



Ohio Revised Code Section 4781.04 Adoption of rules.

Effective: September 30, 2021

Legislation: House Bill 110

(A) The department of commerce, division of industrial compliance shall adopt rules pursuant to Chapter 119. of the Revised Code to do all of the following:

- (1) Establish uniform standards that govern the installation of manufactured housing that are consistent with, and not less stringent than, the model standards for the design and installation of manufactured housing the secretary of the United States department of housing and urban development adopts;
- (2) Govern the inspection of the installation of manufactured housing. The rules shall specify that the division of industrial compliance, any building department or personnel of any department, or any private third party, certified pursuant to section 4781.07 of the Revised Code shall conduct all inspections of the installation of manufactured housing located in manufactured home parks to determine compliance with the uniform installation standards the division of industrial compliance establishes pursuant to this section.
- (3) Govern the design, construction, installation, approval, and inspection of foundations and the base support systems for manufactured housing. The rules shall specify that the division of industrial compliance, any building department or personnel of any department, or any private third party, certified pursuant to section 4781.07 of the Revised Code shall conduct all inspections of the installation, foundations, and base support systems of manufactured housing located in manufactured home parks to determine compliance with the uniform installation standards and foundation and base support system design the division of industrial compliance establishes pursuant to this section.
- (4) Govern the training, experience, and education requirements for manufactured housing installers;
- (5) Establish a code of ethics for manufactured housing installers;



- (6) Govern the issuance, revocation, and suspension of licenses to manufactured housing installers;
- (7) Establish fees for the issuance and renewal of licenses, for conducting inspections to determine an applicant's compliance with this chapter and the rules adopted pursuant to it, and for the division's expenses incurred in implementing this chapter;
- (8) Establish conditions under which a licensee may enter into contracts to fulfill the licensee's responsibilities;
- (9) Govern the investigation of complaints concerning any complaints involving the conduct of any licensed manufactured housing installer or person installing manufactured housing without a license;
- (10) Establish a dispute resolution program for the timely resolution of warranty issues involving new manufactured homes, disputes regarding responsibility for the correction or repair of defects in manufactured housing, and the installation of manufactured housing. The rules shall provide for the timely resolution of disputes between manufacturers, manufactured housing dealers, and installers regarding the correction or repair of defects in manufactured housing that are reported by the purchaser of the home during the one-year period beginning on the date of installation of the home. The rules also shall provide that decisions made regarding the dispute under the program are not binding upon the purchaser of the home or the other parties involved in the dispute unless the purchaser so agrees in a written acknowledgement that the purchaser signs and delivers to the program within ten business days after the decision is issued.
- (11) Establish the requirements and procedures for the certification of building departments and building department personnel pursuant to section 4781.07 of the Revised Code;
- (12) Establish fees to be charged to building departments and building department personnel applying for certification and renewal of certification pursuant to section 4781.07 of the Revised Code;
- (13) Develop a policy regarding the maintenance of records for any inspection authorized or conducted pursuant to this chapter. Any record maintained under division (A)(13) of this section



shall be a public record under section 149.43 of the Revised Code.

(B) The division of industrial compliance shall do all of the following:

(1) Prepare and administer a licensure examination to determine an applicant's knowledge of manufactured housing installation and other aspects of installation the division determines appropriate;

(2) Select, provide, or procure appropriate examination questions and answers for the licensure examination and establish the criteria for successful completion of the examination;

(3) Prepare and distribute any application form sections 4781.01 to 4781.11 of the Revised Code require;

(4) Receive applications for licenses and renewal of licenses and issue licenses to qualified applicants;

(5) Establish procedures for processing, approving, and disapproving applications for licensure;

(6) Retain records of applications for licensure, including all application materials submitted and a written record of the action taken on each application;

(7) Review the design and plans for manufactured housing installations, foundations, and support systems;

(8) Inspect a sample of homes at a percentage the division determines to evaluate the construction and installation of manufactured housing installations, foundations, and support systems to determine compliance with the standards the division adopts;

(9) Investigate complaints concerning violations of this chapter or the rules adopted pursuant to it, or the conduct of any manufactured housing installer;

(10) Determine appropriate disciplinary actions for violations of this chapter;



(11) Conduct audits and inquiries of manufactured housing installers as appropriate for the enforcement of this chapter. The division, or any person the division employs for the purpose, may review and audit the business records of any manufactured housing installer during normal business hours.

(12) Approve an installation training course, which may be offered by the Ohio manufactured homes association or other entity.

(C) Nothing in this section, or in any rule adopted by the division of industrial compliance, shall be construed to limit the authority of a board of health to enforce section 3701.344 or Chapters 3703., 3718., and 3781. of the Revised Code or limit the authority of the department of administrative services to lease space for the use of a state agency and to group together state offices in any city in the state as provided in section 123.01 of the Revised Code.

(D) The department of commerce, division of real estate and professional licensing may adopt rules pursuant to Chapter 119. of the Revised Code necessary for administration of the provisions of this chapter related to manufactured home dealers, brokers, and salespersons.