

TITLE 4. PROFESSIONS AND OCCUPATIONS**CHAPTER 34. BOARD OF MANUFACTURED HOUSING**

(Authority: A.R.S. § 41-2141 et seq.)

ARTICLE 1. GENERAL

Article 1, consisting of Sections R4-34-101 through R4-34-104, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 1, consisting of Sections R4-34-101 through R4-34-107, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Section

R4-34-101.	Definitions
R4-34-102.	Materials Incorporated by Reference
R4-34-103.	Exceptions
R4-34-104.	Workmanship Standards
R4-34-105.	Repealed
R4-34-106.	Repealed
R4-34-107.	Repealed

ARTICLE 2. LICENSING

Article 2, consisting of Sections R4-34-201 through R4-34-204, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 2, consisting of Sections R4-34-201 through R4-34-205, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Section

R4-34-201.	General
R4-34-202.	Manufacturers
R4-34-203.	Retailers
R4-34-204.	Installers
R4-34-205.	Repealed

ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT

Article 3, consisting of Sections R4-34-301 through R4-34-303, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 3, consisting of Sections R4-34-301 through R4-34-309, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Former Article 3, consisting of Sections R4-34-301 through R4-34-304, renumbered to Article 7, Sections R4-34-701 through R4-34-704, effective July 3, 1991 (Supp. 91-3).

New Article 3, consisting of Sections R4-34-301 through R4-34-306, renumbered from Article 7, Sections R4-34-701 through R4-34-706, effective July 3, 1991 (Supp. 91-3).

Section

R4-34-301.	Transaction Copies
R4-34-302.	Advertising
R4-34-303.	Brokered Transactions
R4-34-304.	Repealed
R4-34-305.	Repealed
R4-34-306.	Repealed
R4-34-307.	Repealed
R4-34-308.	Repealed
R4-34-309.	Repealed

ARTICLE 4. SURETY BONDS

Article 4, consisting of Sections R4-34-401 and R4-34-402, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 4, consisting of Sections R4-34-401 through R4-34-404, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Former Article 4, consisting of Sections R4-34-401 through R4-34-403, renumbered to Article 5, Sections R4-34-501 through R4-34-503, effective July 3, 1991 (Supp. 91-3).

New Article 4, consisting of Sections R4-34-401 through R4-34-404, renumbered from Article 9, Sections R4-34-901 through R4-34-904, effective July 3, 1991 (Supp. 91-3).

Section

R4-34-401.	Surety Bond Forms
R4-34-402.	Cash Deposits
R4-34-403.	Repealed
R4-34-404.	Repealed

ARTICLE 5. FEES

Article 5, consisting of Sections R4-34-501 through R4-34-506, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 5, consisting of Sections R4-34-501 through R4-34-503, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Former Article 5, consisting of Sections R4-34-501 and R4-34-502, renumbered to Article 8, Sections R4-34-801 and R4-34-802, effective July 3, 1991 (Supp. 91-3).

New Article 5, consisting of Sections R4-34-501 through R4-34-503, renumbered from Article 4, Sections R4-34-401 through R4-34-403, effective July 3, 1991 (Supp. 91-3).

Section

R4-34-501.	General
R4-34-502.	License Bond Amounts
R4-34-503.	HUD Monitoring Inspection
R4-34-504.	HUD Label Administration
R4-34-505.	Plans and Supplements
R4-34-506.	Intergovernmental Agreement Permits

ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION

Article 6, consisting of Sections R4-34-601 through R4-34-607, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 6, consisting of Sections R4-34-601 through R4-34-610, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Section

R4-34-601.	Manufactured Homes
R4-34-602.	Repealed
R4-34-603.	Factory-built Buildings and FBB Subassemblies
R4-34-604.	Alterations
R4-34-605.	Reconstruction
R4-34-606.	Rehabilitation of Mobile Homes
R4-34-607.	Manufacturing Inspection and Certification
R4-34-608.	Repealed

- R4-34-609. Repealed
- R4-34-610. Repealed

ARTICLE 7. PLAN APPROVALS

Article 7, consisting of Sections R4-34-701 through R4-34-706, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 7, consisting of Sections R4-34-701 through R4-34-704, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Former Article 7, consisting of Sections R4-34-701 through R4-34-706, renumbered to Article 3, Sections R4-34-301 through R4-34-306, effective July 3, 1991 (Supp. 91-3).

New Article 7, consisting of Sections R4-34-701 through R4-34-704, renumbered from Article 3, Sections R4-34-301 through R4-34-304, effective July 3, 1991 (Supp. 91-3).

Section

- R4-34-701. General
- R4-34-702. Quality Assurance Manuals
- R4-34-703. Drawings and Specifications
- R4-34-704. Alterations or Reconstruction
- R4-34-705. Accessory Structures and Ground Anchoring
- R4-34-706. Factory-built Building Installation

ARTICLE 8. PERMITS AND INSTALLATION

Article 8, consisting of Sections R4-34-801 through R4-34-805, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Article 8, consisting of Sections R4-34-801 and R4-34-802, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Former Article 8, consisting of Sections R4-34-801 through R4-34-804, repealed effective July 3, 1991 (Supp. 91-3).

New Article 8, consisting of Sections R4-34-801 and R4-34-802, renumbered from Article 5, Sections R4-34-501 and R4-34-502, effective July 3, 1991 (Supp. 91-3).

Section

- R4-34-801. Permits
- R4-34-802. General Installation
- R4-34-803. Soil and Materials
- R4-34-804. Utilities
- R4-34-805. Accessory Structures
- Exhibit 1. Repealed

ARTICLE 9. REPEALED

Article 9, consisting of Section R4-34-901, repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

Former Article 9, consisting of Sections R4-34-901 through R4-34-904, renumbered to Article 4, Sections R4-34-401 through R4-34-404, effective July 3, 1991 (Supp. 91-3).

