

Manufactured Housing  
**information**

February 2016

## ARTICLE 21-B MANUFACTURED HOMES & PART 1210 MANUFACTURED HOME REGULATION

Important: See the definitions in Part II Chapter 2 of the New York State Residential Code (NYSRC); also NYSRC - Appendix E Sec. AE201. Furthermore review all of Appendix E.

- Homes manufactured after January 1, 2006 require a NYS Manufactures Warranty Seal.
- Homes installed after January 1, 2006, either new or relocated (even within the same park or community) require a building permit (as they have since 1984) and a NYS Installers Warranty Seal.
- Currently, building permits should not be issued prior to obtaining a certification number from the individuals involved. Site and foundation plans (plans should include pier layout and specify tie down equipment and layout) should be submitted by the applicant, demonstration compliance with Appendix E - NYSRC. The residential code requires compliance with the manufacture's installation manual. A manual should be submitted to the Code Enforcement Official as part of the permit documents.
- Currently, "no person or business entity shall..." Manufacture, Sell, Install or Service a manufactured home unless the person or business is certified. Service meaning structural repairs or alterations.
- Currently, "no person or business entity shall..." Install or Service a manufactured home unless as least one certified person is on site.
- Certificates of Occupancy shall not be issued until the warranty seals are installed in the largest closet in the largest bedroom.

## FREQUENTLY ASKED QUESTIONS

**What are the responsibilities of the installer?** Whether they actually perform the work or not, they are responsible for anything that makes the home livable after delivery. Examples: electric service, plumbing connections, site preparation and finish, all in compliance with the applicable codes and submitted construction documents.

**What is the jurisdiction of the Code Enforcement Official?** The CEO has the responsibility of anything performed on site, but has no jurisdiction over the requirements of the National Manufactured Housing Construction and Safety Standards, otherwise known as the HUD Code. In other words the CEO cannot require changes to any assemblies or parts from the factory;

however, any field connection or attachment of parts supplied by the factory should be verified as having been completed properly, using the manufacturer's installation manual as a guide.

**Can the Inspector rely on the certified individual to perform their responsibilities to code?** NO, the municipal authority must still perform the required inspections.

**Where can a list of certified individuals be found?** On the Department of State's website:  
[www.dos.ny.gov](http://www.dos.ny.gov)

**Are any of the new engineered foundation tie down and support systems code compliant?** Yes, if they are installed according to the manufacturer's requirements and limitations (the approved systems are most generally listed in the manufacturer's manual).

**Are Modular Homes included in this regulation?** Not at this time.

**Are monolithic slabs on grade required?** NO; NYSRC Sec. AE502 requires foundation systems to be frost protected (which means a standard pier and footing system), at or below the frost line. The exception states "when a foundation system is designed to be otherwise protected from the effects of frost, such foundation system is not required to extend below the frost line". The keyword 'designed' means designed by an Architect or Engineer licensed to practice in New York State. Also, any "Alternative Tie-Down and/or Foundation Systems" that deviate from the manufacturer's installation manual must be designed by a NYS Design Professional and approved by the manufacturer, DAPIA and Code Enforcement Official.

**Are local laws (zoning or otherwise) that require manufactured housing being founded on something other than the standard pier and footing system legal?** NO. Jurisdictions who attempt to regulate manufactured homes more restrictively than the NYSRC or the HUD Code, whether by zoning or local law, are subject to approval of these laws by the New York State Code Council. Enforcement of these laws without State approval could result in legal action. Contact the NYS DOS Local Government Services Unit for advisement at 518-473-3355.

**Can manufactured homes be added to?** YES; NYSRC Sec. AE504 "Accessory buildings shall not be structurally supported by or attached to (except flashings and other weatherproofing) unless engineering calculations are submitted to substantiate any proposed structural connection." Additions are otherwise to be supported independently of the home and constructed in compliance with the NYSRC. The addition may be constructed by persons not certified. Nothing is grandfathered. Openings created for access to the addition, are to be accomplished by a certified installer or mechanic. The HUD required second egress door cannot be used or blocked unless another is provided.

For further clarification or additional questions call the NYS DOS Manufactured Housing Unit.



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