryers, shall be vented to the atmosphere in such a manner to insure that moisture laden air is carried beyond the perimeter of the home.

(d) Skirting: Skirting, if used, shall be installed in accordance with the manufacturer's installation instructions. It shall be secured, as necessary, to assure stability, to minimize vibrations, to minimize susceptibility to wind damage, and to compensate for possible frost heave. [Skirting must not be attached in a manner that impedes the contraction and expansion characteristics of the home's exterior covering.](#) Access opening(s) not less than 18 inches in any dimension and not less than 3 square feet in area shall be provided to allow for access and inspection of the home. Such access panel(s) or door(s) shall not be fastened in a manner requiring the use of a special tool to remove or open same. On-site fabrication of skirting shall meet the venting requirements of subparagraph (9)(a).

(10) Maintenance of Anchoring Systems: The homeowner shall be advised that tie tension should be checked and adjusted when necessary.

(11) Plumbing.

(a) Each manufactured home site shall be provided with a water supply and sewer located and arranged to permit attachment to the manufactured home in a workmanlike manner [including but not limited to HUD regulations and standards.](#)

(b) When the entire system has been completed, install permanent drain line supports at 4' on center.

(c) Proper slopes and connector sizes: Drain lines must slope at least 1/4" fall per foot of run. EXCEPTION: 1/8" fall per foot is allowed when a clean out is installed at the upper end of the run. Connect the main drain line to the site sewer hookup. Plumbing drain lines must be supported so as to slope at least 1/4" fall per foot of run or 1/8" fall per foot of run when full-size clean out is located in upper end of line.

(12) Manufactured Home Electrical Connections.

(a) When a manufactured home consists of two or more sections, all electrical connections from one section to another shall be installed in accordance with the manufacturer's installation requirements. In the absence of manufacturer's instructions, electrical connections shall be made in accordance with the National Electrical Code.

(b) Manufactured homes may have the service equipment mounted on or in the unit provided such units comply with all of the following conditions:

1. Installed on a private or owner's lot;
2. Permanent utility connections provided;
3. Located on a properly constructed foundation;
4. Unit is properly anchored and tied down;
5. Unit is constructed in accordance with HUD Construction Standards;
6. Service equipment complies with Article 230 and 250 of the Georgia (National) Electrical Code.

(c) All manufactured home utility services shall be connected to the supply sources with only approved materials.

(d) When a manufactured home is designed to have a meter mounted on home, the electrical service supply is allowed to be installed directly on the home subject to compliance with subparagraph (12)(b), above.

(e) Temporary Electrical Service: ~~The authority having jurisdiction shall allow for t~~Temporary electrical service may be utilized for the installation of the manufactured home ~~when the home consists of two or more sections.~~

(13) Retail Display.

(a) All manufactured homes and mobile homes displayed for retail sales on dealership or retailer lots shall be stabilized to such a degree as to not allow damage to occur while the home is on display.

1. Piers for multi-section homes shall consist of a minimum of twelve (12) piers and shall be located one under each I-beam in the front of each axle area and at each end of the manufactured home.

2. Piers for single section homes shall consist of a minimum of six (6) piers one located under each I-beam at each end of the home and in front of the axle area.

(14) Sites Prone to Flooding. Special elevations and anchoring techniques are required when locating a home in an area prone to flooding. Consult an engineer and the local building official to make sure that the design and construction of the foundation system conform to applicable federal, state, and local codes and regulations. The Federal Emergency Management Agency (FEMA) publication FEMA 85, "Manufactured Home Installation in Flood Hazard Areas," contains design and anchoring systems that will allow the foundation system to resist flood forces. This publication is available from FEMA, Washington, DC 20472. Further information may be obtained from the Manufactured Housing Section of the Office of the Insurance and Safety Fire Commissioner. In areas where a community meets the eligibility requirements for the National Flood Insurance Program, the local jurisdiction having authority shall have the authority to change, delete or modify these regulations in order to comply with the National Flood Insurance Program created by the National Flood Insurance Act of 1968, as amended and/or Rules and Regulations of FEMA addressing the installation of manufactured and mobile homes in areas subject to flooding.

(15) Additional Installation Requirements for Previously Owned Multi-Section Manufactured Homes and Mobile Homes. The floor sections, roof sections and wall sections are to be fitted together tightly. Any gaps shall be shimmed up to one and a half inches between structural elements with dimensional lumber, plywood, or OSB. Connections must be sufficiently sealed to prevent air infiltration. Connection of multi-section manufactured homes and mobile homes (two or more sections), when manufacturer's installation instructions are not available shall be as follows:

(a) Floor Connection: All floors of multi-section manufactured homes and mobile homes shall be securely fastened together with 5/16 inch lags 4 inches long and 16 inches on center entire length of home. All sections shall be leveled and aligned making sure the floors are even on top.

(b) Roof and Ridge Beams: All roof and ridge beams of multi-section manufactured homes and mobile homes shall be securely fastened together.

