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DEPARTMENT OF STATE

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June 20, 2016

Introduction of Limited Third Party Modular Approval Process in New York State.

Dear Modular Industry Professional;

This letter is a follow –up of our letter to you dated June 2, 2016, which addresses the upcoming updated codes of New York State. The 2015 ICC Uniform and Energy Codes as modified by the 2016 New York State respective Supplements will become effective on October 3, 2016.

In anticipation of an extreme increase in the volume of plan submissions, our office is taking this opportunity to announce a revision to our current modular approval process as follows:

Effective on July 15, 2016, and until further notice, requests for approval of all *new detached one-and-two-family dwellings and townhouse modular projects* (Individual models and those derived from approved systems) will be required to be submitted for review and approval to a New York State approved Quality Assurance Agency. The Quality Assurance Agency will forward their approval documents to the Department of State for final processing and notice that the submission is ready for the issuance of insignia of approval.

It is encouraged that the Manufacturer begin to submit drawings for compliance with the 2015 IRC and that Quality Assurance Agencies begin to review for compliance with the 2015 RC. For packages submitted as of October 3, 2016, **this is mandatory.**

In order to obtain plan approval pursuant to Section 1209.3 of the Regulations and Fees for Factory Manufactured Buildings, pertaining to modular *“individual models” of detached one-and-two-family dwellings and townhouses*, it is the manufacturer’s responsibility to submit the required documentation to a New York State Approved Quality Assurance Agency (QAA). The QAA’s will review and approve all individual models for *detached one-and-two-family dwellings and townhouses*. The QAA will not have authority to approve modular systems and commercial buildings. The NYS DOS will continue to review and approve modular systems and commercial buildings submissions.

Submission process for individual models of *detached one-and-two-family dwellings and townhouses*.

Submit a complete drawing set, REScheck, calculations and as follows:

- 1) Submit application, all plans, calculations and specifications in both hard copy and electronic (pdf) files (including REScheck electronic files) and required fees to the Quality Assurance Agency-in accordance with the requirements and guidelines of the New York State Department of State and those of the Quality Assurance Agency.
- 2) Submit NYS Application for Plan Approval (form #1280 dated **3/16**), \$50.00 application fee, one set of hard copies, and electronic (pdf) files of all documents to NYS DOS.
- 3) NYS DOS will log in and issue tracking number and inform the QAA and the manufacturer of status.
- 4) The QAA will review the documents and issue deviations to the manufacturers and copy NYS DOS.
- 5) The manufacturer will issue their response to deviations to the QAA and copy NYS DOS with the response.
- 6) NYS DOS reserves the right to comment on deviations and reviews.



**Department
of State**

Limited Third Party Modular Approval Process
Page 2 of 2

- 7) When the QAA is satisfied with all deviation revisions, the QAA will issue an Approval Letter and stamp approved documents for the manufacturer and copy NYS DOS.
- 8) Manufacturer can now apply for NYS Insignia of Approval by submitting a copy of the Approval Letter and Insignia of Approval Order Form (form #1962 dated **3/16**) with appropriate fee.
- 9) NYS DOS will issue insignia based on approval parameters and quantity requested.

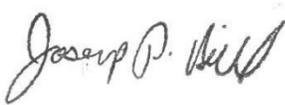
For submission with compliance to the 2015 IECC (OPTIONAL until October 3, 2016) the following ADDITIONAL information is required:

- 1) REScheck document Identified as in compliance– sealed/signed by the design professional-of-record. The Electronic REScheck file is required to be submitted in addition to hard copy. For compliance with updated energy code, compliance with the **2015 IECC is required to be identified on the REScheck file.**
- 2) **For the 2015 IRC** - identification of the need for Mandatory Envelope air sealing/testing which will be required **ON SITE** at the completion of the modular envelope set-up. (Mandatory for *detached one-and-two-family dwellings and townhouse* construction only) The agency performing the required testing must be identified and provided as a part of the approval process.
- 3) **For the 2015 IRC** - Identification of, and calculations for the Mandatory Whole House Ventilation system will be required as a part of *detached one-and-two-family dwellings and townhouse* modular projects. See 2015 IRC Section M1507.3 for specific requirements, *with particular attention to Section M1507.3.3 and Table M1507.3.3 (1).*
- 4) **For the 2015 IRC** - Large capacity Kitchen Exhaust fans, those exceeding 400 cfm, must be provided with outdoor make up air equal to the exhaust air rate. See 2015 IRC Section M1507.4.

Our office is available to assist team members and industry professionals in the preparation of and the review and certification of complete submission packages demonstrating compliance with the applicable 2016 Codes of New York State. We will continue to update and inform the modular manufacturing community over the coming months as we continue to move ahead.

If you have any questions or comments, please feel free to call (518) 474-4073.

Sincerely,



Joseph Hill, RA
Assistant Director for Code Administration
Division of Building Standards & Codes

cc: Quality Assurance Agencies, Modular Consultants, Modular Manufacturers and Design Professionals.