New Article 9, consisting of Section R4-34-901, renumbered from Article 10, Section R4-34-1001, effective July 3, 1991 (Supp. 91-3).

Section

- R4-34-901. Repealed

ARTICLE 10. ADMINISTRATIVE PROCEDURES

Article 10, consisting of Section R4-34-1001, adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

Former Article 10, consisting of Section R4-34-1001, renumbered to Article 9, Section R4-34-901, effective July 3, 1991 (Supp. 91-3).

91-3).

Article 10, consisting of Section R4-34-1001, adopted effective April 4, 1985.

Section

- R4-34-1001. Rehearing or Review

ARTICLE 11. RENUMBERED

Article 11, consisting of Section R4-34-1101, renumbered to 4 A.A.C. 36, R4-36-201 (Supp. 95-4).

Article 11, consisting of Section R4-34-1101, adopted as a permanent rule effective November 16, 1988.

Article 11, consisting of Section R4-34-1101, adopted as an emergency effective March 14, 1988 pursuant to A.R.S. § 41-1026, valid for only 90 days. Emergency expired.

ARTICLE 1. GENERAL

R4-34-101. Definitions

The definitions in A.R.S. §§ 41-2142, 41-2152, and 41-2157 apply to this Chapter. Additionally, in this Chapter:

1. "Act" means the Manufactured Housing Improvement Act of 2000, which is Title VI of the American Homeownership and Economic Opportunity Act of 2000.
2. "Agency" means, in a brokered transaction, the consensual relationship that exists between an agent and the seller or purchaser of a used home when either the purchaser or seller authorizes the agent and the agent agrees to the authorization in writing. A licensed salesperson may establish an agency relationship on behalf of the salesperson's licensed and employing retailer.
3. "Agency disclosure" means a document that specifies the party or parties that an agent represents in a brokered transaction as a seller's agent, purchaser's agent, or dual agent who represents both the seller and purchaser.
4. "Agent" means a licensed retailer or broker who is authorized to act on behalf of either the seller or purchaser of a used home or as a dual agent representing both.
5. "Branch location" means an office, unit, station, facility, or space at a fixed location other than a principal office, however designated, at which any business that may be conducted at the principal office is transacted.
6. "Brokered transaction" means a transaction in which a properly licensed broker acts as an agent for the seller, purchaser, or both.
7. "Co-brokered transaction" means a transaction in which the listing retailer and the selling retailer are not the same person.
8. "FBB" means factory-built building.
9. "Lease with option to purchase" means a lease under which the lessee has the right to purchase the leased property for a specified price and terms.
10. "New" means a unit or subassembly not previously sold, bargained, exchanged, or given away to a purchaser.
11. "Offer to purchase in a brokered transaction" means a written proposal to purchase a used home listed for sale that a broker presents to the seller for acceptance or rejection.
12. "Open subassembly" means that the components of the subassembly can be readily inspected without being disassembled.
13. "Permanent foundation" means a system of support and perimeter enclosure of crawl space that is:
 - a. Constructed of durable materials (e.g., concrete, masonry, steel, or treated wood);

Board of Manufactured Housing

- b. Developed in accordance with the manufacturer's installation instructions or designed by a licensed professional engineer;
 - c. Attached in a manner that effectively transfers all vertical and horizontal design loads that could be imposed on the structure by wind, snow, frost, seismic, or flood conditions, as applicable, to the underlying soil or rock;
 - d. Designed to exclude unwanted elements and varmints, ensure sufficient ventilation, and provide adequate access to the building; and
 - e. Not anchoring straps or cable affixed to ground anchors other than footings.
14. "Purchase contract in a brokered transaction" means a written agreement between a purchaser and seller of a used home that indicates the sales price and terms of the sale.
15. "Reconstruction" means construction work performed on a manufactured home, mobile home, or factory-built building for the purpose of restoring the unit to a usable condition, but does not include work limited to remodeling, replacing, or repairing appliances or components that will not significantly alter the systems or structural integrity of the living area.
16. "Respond" means to furnish the Office of Manufactured Housing or Office of Administration with a written explanation detailing any reasons why a complaint is not justified or the signature of the complainant indicating that the complainant is satisfied with the resolution of the verified complaint.
17. "Retailer" means a dealer or broker as prescribed at A.R.S. § 41-2142(9) and (5).
18. "Standards" means the materials incorporated by reference in R4-34-102.
19. "Supplement" means a submittal of not more than two sheets of paper that indicates floor plan dimensional sizes, does not change more than 25% of a system or configuration, and is incorporated as part of an originally approved plan.
20. "Technical service" means engineering assistance and interpretative application or clarification of compliance and enforcement of A.R.S. Title 41, Chapter 16, Articles 1, 2, and 4 and this Chapter.
21. "Typical plan" means a design plan that may be duplicated numerous times.
22. "Used home" means a used unit that is a previously titled manufactured home, mobile home, or factory-built building designed for use as a residential dwelling.
- conflict between the incorporated material and a statute or rule, the statute or rule controls.
1. HUD Manufactured Housing Program
 - a. 24 CFR 3280, Manufactured Home Construction and Safety Standards, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
 - b. 24 CFR 3282, Manufactured Home Procedural and Enforcement Regulations, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
 - c. 24 CFR 3284, Manufactured Housing Program Fee, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
 - d. 24 CFR 3285, Model Manufactured Home Installation Standards, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
 - e. 24 CFR 3286, Manufactured Home Installation Program, April 1, 2009, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov; and
 - f. 24 CFR 3288, Manufactured Home Dispute Resolution Program, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov.
 2. Factory-built Building Program
 - a. International Building Code (IBC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
 - b. International Residential Code (IRC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
 - c. International Mechanical Code (IMC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
 - d. International Plumbing Code (IPC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
 - e. International Fuel Gas Code (IFGC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
 - f. International Energy Conservation Code (IECC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478; and
 - g. National Electrical Code (NEC), 2008 edition, available from the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169.
 3. Installation, Foundation, and Accessory Structures
 - a. Materials incorporated in subsections (1) and (2); and
 - b. Protecting Manufactured Homes from Floods and Other Hazards, publication 85, second edition, November 2009, available from the Federal Emergency Management Agency, 500 C. St. SW, Washington, D.C. 20472 or www.fema.gov.