1. Metal roof connections to be minimum 30 gauge galvanized metal, 12 inches wide, fastened with #8 x 1 1/4 screws minimum, at 4" on center around perimeter of the entire length of the cap.
2. Wood/shingle roofs fastened with one of the following options:
 - (i) Minimum 30 gauge galvanized metal, 10 inches wide by length of roof. Fastened with minimum 1 1/2" fasteners at 4 inches on center along entire perimeter of the cap.
 - (ii) Minimum 5/16 inch by 6 inch lag screws 16 inches on center, entire length of roof.
 - (iii) 1 1/2 inch by 12 inch 26 gauge galvanized metal straps placed within 2 feet of each end and 8 feet on center entire length of units, fastened with # 8 x 1 1/2 inch screws, 5 each side of ridge joint.

(c) End Walls: End walls of multi-section manufactured homes and mobile homes shall be securely fastened together.

1. Minimum #8 screws 8 inches on center entire height of end walls, with minimum of 1 inch penetration into the receiving member. If toe screw method is used, must have 1 1/2 inch penetration.
2. 1/4 inch lag screws 24 inches on center with minimum 1 1/2" penetration into receiving member.
3. 1 1/2" galvanized strapping placed 12 inches on center, entire height of stud, fastened with #10 nails minimum 2 each end of strap.
4. Siding and trim pieces are to be installed at the connection of the sections.

(d) Roof Covering: The joints at the ridge of the roof shall be secured and weather tight.

(e) Plumbing drain lines must be supported off the ground. Unless specified in other sections of this Rule, all lines under the manufactured home shall be supported every 4' on center.

(f) Crossover, heating, and other ducts: Heating and duct work is to be connected for proper heating/cooling operation.

1. Securely connect each end of the crossover duct underneath each section to the dropout connection;
2. Wrap/cover all seams and joints with approved UL181 tape or equivalent;
3. Wrap or cover exposed metal with insulation to reduce heat loss;
4. Strap and support crossover duct 4 feet on center minimum. Duct must be supported off the ground. Ducts must be installed in such a manner that the supports cannot slip between any two spirals and must be arranged under the floor to prevent compression or kinking in any location.

(16) Miscellaneous.

(a) Where the means of egress from a manufactured home is not substantially level, such differences in elevation shall be negotiated by stairs or ramps. This subsection is ~~not~~ applicable to egress windows.

(b) Auxiliary Structures: All auxiliary structures (such as porches, decks, awning, cabanas, stairs, etc., unless provided and approved by the manufacturer) shall be entirely self-supporting, unless designed and approved by a professional engineer or registered architect. All such structures shall be constructed in accordance with the Georgia State Building Codes or local authority having jurisdiction.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-133, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.19 Compliance With Rules and Regulations; Penalties

(1) All persons who engage in activities covered by this Regulation, the Manufactured Homes Act, the Act and Rules and Regulations promulgated thereunder shall do so in conformity therewith. After notice and hearing as provided in accordance with this Regulation, any person who is found to have violated any of the Rules contained in this Chapter shall be subject to the penalties authorized in O.C.G.A. §§ 8-2-130 et seq., 8-2-160 et seq., and 25-2-37, and as may otherwise be authorized by law.

(2) Procedures to enforce these provisions shall include, but not be limited to, the following:

(a) Any person who is in violation of any of these Rules shall be subject to the issuance of an Order to become effective at a later date, subject to the person's right to request a hearing within ten (10) days after that person's receipt of such Order, imposing a fine, suspension, probation not to exceed 12 months, or revocation of licensure.

(b) Any person who is in violation of any of these Rules shall be subject to the issuance of an Order requiring said person to appear before him, then and there to show cause, if any there be, why the Commissioner should not impose a fine, suspension, probation not to exceed 12 months, or revocation of licensure.

(3) Nothing in subparagraph (2), above, shall be construed so as to invalidate the Commissioner's authority to take any action authorized in O.C.G.A. §§ 8-2-130 et seq., 8-2-160 et seq., and 25-2-37, and as may otherwise be authorized by law and by these Rules and Regulations, as stated in subparagraph (1), above.

Statutory Authority

O.C.G.A. §§ 8-2-130, 8-2-133, 8-2-160, 8-2-166, 25-2-1, 25-2-4, 33-2-9, 50-13-21.

120-3-7-.20 Forms

(1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format obtained from the Commissioner.

- (2) Forms may be reproduced and the format of the forms may be altered to accommodate manual or automated processing provided the content is unchanged and the same information is presented in the same order as in the forms or electronic format obtained from the Commissioner.
- (3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. § 10-12-3.
- (4) The Commissioner may approve a method or methods of electronic filing.

Statutory Authority

O.C.G.A. §§ 33-2-9, 25-2-4, 50-13-21.

120-3-7-.21 Severability

If any provision of this Regulation, or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of the Regulation or the applicability of such provisions to other persons or circumstances shall not be affected.

Statutory Authority

O.C.G.A. §§ 33-2-9, 25-2-4, 50-13-21.