



Department of Commerce

John R. Kasich, Governor

Jacqueline T. Williams, Director

Manufactured Homes Program



Shannon R. Himes
Superintendent
Division of Industrial Compliance



Anne M. Petit
Superintendent
Division of Real Estate & Professional Licensing

As many of you are aware, House Bill 49 - which shifted responsibility for regulation of manufactured homes in Ohio from the Manufactured Homes Commission to the Department of Commerce – requires the Department to file new rules governing the regulation of manufactured homes by July 20, 2018. As a result, both the Division of Industrial Compliance and the Division of Real Estate & Professional Licensing have been very busy these past several months reviewing, drafting and editing rules. We are very close to completing these rules and hope to have the draft rules sent to you, our stakeholders, within the next month for your thoughts and comments.

Since we have taken over the Manufactured Homes Program, we have received a number of questions about the rules in general, from how the rules work, where to find the rules, how they are made and how they impact all affected parties. We want to take this opportunity to give all of you a primer on the Ohio Administrative Code and the general process for creating new rules in Ohio

Administrative Rules

Every state agency that regulates an industry is given express authority to do so by the Ohio Revised Code (ORC). The ORC is a series of statutes created by Ohio’s legislature, the General Assembly, which is made up of representatives who are voted into their offices. When we talk about “state law,” we are speaking of the ORC. The ORC section that addresses manufactured homes regulation is Chapter 4781, and can be found in books or online at <http://codes.ohio.gov/orc/4781>. The Department of Commerce only has those powers of regulation that are expressly granted by R.C. 4781.

While the revised code gives an agency the power to regulate, the agency’s own administrative rules set forth the ways it will exercise that power. For example, the ORC may permit an agency to issue licenses, but the administrative rules explain *how* to apply those rules, what is needed on the application, etc. The rules give life to the code and explain the means by which the agency will enforce its regulatory obligations. These rules, called the Ohio Administrative Code (OAC), are also available online at <http://codes.ohio.gov/oac>.

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Ohio Department of Commerce

Manufactured Homes Program

Division of Real Estate & Professional Licensing
77 S. High Street, 20th Floor
Columbus, OH 43215
Phone 614-466-4100

Division of Industrial Compliance
6606 Tussing Road
Reynoldsburg, OH 43068
Phone 614-644-2223

Superintendent Article *continued*

Ohio's Rule-Making Process

The way an agency issues its rules is set forth in Ohio statute, R.C. Chapters 106 and 119. The law sets forth public notice requirements, and specifically requires the agency to provide at least four opportunities to review and provide feedback on the rules. First, the agency must share its draft rules with all people and organizations that might be affected by the rules ("stakeholders") and solicit their feedback. Once that feedback is obtained, the agency may decide to make changes to the rules and resend for additional feedback.



The second step after stakeholder feedback is to send the rules, along with several forms, to the Lieutenant Governor's Common Sense Initiative (CSI) office for review. The CSI office reviews proposed rules for their impact on Ohio businesses and institutions. Once received, the CSI staff will send notices to the identified stakeholders and will seek their feedback during a defined comment period. The CSI office may suggest changes to the filing agency based on that feedback or other noticed concerns, or the office may recommend the rules for filing.



The third step, assuming the agency receives a favorable recommendation from CSI, is to file the proposed rules with the Joint Committee for Agency Rule Review (JCARR). JCARR is a committee of the Ohio General Assembly that consists of five state representatives and five state senators. Its purpose is to review proposed agency rules to ensure they do not exceed the agency's statutory authority, do not conflict with other existing rules, do not conflict with legislative intent and do not have an undue impact on business. Once filed, JCARR mandates that the agency conduct a public rule hearing at the agency's offices. The hearing is open to all, and provides the public a third opportunity to provide comment.

The final step of the rule process is the public hearing that is held before JCARR itself at the statehouse. This is the fourth and final opportunity for the public to weigh in on proposed rules before they are voted on and finalized. Once JCARR votes, the rules are final and will become effective shortly thereafter on an agreed-upon date.

New Manufactured Homes Program Rules

We look forward to hearing from you, our stakeholders, about the proposed rules for regulating manufactured homes in Ohio. It is our hope that, by working together, we can create a program that balances the needs of the industry with the needs of the residents to maintain safe, affordable and beautiful homes.

Shannon R. Himes

Anne M. Petit

Safety

Summer Safety for Your Home

As the weather begins to warm up, make sure to take a minute and read over these tips to stay safe from the risk of fire.