Historical Note

Former Section R4-34-101 renumbered to R4-34-102, new Section R4-34-101 adopted effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 13 A.A.R. 3582, effective December 1, 2007 (Supp. 07-4). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-102. Materials Incorporated by Reference

The following materials, which the Board incorporates by reference, apply to this Chapter. The materials, which include no later amendments of editions, are available from the Board. If there is a

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective May 28, 1980 (Supp. 80-3). Amended effective October 20, 1981 (Supp. 81-5). Former Section

R4-34-102 renumbered to R4-34-103, new Section R4-34-102 renumbered from R4-34-101 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-103. Exceptions

- A.** The Board makes the following exceptions to the materials incorporated by reference in R4-34-102:
1. International Building Code and International Residential Code. A water or gas connection may be a flexible connector if the flexible connector:
 - a. Is not more than 6 feet long,
 - b. Is of the rated size necessary to supply the total demand of the unit, and
 - c. Made of materials that comply with the International Plumbing Code and International Fuel Gas Code; and
 2. International Residential Code. Exclude Section R313, Automatic Fire Sprinkler Systems.
- B.** Under A.R.S. § 41-2144(D), a local jurisdiction may petition the Board for an exception to a standard. The local jurisdiction shall ensure that the petition for an exception:
1. Specifies the standard or code sections affected;
 2. Justifies the requested exception with documented evidence of the local conditions that support the requested exception;
 3. Specifies the boundaries of the area affected by the local conditions;
 4. States why the exception is necessary to protect the health and safety of the public; and
 5. Provides an estimate of the economic impact that the requested exception will have on the petitioning jurisdiction, other affected governmental entities, the public, unit owners, and licensees, and the facts upon which the estimate is based.
- C.** An exception ordered by the Board applies only within the jurisdiction that petitioned for the exception. The jurisdiction shall comply with any conditions specified in the exception order.
- D.** An exception order is effective on the date specified in the order, which will be at least 60 days after a Departmental Substantive Policy has been issued to all licensed installers describing the exception, the area within which it applies, and any provisions applicable to its use.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective December 13, 1979 (Supp. 79-6). Amended subsection (A), paragraph (5) effective September 17, 1980 (Supp. 80-5). Amended effective October 20, 1981 (Supp. 81-5). Amended subsection (A), paragraph (2) effective August 29, 1983 (Supp. 83-4). Former Section R4-34-103 renumbered to R4-34-104, new Section R4-34-103 renumbered from R4-34-102 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999

(Supp. 99-4). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-104. Workmanship Standards

- A.** All work shall be performed in a professional manner.
- B.** All work shall be performed in accordance with any applicable building code and professional industry standards.
- C.** If there is a conflict between professional standards and building code requirements, the latter will prevail.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsection (A) effective February 18, 1981 (Supp. 81-1). Amended subsection (A), paragraph (2) effective August 29, 1983 (Supp. 83-4). Amended subsection (A)(2)(d) effective July 18, 1984 (Supp. 84-4). Former Section R4-34-104 renumbered to R4-34-105, new Section R4-34-104 renumbered from R4-34-103 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Amended effective April 12, 1994 (Supp. 94-2). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-105. Repealed

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Former Section R4-34-105 renumbered to R4-34-106, new Section R4-34-105 renumbered from R4-34-104 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-106. Repealed

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective April 23, 1981 (Supp. 81-2). Amended effective October 20, 1981 (Supp. 81-5). Correction, subsection (A) (Supp. 81-6). Amended by adding subsection (C) effective April 30, 1982 (Supp. 82-2). Former Section R4-34-106 renumbered to R4-34-107, new Section R4-34-106 renumbered from R4-34-105 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-107. Repealed

Historical Note

Adopted as an emergency effective May 20, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 85-3). Permanent rule adopted effective August 13, 1985 (Supp. 85-4). Section R4-34-107 renumbered from R4-34-106 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

ARTICLE 2. LICENSING

R4-34-201. General

- A.** An administrative review of the application shall be performed within five business days of receipt of an application. The Deputy Director shall issue a conditional license within 14 business days of the Department's receipt of the completed license application and written evidence that the applicant has passed any required license examination. The five day administrative completeness and 14 day substantive review time-

frames provide an overall time-frame of 19 days excluding time requirements that are the responsibility of the applicant.

- B. Corporate applicants shall submit a copy of the articles of incorporation, and all amendments to the articles filed with the Arizona Corporation Commission, or, if a foreign corporation, the application for authority to transact business.
- C. When a retailer or installer licensee changes its legal entity but remains within the scope of the license and retains the same qualifying party, the licensee may request an exemption from any applicable testing requirement, provided the license is in good standing.
- D. Upon receipt and review of the applicant's criminal background analysis by the Deputy Director of the Office of Administration, and upon mailing notification to the applicant, the previously issued conditional license is automatically effective as a permanent license to transact business within the scope of the license.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective May 9, 1980 (Supp. 80-3). Amended subsection (B) effective January 20, 1981. Amended subsection (B) effective February 18, 1981 (Supp. 81-1). Amended subsection (B) effective April 23, 1981 (Supp. 81-2). Amended effective October 20, 1981 (Supp. 81-5). Correction, subsection (B)(6)(a) 1979 Edition (Supp. 81-6). Former Section R4-34-201 renumbered and amended as Section R4-34-202, new Section R4-34-201 adopted effective September 15, 1982 (Supp. 82-5). Amended subsection (A), paragraph (2) effective August 11, 1986. Amended by adding subsection (F) effective August 25, 1986 (Supp. 86-4). Amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1).

