

*****DRAFT - NOT FOR FILING*****

4781-7-01 Inspections.

(A) General.

- (1) All manufactured homes installed in Ohio shall be inspected for compliance with the Ohio manufactured home installation standards by an ~~an **commission-certified-manufactured-home** inspector, or trained **commission inspector** and authorized pursuant to Chapter 4781. of the Revised Code.~~ For purposes of this Chapter, "inspector" means either individuals certified by the division pursuant to Chapter 4781. of the Revised Code or individuals trained and employed by the division. An inspector has the right to inspect the installation of a manufactured home and any elements that deal with installation of a manufactured home that are under the jurisdiction of the division. An inspector also has the right to conduct plans reviews of proposed manufactured home installations. Nothing in this chapter permits inspectors to review plans for any structures that are not covered in Chapters 4781-5 to 4781-12 of the Administrative Code.
- (2) The ~~**commission**~~division shall adopt a checklist for the inspection of manufactured homes.
- (3) An inspector shall use the ~~**commission**~~division-adopted checklist ~~as a minimum~~ for all inspections.

(B) ~~**Commission**~~Division inspection seal.

- (1) The ~~**commission**~~division shall adopt a ~~**commission**~~division inspection seal ("inspection seal").
- (2) Except as provided in paragraph (C) of this rule, no manufactured home shall be occupied until the inspector has issued the ~~**commission**~~-inspection seal. The ~~**commission**~~-inspection seal shall be paid for at the time the permit is issued and shall not be construed as an approval of any violation of the provisions of Chapter 4781. of the Revised Code or the rules promulgated thereunder or of other ordinances ~~of the authority having jurisdiction~~. Any ~~**commission**~~-inspection seal issued in error shall not be valid.
- ~~(3) (3) After the inspector inspects the installation of the manufactured home and finds it complies with the provisions of Chapter 4781. of the Revised Code and the rules promulgated thereunder and other laws that are enforced by the authority having jurisdiction, the inspector shall place the **commission**-inspection seal in the manufactured home in the proximity of the electrical panel box.~~
- ~~(4) (3) Except as provided in paragraph (C) of this rule, every manufactured home that has passed installation inspection by the inspector having jurisdiction shall have a **commission**-inspection seal prior to occupancy.~~ The ~~**commission**~~-inspection seal must be placed by the ~~authority having jurisdiction~~inspector in the proximity of the electrical panel box cover with an electrical approval tag at the meter base. No person shall remove, destroy, alter, or cover an inspection seal except as permitted by paragraph (D) of this rule. The ~~**commission**~~-inspection seal shall not be affixed until the manufactured home meets the Ohio manufactured home installation standards. A copy of the ~~**commission**~~-inspection seal information shall be maintained in ~~the records of the authority having jurisdiction~~accordance with the division's records retention policy.
- ~~(5) (4)~~ The ~~**commission**~~-inspection seal shall contain the following, either typed or written in permanent ink:

*****DRAFT - NOT FOR FILING*****

- (a) The name and license number of the manufactured home installer;
- (b) The serial number of the manufactured home;
- (c) The address where the home is located;
- (d) The signature of ~~a commission-certified~~the inspector;
- (e) The date the inspection seal is signed and affixed to the home signifying final approval; and
- (f) Any special stipulations and conditions of the installation permit or of the approval.

(C) Temporary occupancy permits. The ~~authority having jurisdiction~~division shall be authorized to issue a temporary occupancy permit before the completion of the entire work covered by the permit, provided that such portion(s) ~~or portions~~ shall be occupied safely. The ~~authority having jurisdiction~~division shall set a time period during which the temporary occupancy permit is valid, not to exceed six months. Two ~~six-~~month extensions may be granted by the ~~authority having jurisdiction~~division upon written request if the installation is in accordance with Chapter 4781-6 of the Administrative Code. The temporary occupancy permit shall not be the ~~commission~~-inspection seal but shall be on a form approved by the ~~commission~~division.