Inside Your Home



- Before turning on the air conditioning, have the HVAC serviced to ensure ductwork is clean and clear of debris.
- If there are window A/C units, make sure they are directly plugged into an outlet and not an extension cord. The extension cords can overheat.
- As the temperature increases, your refrigerator will work harder to keep cool. Pull refrigerator out and vacuum or dust the coils.



- Test smoke alarms and make sure they are working. If the smoke alarm is 10 years old or older, replace the entire smoke alarm.
- Practice your fire escape plan so everyone in your home knows what to do in case of an emergency.

Outside Your Home



- Check your home's "skirting" for accumulated items during the winter and make sure the area is kept clear.
- When using gas-powered lawn equipment, never fuel it while it is still hot.
- Let lawnmowers, riding mowers, weed eaters, etc. cool for 30 minutes before putting them away.



- Prevent burn injuries while grilling:
 - ◇ Use long-handled barbeque tools
 - ◇ Keep a 3-foot safe zone around grills
 - ◇ If using a charcoal grill, wait until the coals are fully cool before disposing of them into a metal can.

News & Updates

The Manufactured Homes Advisory Council

The Manufactured Homes Advisory Council is put in place to allow industry professionals to offer expertise and direction to the director of the Department of Commerce on topics concerning the manufactured homes industry. Five members of the advisory council have been appointed, while two more are still pending appointment by the House Speaker and Senate President. The first meeting took place on Thursday, May 31. Appointed members are as follows:

- **Class | Water Supply Operator or Class | Wastewater Work Operator Representative:**
 - ◊ **Karen Hawkins**, Public Works Director for the City of Fairborn
- **Public Health Representative:**
 - ◊ **Larry Shaffer**, Director of Environmental Health for the Clark County Health Department
- **Local Fire Chief Representative:**
 - ◊ **John Soisson**, Fire Chief for the Norwalk Fire Department
- **Manufactured Homes Park Operator Representative:**
 - ◊ **Jim Hauch**, Owner of Pine Villas MHP and Spruce Tree Village MHP
- **Manufactured Homes Dealer or Salesperson Representative:**
 - ◊ **Nikki Elliott**, Operations Manager for Green Valley Homes, Inc.

For more information on the advisory council, [click here](#).



Fire Expo and Muster June 23, 10 a.m. – 3 p.m.

Join the State Fire Marshal's office and the Central Ohio Antique Fire Apparatus Association for antique fire trucks, a fire memorabilia flea market, hands-on fire safety demos, activities for children and adults and much more! This free event is family friendly and open to the public. Parking is also free, and food/drinks will be available for purchase.

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News & Updates

Q&A Session: Park Inspections for Health Districts

The Division of Industrial Compliance will lead an information session on the licensing and inspection process for Manufactured Home Parks this month in Columbus. The meeting is designed specifically for health departments, inspection agencies, and licensed inspectors, and will cover the complete park inspection process. Officials from the Division of Industrial Compliance will share information about contracts, proposed rules, inspections, seals, codes, investigations, and licensing.

The informational session will be held on Thursday, June 28, from 1–4 p.m. in the auditorium of the Ohio Department of Transportation, 1980 W. Broad Street, Columbus, OH 43223.

Please email Carol Ross at carol.ross@com.state.oh.us or fax 614-232-9533 if you plan to attend this meeting. Hope to see you there!

Contacts

Installers

Ohio Construction Industry Licensing Board (OCILB)
614-644-3495 or Carol.Ross@com.state.oh.us

Inspectors

Board of Building Standards
614-644-2613 or Michael.Lane@com.state.oh.us

Installation Inspection/Seal Reports

Bureau of Building Code Compliance
614-728-9104 or Michelle.Grago@com.state.oh.us

Parks (including park complaints)

Ohio Construction Industry Licensing Board (OCILB)
614-752-7127 or
Shamikka.Brookins@com.state.oh.us

Dealers/Brokers

Division of Real Estate & Professional Licensing
614-466-3412 or Webreal@com.state.oh.us

Salespersons

Division of Real Estate & Professional Licensing
614-466-3412 or Webreal@com.state.oh.us

Dispute Resolution

Division of Industrial Compliance Legal Section
614-644-3297 or Aaron.Johnston@com.state.oh.us



John R. Kasich, Governor

Department
of Commerce

Jacqueline T. Williams, Director