R4-34-202. Manufacturers

The Department shall place a manufacturer's license application into one of the following license classes, based on the listed activities that limit the scope of each class:

- 1. M-9A Manufacturer of Factory-Built Buildings and FBB Subassemblies:
 - a. Manufactures factory-built buildings and FBB subassemblies, or
 - b. Reconstructs factory-built buildings and FBB subassemblies.
- 2. M-9C Manufacturer of Manufactured Homes:
 - a. Manufactures manufactured homes.
 - b. Reconstructs manufactured homes.
- 3. M-9E Master Manufacturer: Performs work within the scope of classes M-9A and M-9C.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsections (A) and (C) effective February 18, 1981 (Supp. 81-1). Amended subsections (C) and (D) effective May 20, 1981 (Supp. 81-3). Amended subsections (B) and (D) effective October 20, 1981 (Supp. 81-5). Former Section R4-34-202 renumbered and amended as Section R4-34-203, former Section R4-34-201 renumbered and amended as Section R4-34-202 effective September 15, 1982 (Supp. 82-5). Amended subsections (B)(3), (B)(4)(b), and (B)(5)(a), by updating the Codes from 1979 Edition to 1982 Edition effective July 8, 1983

(Supp. 83-4). Amended by adding subsection (B)(6)(ii) effective February 14, 1984 (Supp. 84-1). Amended subsection (B)(6)(b) effective November 27, 1984 (Supp. 84-6). Amended effective April 4, 1986 (Supp. 86-2).

Amended subsection (B) effective August 11, 1986 (Supp. 86-4). Amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3).

Amended effective April 12, 1994 (Supp. 94-2). Amended effective November 1, 1995 (Supp. 95-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1).

R4-34-203. Retailers

The Department shall place a retailer's license application into one of the following license classes, based on the listed activities that limit the scope of each class:

- 1. D-8 Retailer of Manufactured Homes or Mobile Homes:
 - a. Buys, sells, or exchanges new or used manufactured homes, mobile homes, or accessory structures;
 - b. Acts as an agent for the sale or exchange of used manufactured homes, mobile homes, or accessory structures;
 - c. Makes alterations to new manufactured homes before a sale to a purchaser under R4-34-604; or
 - d. Contracts with properly licensed installers or contractors for the installation of manufactured homes, mobile homes, or accessory structures.
- 2. D-8B Broker of Manufactured Homes or Mobile Homes:
 - a. Acts as an agent for the sale or exchange of used manufactured homes or mobile homes, or
 - b. Contracts with properly licensed installers or contractors for the installation of manufactured homes, mobile homes, or accessory structures.
- 3. D-10 Retailer of Factory-Built Buildings and FBB Subassemblies:
 - a. Buys, sells, or exchanges new or used factory-built buildings and FBB subassemblies;
 - b. Acts as an agent for the sale or exchange of new or used factory-built buildings and FBB subassemblies;
 - c. Makes alterations to new factory-built buildings and FBB subassemblies before a sale to a purchaser; or
 - d. Contracts with properly licensed installers or contractors for the installation of factory-built buildings, FBB subassemblies, and residential single-family factory-built buildings, or accessory structures.
- 4. D-12 Master Retailer: Performs work within the scope of classes D-8, D-8B, and D-10.

Historical Note

Former Section R4-34-202 renumbered and amended as Section R4-34-203 effective September 15, 1982 (Supp. 82-5). Amended subsections (A)(1), (A)(2), and (A)(3) by updating the Codes from 1979 Edition to the 1982 Edition effective July 8, 1983 (Supp. 83-4). Amended subsection (A)(4) effective November 27, 1984 (Supp. 84-6). Amended by adding subsection (D) with Exhibits 1, 2, and 3 effective January 2, 1985 (Supp. 85-1). Amended subsection (D) effective April 4, 1986 (Supp. 86-2). Amended subsection (B) effective August 11, 1986 (Supp. 86-4). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11

A.A.R. 464, effective March 5, 2005 (Supp. 05-1).
Amended by final rulemaking at 14 A.A.R. 286, effective
March 8, 2008 (Supp. 08-1).

R4-34-204. Installers

A. The Department shall place an installer's license application into one of the following license classes, based on the listed activities that limit the scope of each class:

1. I-10C General Installer of Manufactured Homes, Mobile Homes, or Residential Single-Family Factory-Built Buildings:
 - a. Installs manufactured homes, mobile homes, or residential single-family factory-built buildings on foundation systems;
 - b. Installs ground anchors and tie down manufactured homes or mobile homes;
 - c. Connects water, sanitary waste, gas, and electrical systems of all amperages to the proper onsite utility terminals provided by others;
 - d. Installs evaporative coolers and cooler systems on manufactured homes, mobile homes, or residential single-family factory-built buildings;
 - e. Installs roof jack to cooler ducts;
 - f. Installs duct work;
 - g. Provides electrical service and controls to cooler from nearest supply source;
 - h. Provides water to the cooler from the nearest fresh water source; or
 - i. Performs work as indicated under manufacturer's warranty for the unit.
2. I-10D Installer of Accessory Structures attached to Manufactured Homes, Mobile Homes, or Residential Single-Family Factory-Built Buildings:
 - a. Installs prefabricated accessory structure units;
 - b. Constructs accessory structures onsite;
 - c. Places concrete footings or slabs for accessory structures; or
 - d. Contracts with properly licensed contractors for the installation of plumbing, electrical, and mechanical equipment as part of an accessory structure and subcontracts all or any part of the items within this subsection to properly licensed installers or contractors.
3. I-10G Master Installer of Manufactured Homes, Mobile Homes, or Residential Single-Family Factory-Built Buildings:
 - a. Performs work within the scope of classes I-10C and I-10D,
 - b. Installs evaporative cooling units and refrigeration air conditioning units, or
 - c. Subcontracts with properly licensed installers or contractors.