(1) Conformance. Temporary occupancy permits shall not be issued unless the manufactured home meets the requirements for temporary occupancy permits ~~requirements~~, and no life safety hazards exist.

(2) Termination of temporary occupancy permits. The ~~authority having jurisdiction~~division may terminate the temporary occupancy permit if (a) the temporary occupancy permit has expired, ~~or~~ (b) the manufactured home no longer meets the temporary occupancy permit requirements, or (c) life safety hazards exist.

(D) Revocation of the ~~commission~~-inspection seal or the temporary occupancy permit. The ~~authority having jurisdiction~~division may suspend or revoke an inspection seal issued under Chapter 4781. of the Revised Code or the rules promulgated thereunder if the inspection seal or the temporary occupancy permit is issued in error, or if the information provided is incorrect, or it is determined that the manufactured home is in violation of any ~~ordinance or regulation by the authority having jurisdiction or any~~ of the provisions of Chapter 4781. of the Revised Code or the rules promulgated thereunder.

(E) Jurisdiction for inspections.

~~All installation inspections in Ohio shall be conducted by an inspector who shall be certified by the Ohio-manufactured homes commission, who has completed an installation training course approved by the commission and has passed the commission inspector test. The inspector shall ensure that the installation meets the requirements of the Ohio-manufactured home installation standards.~~

(1) All installation inspections in Ohio shall be conducted by an inspector who:

- (a) is certified by the division, has completed an installation training course approved by the division, and has passed the division inspection test; or

*****DRAFT - NOT FOR FILING*****

(b) is trained and employed by the division.

(2) The inspector shall ensure that the installation meets the requirements of the Ohio manufactured home installation standards as set forth in Chapter 4781-6 of the Administrative Code.

(3) The division inspectors may perform plans reviews and conduct inspections in any area, for any reason as the division deems necessary to maintain the requirements set forth in Chapters 4781-5 to 4781-12 of the Administrative Code. The inspections and plans reviews set forth in this rule are for the purpose of ensuring that installations of manufactured homes conform with the standards set forth in Chapter 4781-6 of the Administrative Code and are not considered investigation inspections under rule 4781-8-08 of the Administrative Code or as part of dispute resolution investigations under rule 4781-10-01 of the Administrative Code.

(F) Contracts with inspection agencies.

The ~~commission~~division may enter into contracts with certified building departments, certified health departments, certified third party inspection agencies, or certified inspectors ~~regarding the establishment of fees for conducting inspections to determine a licensee's compliance with the Ohio manufactured home installation standards~~to perform any enforcement or compliance function set forth in this chapter.

(G) Fee authority for inspections, ~~commission~~plan reviews, inspection seals, temporary ~~inspections~~inspection seals, and temporary occupancy permits.

(1) ~~Authorities~~The division and any authorities having jurisdiction may charge fees for inspections, ~~and re-inspections~~, plan reviews, permits, and related services and expenditures if those fees are in accordance with rule 4781-7-10 of the Administrative Code. Any fees that are not in accordance with the fee schedule established in rule 4781-7-10 must be preapproved by the division in writing. ~~fees for the inspection of the installation of manufactured homes. The commission may charge fees for inspections and re-inspections it provides, or contracts to provide, in areas where no political subdivision provides inspections or where additional inspections are necessary to assure adequate inspections or to perform complaint-based inspection.~~

~~(2) (2) The commission shall set the fee for the commission inspection seals and temporary occupancy permits.~~

(H) Notice of violations for installations of manufactured homes.

(1) When an ~~an certified manufactured home~~ inspector determines that a home is in violation of the Ohio manufactured home installation standards as set forth in Chapter 4781-6 of the Administrative Code, the inspector shall provide a notice of violation. The inspector shall provide in writing, on or attached to the notice of violation, a citation to the standard section ~~which~~that has been violated and leave the notice of violation with the inspection documents on site.

(2) A notice of violation shall only be removed after the installer has provided the ~~authority having jurisdiction~~division with notice after the violations have been corrected and the ~~authority having jurisdiction~~division has verified that the corrections have been made.

