

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 97

Session of  
1995

INTRODUCED BY D. R. WRIGHT AND TRELLO, JANUARY 19, 1995

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 19, 1995

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 \* \* \*

21 "Installation." The assembly of manufactured homes on site

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

6 \* \* \*

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

10 \* \* \*

11 Section 2. The act is amended by adding sections to read:  
12 Section 3.1. Installation of manufactured homes.

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

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

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

1       (2) in accordance with manufactured home installations  
2       approved by the American National Standards Institute as ANSI  
3       A225.1-1987;

4       (3) in accordance with the manufacturer's setup  
5       specifications for that type of home, model and location;

6       (4) in accordance with plans sealed by a registered  
7       professional engineer or subrules established by the  
8       department, if:

9           (i) the design is engineered specifically for the  
10          manufactured home; and

11          (ii) the designer used criteria specified in  
12          paragraphs (1), (2) and (3); and

13          (5) with a certificate of installation prepared by the  
14          department to be used by installers and manufactured housing  
15          dealers.

16       (c) The homeowner shall be provided, prior to occupancy,  
17       with a notarized certificate of installation from the installer  
18       or, in the case of a new home, from the manufactured housing  
19       dealer, which shall state that the home was set up by the  
20       installer according to the manufacturer's specifications for  
21       that home.

22       (d) Should any damage occur to the home in the future as a  
23       result of improper initial installation or setup:

24           (1) If the dealer has arranged for installation, the  
25           dealer and the installer shall be jointly and severally  
26           liable for repairs and replacement costs resulting from the  
27           damage as long as it remains on the site where the home was  
28           originally installed.

29           (2) If the dealer has not arranged for installation, the  
30           installer shall be liable for repairs and replacement costs

1 resulting from the damage as long as it remains on the site  
2 where the home was originally installed.

3 (3) If the home is transported or moved from the site  
4 where the home was originally installed, all liability under  
5 this subsection shall cease.

6 (4) This subsection shall not remove:

7 (i) the responsibility of an installer who  
8 subsequently sets up the home at another location from  
9 the original site of installation to install and set up  
10 the home at the new site according to the manufacturer's  
11 original setup specifications for that type of home,  
12 model and location; or

13 (ii) the liability of an installer under  
14 subparagraph (i) for repairs and replacement costs  
15 resulting from improper installation or setup of the  
16 home.

17 (e) The department shall prepare a form which, when  
18 completed, will certify that the installation has been  
19 accomplished under this act. Within ten days of the completion  
20 of the installation:

21 (1) a copy of the form shall be submitted to the  
22 department;

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

24 (3) a copy shall be submitted to the manufactured  
25 housing dealer;

26 (4) a copy shall be provided to the manufactured housing  
27 owner; and

28 (5) a copy shall be retained in the file of the licensed  
29 installer.

30 (f) At least one member of any installation or setup crew

1 involved in the installation of the manufactured home is  
2 required to be licensed under subsection (a).

3 (g) The department shall establish a filing fee in the  
4 amount of \$20 for each form certifying proper installation. The  
5 department shall establish a license fee of \$100 per year for  
6 each licensed installer.

7 (h) Upon inspection and investigation, the department shall  
8 have the authority to suspend the license of any installer if,  
9 based on good cause shown, the department is satisfied that  
10 installation and setup done under the direction and control of  
11 the licensed installer is not performed in accordance with  
12 subsection (b).

13 (i) The requirements of this section shall apply to all  
14 manufactured homes regardless of the date of manufacture.

15 Section 9.1. Manufactured Housing Fund.

16 (a) There is hereby established a separate account in the  
17 State Treasury to be known as the Manufactured Housing Fund. The  
18 Manufactured Housing Fund shall be administered by the  
19 department and shall be used for the administration of this act.

20 (b) All fees and civil penalties collected under this act  
21 shall be paid into the Manufactured Housing Fund. All moneys in  
22 the Manufactured Housing Fund are hereby appropriated to the  
23 department on a continuing basis.

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