B. Installer applicants. In addition to meeting the applicable requirements in subsections (A)(1) through (3), an applicant for an installer I-10C, I-10D, or I-10G license shall:

1. Have a minimum of three years practical or field management experience in the specific type of installation, a related construction field, or the equivalent, for which the applicant is applying. At least two of the three years experience shall be within 10 years of the date of application. The applicant may substitute technical training in the specific type of installation, a related construction field, or the equivalent, from an accredited college or university or from a Department of Fire, Building and Life Safety workshop for no more than one year of the three years experience required in this subsection;

2. Supply a written, notarized statement from each employer or other individual familiar with the applicant's employment or other work experience, which includes the name, address, and telephone number of the individual making the statement, the dates of the applicant's employment or other work experience, a description of the position held, and a notarial certificate, indicating that the signer vouches for the truthfulness of the statement as proof of meeting the experience requirement in subsection (B)(1); and
3. Supply a certified copy of each official transcript or certificate, demonstrating successful completion of any technical training the applicant wishes the Department to consider as proof of meeting the experience requirement in subsection (B)(1).

Historical Note

Adopted effective November 27, 1984 (Supp. 84-6).
Repealed effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 13 A.A.R. 3582, effective December 1, 2007 (Supp. 07-4).
Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1).

R4-34-205. Repealed

Historical Note

Adopted effective February 8, 1991 (Supp. 91-1).
Amended effective September 3, 1992 (Supp. 92-3).
Amended effective December 14, 1994 (Supp. 94-4).
Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT

R4-34-301. Transaction Copies

- A.** In all retail transactions, the retailer shall provide the purchaser with completed and signed copies of all documents pertaining to the transaction.
- B.** In all brokered transactions, each broker shall provide the client with completed and signed copies of all documents pertaining to the transaction.
- C.** In a brokered transaction where the purchaser is not represented by an agent, the listing broker shall provide the purchaser with completed and signed copies of all documents pertaining to the transaction.
- D.** In a co-brokered transaction, the listing broker shall provide a copy of the listing agreement to the selling broker, and the selling broker shall provide a copy of all documents pertaining to the transaction to the listing broker.
- E.** A retailer or broker shall maintain records containing all transaction documents.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended subsections (A) and (C) effective October 20, 1981 (Supp. 81-5). Amended by adding subsection (D) effective April 20, 1982 (Supp. 82-2). Former Section R4-34-301 renumbered to R4-34-701, new Section R4-34-301 renumbered from R4-34-701 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-302. Advertising

- A. A retailer or broker shall include the retailer's licensed business name in all advertising.
- B. A broker shall not advertise or market a used home for more than the listed price.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective March 17, 1981 (Supp. 81-2).
Amended subsections (A) and (C) effective October 20, 1981 (Supp. 81-5). Former Section R4-34-302 renumbered to R4-34-702, new Section R4-34-302 renumbered from R4-34-702 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-303. Brokered Transactions

- A. A broker shall provide a copy of the agency disclosure to the party or parties being represented.
- B. The seller's broker shall place all earnest money deposits received in connection with a sales transaction in the broker's trust or escrow account in accordance with A.R.S. § 41-2180.
- C. Upon consummation of a brokered transaction, the seller's broker shall provide the seller with a closing statement that includes an accounting of all expenses charged to the seller, all pro rations, and all credits.
- D. Upon consummation of a brokered transaction, the purchaser's broker shall provide the purchaser with a closing statement that includes an accounting of all expenses charged to the purchaser, all pro rations, and all credits.
- E. In a co-brokered transaction, the seller shall pay the commission shown on the listing agreement as the total commission.
- F. The seller's broker shall prepare an addendum to the listing agreement if any of the terms of the listing agreement change. The seller's signature is required for the addendum to be valid. The addendum to the listing agreement shall reflect the date that the seller signs the addendum to the listing agreement.
- G. Should the seller elect to finance the unpaid balance reflected on the offer to purchase or purchase contract, the agent shall:
1. Maintain evidence of the original portion of the purchase price being financed by the seller or agent, and
 2. Maintain evidence that the title has been transferred into the name of the purchaser and that the lienholder's position has been secured on the title.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective March 17, 1981 (Supp. 81-2).
Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-303 renumbered to R4-34-703, new Section R4-34-303 renumbered from R4-34-703 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-304. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective October 20, 1981 (Supp. 81-5).
Amended effective April 30, 1982 (Supp. 82-2). Former Section R4-34-304 renumbered to R4-34-704, new Section R4-34-304 renumbered from R4-34-704 and amended effective July 3, 1991 (Supp. 91-3). Section

repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-305. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-305 renumbered to R4-34-705, new Section R4-34-305 renumbered from R4-34-705 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-306. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective November 19, 1980 (Supp. 80-6).
Amended effective October 20, 1981 (Supp. 81-5).
Amended effective October 8, 1982 (Supp. 82-5). Former Section R4-34-306 renumbered to R4-34-706, new Section R4-34-306 renumbered from R4-34-706 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-307. Repealed**Historical Note**

Adopted effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-308. Repealed**Historical Note**

Adopted effective February 8, 1991 (Supp. 91-1).
Amended effective September 3, 1992 (Supp. 92-3).
Amended effective December 14, 1994 (Supp. 94-4).
Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-309. Repealed**Historical Note**

Adopted effective February 8, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

ARTICLE 4. SURETY BONDS**R4-34-401. Surety Bond Forms**

Manufacturers, installers, and retailers except brokers of manufactured homes, mobile homes, or residential single-family factory-built buildings, shall submit the applicable surety bond amount from the list in R4-34-502, with a form provided by the Office of Administration.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended subsection (A) effective October 20, 1981 (Supp. 81-5). Amended subsection (B) effective April 30, 1982 (Supp. 82-2). Former Section R4-34-401 renumbered to R4-34-501, new Section R4-34-401 renumbered from R4-34-901 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1).