DRAFT - NOT FOR FILING

~~(I)~~ (I) Fees for commission inspection seals and temporary occupancy permits.

~~(1)~~ (1) The fee for an inspection seal shall be one hundred dollars. The fee for replacement of the inspection seal shall be the current fee for an inspection seal.

~~(2)~~ (2) The fee for a temporary occupancy permit shall be seventy five dollars.

~~(J)~~ (I) Inspection of utilities.

(1) Connection of service utilities. No person shall make final connections from any utility source to any manufactured home that is regulated by this code until ~~issuance of an installation~~ inspection permit is issued by the ~~authority having jurisdiction~~ division. The electrical approval sticker affixed by the inspector ~~having jurisdiction~~ constitutes approval to energize the home. Nothing in this rule prevents the installer from having access to utilities as needed during installation.

(2) Temporary connection. The ~~authority having jurisdiction~~ inspector shall have authority to authorize and approve the temporary connection of the home or system to the utility source.

(3) Authority to disconnect utilities. The inspector shall have the authority to authorize the immediate disconnection of utilities to the manufactured home by Chapter 4781. of the Revised Code or the rules promulgated thereunder and the referenced codes and standards set forth in case of emergency where necessary to eliminate an immediate hazard to life or property or when such connection has been made without approval. The inspector shall notify the utility company and request the utility company to follow its normal disconnection procedures and whenever possible notify the owner and occupant of the manufactured home of the decision to disconnect. The owner or occupant of the manufactured home shall be notified in writing as soon as possible thereafter.

~~(K)~~ (J) Violations.

(1) No person shall install, occupy, or permit occupancy of, any manufactured home in violation of any provisions of Chapter 4781. of the Revised Code or the rules promulgated thereunder.

(2) The ~~authority having jurisdiction~~ division shall be authorized to serve notice of violation or order on any person: ~~responsible for the installation or occupying the manufactured home or in violation of the approved plans or in violation of a permit, commission inspection seal set and temporary occupancy permits issued under Chapter 4781. of the Revised Code or the rules promulgated thereunder. Such order shall direct the discontinuance of the violation, action or condition and the abatement of the violation.~~

(a) responsible for the installation;

(b) occupying the manufactured home;

(c) in violation of the approved plans;

(d) in violation of a permit;

(e) in violation of inspection seal set; or

(f) in violation of temporary occupancy permits issued under Chapter 4781. of the Revised Code or the

DRAFT - NOT FOR FILING

rules promulgated thereunder.

Such order shall direct the discontinuance of the violation, action, or condition, and the abatement of the violation.

- (3) If the violation(s) are not corrected within the time prescribed by such notice, ~~the inspector shall be authorized to request the legal counsel for the authority having jurisdiction to~~the division may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination ~~for~~of the unlawful occupancy of the manufactured home.
- (4) Any person who violates Chapter 4781. of the Revised Code or the rules promulgated thereunder or fails to comply with any of the requirements or who installs a manufactured home in violation of the approved plans or the manufacturer's installation manual or directive of the inspector or of a permit or inspection seal shall be subject to penalties as prescribed by Chapter 4781. of the Revised Code and the rules promulgated thereunder.

~~(L)~~(K) Stop work order.

- (1) Upon notice from the inspector that the installation ~~on~~of a manufactured home is proceeding in violation of Chapter 4781. of the Revised Code or the rules promulgated thereunder or in an unsafe and dangerous manner, the installation shall be immediately stopped. The stop work order shall be in writing and shall ~~be given to the owner of the property involved or to the owner's agent or to the person doing the work; and shall state the conditions under which the installation will be permitted to resume.~~state the conditions under which the installation will be permitted to resume. The stop work order shall be given to the owner of the property involved or the owner's agent or to the person doing the work.
- (2) Unlawful continuance. Any person that continues the installation ~~on~~of a manufactured home after being served with a stop work order, except such installation components that person is directed to perform to abate a violation or unsafe condition, shall be subject to penalties as prescribed in Chapter 4781. of the Revised Code or the rules promulgated thereunder.