

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 849 Session of
1993

INTRODUCED BY D. R. WRIGHT, DeWEESE, VEON, ROONEY, BELFANTI,
DeLUCA, TRELLO, PISTELLA, VAN HORNE AND STABACK,
MARCH 22, 1993

AS RE-REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 13, 1993

AN ACT

1 Amending the act of November 17, 1982 (P.L.676, No.192),
2 entitled "An act establishing standards for the body and
3 frame design and construction and the installation of
4 plumbing, heating and electrical systems for manufactured
5 homes; defining terms; requiring manufactured homes to bear a
6 label issued by the United States Department of Housing and
7 Urban Development; providing for the administration of the
8 act; providing for enforcement and penalties; and making a
9 repeal," providing for installation of manufactured homes.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 2 of the act of November 17, 1982
13 (P.L.676, No.192), known as the Manufactured Housing
14 Construction and Safety Standards Authorization Act, is amended
15 by adding definitions to read:

16 Section 2. Definitions.

17 The following words and phrases when used in this act shall
18 have, unless the context clearly indicates otherwise, the
19 meanings given to them in this section:

20 * * *

1 "Installation." The assembly of manufactured homes on site
2 and the process of affixing manufactured homes to land, a
3 foundation, footings, utilities or an existing building. The
4 term includes the process of affixing manufactured home
5 components to or within the housing structure for which they are
6 designed.

7 * * *

8 "Licensed installer." A manufacturer, dealer or third person
9 licensed under section 3.1 to engage in the installation of
10 manufactured homes on site.

11 * * *

12 Section 2. The act is amended by adding a section to read:
13 Section 3.1. Installation of manufactured homes.

14 (a) The department shall license as an installer any
15 individual who presents evidence satisfactory to the department
16 that the individual has attended a manufactured housing
17 installation course of study at which instruction has been given
18 concerning soil density and ability to determine soil density,
19 an understanding of installation instructions and the principals
20 of weight distribution of manufactured home to foundation. To
21 satisfy these requirements, a course of study shall include
22 classroom instruction, field directions for installation and a
23 written test.

24 (b) Notwithstanding any other statute, regulation or
25 ordinance, a manufactured home shall be installed:

26 (1) in accordance with the manufacturer's recommended
27 installation requirements as set forth in 24 CFR 3280
28 (relating to manufactured home construction and safety
29 standards);

30 (2) in accordance with manufactured home installations

1 approved by the American National Standards Institute as ANSI
2 A225.1-1987; or <—

3 ~~(3) pursuant to a process approved by the department.~~

4 (3) IN ACCORDANCE WITH THE MANUFACTURER'S SETUP <—
5 SPECIFICATIONS FOR THAT TYPE OF HOME, MODEL AND LOCATION; AND

6 (4) WITH A CERTIFICATE OF INSTALLATION PREPARED BY THE
7 DEPARTMENT TO BE USED BY INSTALLERS AND MANUFACTURED HOUSING
8 DEALERS.

9 (C) THE HOMEOWNER SHALL BE PROVIDED, PRIOR TO OCCUPANCY,
10 WITH A NOTARIZED CERTIFICATE OF INSTALLATION FROM THE INSTALLER
11 OR, IN THE CASE OF A NEW HOME, FROM THE MANUFACTURED HOUSING
12 DEALER, WHICH SHALL STATE THAT THE HOME WAS SET UP BY THE
13 INSTALLER ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS FOR
14 THAT HOME.

15 (D) SHOULD ANY DAMAGE OCCUR TO THE HOME IN THE FUTURE AS A
16 RESULT OF IMPROPER INITIAL INSTALLATION OR SETUP:

17 (1) IF THE DEALER HAS ARRANGED FOR INSTALLATION, THE
18 DEALER AND THE INSTALLER SHALL BE JOINTLY AND SEVERALLY
19 LIABLE FOR REPAIRS AND REPLACEMENT COSTS RESULTING FROM THE
20 DAMAGE AS LONG AS IT REMAINS ON THE SITE WHERE THE HOME WAS
21 ORIGINALLY INSTALLED.

22 (2) IF THE DEALER HAS NOT ARRANGED FOR INSTALLATION, THE
23 INSTALLER SHALL BE LIABLE FOR REPAIRS AND REPLACEMENT COSTS
24 RESULTING FROM THE DAMAGE AS LONG AS IT REMAINS ON THE SITE
25 WHERE THE HOME WAS ORIGINALLY INSTALLED.

26 (3) IF THE HOME IS TRANSPORTED OR MOVED FROM THE SITE
27 WHERE THE HOME WAS ORIGINALLY INSTALLED, ALL LIABILITY UNDER
28 THIS SUBSECTION SHALL CEASE.

29 (4) THIS SUBSECTION SHALL NOT REMOVE:

30 (I) THE RESPONSIBILITY OF AN INSTALLER WHO

1 SUBSEQUENTLY SETS UP THE HOME AT ANOTHER LOCATION FROM
2 THE ORIGINAL SITE OF INSTALLATION TO INSTALL AND SET UP
3 THE HOME AT THE NEW SITE ACCORDING TO THE MANUFACTURER'S
4 ORIGINAL SETUP SPECIFICATIONS FOR THAT TYPE OF HOME,
5 MODEL AND LOCATION; OR

6 (II) THE LIABILITY OF AN INSTALLER UNDER
7 SUBPARAGRAPH (I) FOR REPAIRS AND REPLACEMENT COSTS
8 RESULTING FROM IMPROPER INSTALLATION OR SETUP OF THE
9 HOME.

10 ~~(e)~~ (E) The department shall prepare a form which, when <—
11 completed, will certify that the installation has been
12 accomplished under this act. Within ten days of the completion
13 of the installation:

14 (1) a copy of the form shall be submitted to the
15 department;

16 (2) a copy shall be submitted to the manufacturer;

17 (3) a copy shall be submitted to the manufactured
18 housing dealer;

19 (4) a copy shall be provided to the manufactured housing
20 owner; and

21 (5) a copy shall be retained in the file of the licensed
22 installer.

23 ~~(d)~~ (F) At least one member of any installation or setup <—
24 crew involved in the installation of the manufactured home is
25 required to be licensed under subsection (a).

26 ~~(e)~~ (G) The department shall establish a filing fee in the <—
27 amount of \$10 for each form certifying proper installation. The
28 department shall establish a license fee of \$25 per year for
29 each licensed installer.

30 ~~(f)~~ (H) Upon inspection and investigation, the department <—

1 shall have the authority to suspend the license of any installer
2 if, based on good cause shown, the department is satisfied that
3 installation and setup done under the direction and control of
4 the licensed installer is not performed in accordance with
5 subsection (b).

6 Section 3. This act shall take effect in 60 days.