R4-34-402. Cash Deposits

- A. Except for applicants exempt under R4-34-401, any applicant for a license or renewal of a license who desires to post cash in place of a commercial surety bond shall deposit the applicable amount with the Deputy Director of the Office of Administration using any one of the following payment methods:
1. Cash,
 2. Certified check payable to the State Treasurer,
 3. Cashier's check payable to the State Treasurer,
 4. Bank money order payable to the State Treasurer, or
 5. Postal money order payable to the State Treasurer.
- B. Upon the receipt by the Deputy Director of the Office of Administration of an order from any court for the payment of funds on deposit, the Deputy Director shall make payment according to the court order, at which time the license is suspended under A.R.S. § 41-2179, if applicable. In order to reinstate the license, the licensee shall return the cash deposit to the required balance or, as an alternative, file a commercial surety bond for the full amount and pay all applicable reinstatement fees.
- C. The cash deposit is not transferable.
- D. The applicant shall make the cash deposit in the name of the applicant as it appears on the license application.
- E. The applicant may withdraw the cash deposit under the following circumstances:
1. The license is not issued;
 2. The license has been terminated for two years or more by expiration, revocation, or voluntary cancellation, and there are no outstanding claims against the deposit; and
 3. Two years after an applicant files a commercial surety bond as a replacement for the cash deposit, if there are no outstanding claims.
- F. Upon written request and subsequent approval by the Deputy Director of the Office of Administration, a cash deposit may be withdrawn by the owner of a sole proprietorship, any partner of a partnership, any person with written evidence of authority to withdraw the cash deposit for a corporation, and any other person who can establish legal right to the cash deposit.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Former Section R4-34-402 renumbered to R4-34-502, new Section R4-34-402 renumbered from R4-34-902 effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1).

R4-34-403. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-403 renumbered to R4-34-503, new Section R4-34-403 renumbered from R4-34-903 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-404. Repealed**Historical Note**

R4-34-904 adopted effective January 31, 1979 (Supp. 79-1). Amended subsections (A) and (B) effective October 20, 1981 (Supp. 81-5). Editor's correction, subsection (B)(2) (Supp. 85-2). Former Section R4-34-904 renum-

bered to R4-34-404 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

ARTICLE 5. FEES**R4-34-501. General**

- A. The Board shall establish a fee schedule before May 15 for the coming fiscal year.
- B. The Deputy Director of the Office of Administration shall notify all licensees of the established fee schedule before June 1 of each year.
- C. Licensees shall pay fees for the following services and may request a fee schedule from the Office:
1. Manufacturer license,
 2. Retailer license,
 3. Installer license,
 4. Salesperson license,
 5. Inspection and technical service,
 6. Plans and supplements,
 7. Installation permits and insignias, or
 8. Administrative functions.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended M-9B, M-9C, and M-9E effective October 20, 1981 (Supp. 81-5). Amended by adding M-9F effective April 30, 1982 (Supp. 82-2). Former Section R4-34-501 renumbered to R4-34-801, new Section R4-34-501 renumbered from R4-34-401 and amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1).

R4-34-502. License Bond Amounts

- A. An applicant shall submit the applicable license bond amount listed for each license class.

License Class	Bond Amount
M-9A	\$10,000.00
M-9C	\$65,000.00
M-9E	\$100,000.00
D-8	\$25,000.00
D-10	\$25,000.00
D-12	\$25,000.00
I-10C	\$2,500.00
I-10D	\$1,000.00
I-10G	\$5,000.00

- B. The Board shall not renew a license unless the applicant's surety bond or cash deposit is in full force and effect.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended D-8, D-8A, D-9, D-12 and added D-8B effective October 20, 1981 (Supp. 81-5). Amended D-8 effective January 31, 1983 (Supp. 83-1). Former Section R4-34-502 renumbered to R4-34-802, new Section R4-34-502 renumbered from R4-34-402 and amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1).

R4-34-503. HUD Monitoring Inspection

Each manufactured home manufacturer shall pay a fee as established by the U.S. Department of Housing and Urban Development for each unit manufactured in this state. This fee shall be made payable to the Secretary of HUD for purchase of HUD labels. This fee is in addition to the inspection fee required by R4-34-501(C)(5).

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended I-10D effective August 21, 1981 (Supp. 81-4). Amended effective October 20, 1981 (Supp. 81-5). Correction, I-10G (Supp. 81-6). Former Section R4-34-503 renumbered to R4-34-803, new Section R4-34-503 renumbered from R4-34-403 and amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-504. HUD Label Administration

In addition to the fees required under R4-34-501(C), each manufactured home manufacturer shall pay to the Office of Administration a fee of \$5 for each label issued in this state.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-505. Plans and Supplements

If a plan or supplement submitted is not acceptable and the licensee fails to supply a complete and correct submittal within 60 days after the date on the notification letter, the Department shall treat the submittal fee originally paid by the licensee as forfeited and return the submittal. Resubmissions shall be accompanied by a new submittal fee.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-506. Intergovernmental Agreement Permits

The permit fee charged by local enforcement agencies participating in the Installation Inspection Program shall not exceed the amount established by the Board for the same service.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION**R4-34-601. Manufactured Homes**

A manufacturer shall build a manufactured home according to the standards in R4-34-102.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsection (C) effective October 20, 1981 (Supp. 81-5). Amended by adding M-9F effective April 30, 1982 (Supp. 82-2). Amended subsection (C) effective June 18, 1982 (Supp. 82-3). Amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-602. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Repealed by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1).

R4-34-603. Factory-built Buildings and FBB Subassemblies

- A.** A manufacturer shall construct a factory-built building or a FBB subassembly according to the applicable standards in R4-34-102(2) and:
1. Provide a complete set of drawings and specifications to the Department under R4-34-703(B);
 2. Affix a permanent serial number to each unit during the first stage of manufacturing. If a unit has multiple sections, the manufacturer shall ensure that each section is separately identified. The serial number location and application method shall be shown in the plans required under R4-34-703(B)(7); and
 3. Affix an Arizona Insignia of Approval to each completed section. The insignia shall indicate the unit serial number and plan approval number, and be located on the unit as indicated in the plans required under R4-34-703(B)(8).
- B.** A manufacturer of a non-residential factory-built building or a FBB subassembly shall comply with 10 A.A.C. 3 relating to the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- C.** The Department may require that a manufacturer of a factory-built building or FBB subassembly produced and shipped before plan approval remove the unit from this state and remove insignias based on the following factors:
1. Probable harm to the public's safety and welfare,
 2. Number of previous violations of a similar nature, and
 3. Unwillingness of the manufacturer to comply with plan submittal and requirements.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-604. Alterations

A retailer shall ensure that alterations are consistent with applicable standards and codes, as prescribed in R4-34-704(A).

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective June 13, 1980 (Supp. 80-3). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1).

R4-34-605. Reconstruction

A manufacturer shall ensure that reconstruction is consistent with applicable codes, as prescribed in R4-34-704(B).

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
 Amended effective April 21, 1982 (Supp. 82-2).
 Amended effective July 3, 1991 (Supp. 91-3). Section
 repealed by final rulemaking at 6 A.A.R. 47, effective
 December 8, 1999; new Section adopted by final
 rulemaking at 6 A.A.R. 145, effective December 8, 1999
 (Supp. 99-4).

R4-34-606. Rehabilitation of Mobile Homes

- A.** A rehabilitation permit shall be obtained from the office prior to any modification of the unit.
- B.** The following requirements shall be met for a mobile home to be issued a certificate of compliance:
1. A smoke detector (which may be a single station alarm device) shall be installed on any wall in a hallway or space connecting bedroom(s) and living areas. When located in a hallway the detector shall be between the return air intake and the living area. Each smoke detector shall be installed in accordance with its listing. The top of the detector shall be located between 4 inches to 12 inches below the ceiling;
 2. The walls, ceilings, and doors of each gas fired furnace and water heater compartment shall be lined with 5/16 inch gypsum board, unless the door opens to the exterior of the unit in which case the door may be all metal construction. All exterior compartments shall seal to the interior of the unit;
 3. Each room designated expressly for sleeping purposes shall have at least one outside egress window or approved exit device, unless it has an exterior exit door. The window or exit shall have a minimum clear dimension of 22 inches and a minimum clear opening of 5 square feet. The bottom of the exit shall not be more than 36 inches above the floor;
 4. All electrical systems shall be tested for continuity to assure that metallic parts are properly bonded, tested for operation to demonstrate that all equipment is connected and in working order, and given a polarity check to determine that connections are proper. The electrical system shall be properly protected for the required amperage load. If the unit wiring is of aluminum conductors, all receptacles and switches rated 20 amperes or less directly connected to the aluminum conductors shall be marked CO/ALR. Exterior receptacles other than heat tape receptacles, shall be of the ground fault circuit interrupter (GFI) type. Conductors of dissimilar metals (Copper/Aluminum/or Copper Clad Aluminum) must be connected in accordance with NEC Section 110-14; and
 5. The unit's gas piping shall be tested with the appliance valves removed from the piping system and piping capped at those areas. The piping system shall withstand a pressure of at least 6 inch mercury or 3 psi gauge for a period of not less than 10 minutes without showing any drop in pressure. Pressure shall be measured with a mercury manometer or a slope gauge calibrated so as to read in increments of not greater than 1/10th pound or equivalent device. The source of normal operating pressure shall be isolated before the pressure test is made. After the appliance connections are reinstalled, the piping system and connections shall be tested with line pressure of not less than 10 inches nor more than 14 inches water column air pressure. The appliance connections shall be tested for leakage with soapy water or bubble solution. All gas furnaces and water heaters shall be vented to the exterior in accordance with UMC Chapter 8.

- C.** The unit shall be inspected by the office to ascertain compliance with subsection (B).
- D.** The office shall issue a certification of compliance for each unit in compliance with subsection (B), and affix an insignia of approval to the exterior wall nearest the point of entrance of the electrical service.
- E.** Upon request the office shall issue a waiver for a unit that does not qualify as a mobile home. The category of the unit shall be determined by inspection of the unit or presentation of acceptable documents. The waiver fee is applicable if the category of the unit can be determined to qualify for exemption. If an inspection of the unit is necessary to determine its category, the inspection fee shall apply.
- F.** A person served with a correction notice shall make the required corrections within the time period specified in the notice. The time period shall be determined by the office based on the severity of the hazard or violation in the time reasonably needed to make the correction. A minimum of 30 days shall be allowed unless an imminent safety hazard is found, or if the correction has been unreasonably delayed. In either event an Order to Vacate shall be issued to the person occupying the unit.
- G.** A person occupying a non-rehabilitated unit shall be served with an Order to Vacate that unit within 5 days if on inspection the unit is found to contain an imminent safety hazard.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
 Amended effective August 13, 1980 (Supp. 80-4).
 Amended effective October 20, 1981 (Supp. 81-5).
 Amended effective January 31, 1986 (Supp. 86-1).
 Amended effective July 3, 1991 (Supp. 91-3). Section
 repealed by final rulemaking at 6 A.A.R. 47, effective
 December 8, 1999; new Section adopted by final
 rulemaking at 6 A.A.R. 145, effective December 8, 1999
 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R.
 464, effective March 5, 2005 (Supp. 05-1).

R4-34-607. Manufacturing Inspection and Certification

- A.** The Department shall conduct manufactured home plant certification under R4-34-102(1).
- B.** Before issuing insignias the Department shall certify that each manufacturing facility of factory-built buildings or FBB sub-assemblies is capable of manufacturing the units or sub-assemblies to the specifications in the approved drawings and the quality assurance manual.
- C.** Unit certification:
1. The Department shall conduct manufactured home certification under R4-34-102(1); and
 2. Each manufacturer of factory-built buildings, FBB sub-assemblies, and reconstructed units shall certify compliance with approved plans by affixing an Arizona Insignia of Approval to each unit or subassembly before delivery to a retailer.
- D.** Records and reporting:
1. Each manufacturer of manufactured homes shall report affixing HUD labels, complete any other required reports, and establish and maintain records required under R4-34-102(1); and
 2. Each manufacturer of factory-built buildings, reconstructed units, and FBB sub-assemblies shall report to the Department affixing Arizona Insignias of Approval by the 15th day of each month.
- E.** The Department shall decertify a production facility for any one of the following reasons:
1. An inspector identifies a serious defect existing in more than one unit;

2. An inspector identifies three or more repetitive failures to specifications in the approved plans, codes, or quality assurance manual;
 3. A licensee within this state fails to produce approved units for more than six consecutive months; or
 4. An out-of-state licensee fails to file quarterly inspection reports for a period of six consecutive months.
- F.** Recertification is required upon decertification of a production facility.
1. The Department shall evaluate the production process to assure the manufacturer's procedures are consistent with the approved plans, codes, and quality assurance manual at every stage of production.
 2. Upon the manufacturer's successful completion of the recertification process, the Department shall issue insignias to the manufacturer.
- G.** Inspection of retailer lots:
1. The Department shall conduct regular inspections of retailer lots to assure compliance with approved plans, standards, and A.R.S. § 41-2195.
 2. The Department may require that a manufacturer of units produced and shipped before plan approval remove the units from this state and remove insignias based on the following factors:
 - a. Probable harm to the public's safety and welfare,
 - b. Number of previous violations of a similar nature, and
 - c. Unwillingness of the manufacturer to comply with plan submittal and requirements.

Historical Note

Adopted effective June 23, 1980 (Supp. 80-3). Amended effective October 20, 1981 (Supp. 81-5). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-608. Repealed**Historical Note**

Adopted effective January 20, 1981 (Supp. 81-1). Amended effective October 20, 1981 (Supp. 81-5). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-609. Repealed**Historical Note**

Adopted effective July 3, 1984 (Supp. 84-4). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

R4-34-610. Repealed**Historical Note**

Adopted effective July 3, 1984 (Supp. 84-4). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

ARTICLE 7. PLAN APPROVALS**R4-34-701. General**

- A.** Before construction of a unit or subassembly, a manufacturer shall submit to the office:
1. The quality assurance manual required by R4-34-702, and
 2. The drawings and specifications required by R4-34-703.
- B.** Before performance of any alteration, a retailer shall obtain plan approval under R4-34-704(A).
- C.** Before installing an accessory structure or ground anchors for a manufactured home, mobile home, or residential single-family factory-built building, an installer shall obtain plan approval under R4-34-705.
- D.** Before reconstructing a manufactured home or factory-built building, a manufacturer shall obtain plan approval under R4-34-704(B).
- E.** Before the installation of a factory-built building a person installing the building shall obtain plan approval under R4-34-706.
- F.** The Department shall determine whether a submittal is administratively complete within 20 business days after receipt of a submittal. The Department shall review all plans within 20 business days after receipt of a complete submittal. The overall time-frame for plan approval is 40 days, excluding time for requirements that are the responsibility of the applicant.
- G.** A manufacturer, retailer, or installer shall provide an original and one copy of each submittal.
- H.** A manufacturer, retailer, or installer shall update each plan so that it is consistent with current standards and codes adopted by the Board. Supplements are acceptable for this purpose.
- I.** Plans submitted shall be stamped by an engineer registered by the State of Arizona.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective December 13, 1979 (Supp. 79-6). Amended by adding subsection (K) effective July 8, 1981 (Supp. 81-4). Amended subsections (A), (G), and (K), and added subsection (L) effective October 20, 1981 (Supp. 81-5). Correction, subsection (G)(3) (Supp. 81-6). Amended subsection (C) effective January 31, 1983 (Supp. 83-1). Amended subsection (B) effective May 23, 1983 (Supp. 83-3). Amended effective April 5, 1985 (Supp. 85-2). Former Section R4-34-701 renumbered to R4-34-301, new Section R4-34-701 renumbered from R4-34-301 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1).

R4-34-702. Quality Assurance Manuals

- A.** A manufacturer of manufactured homes shall prepare the quality assurance manual required by R4-34-102(1).
- B.** A manufacturer of factory-built buildings and FBB subassemblies shall prepare a quality assurance manual that has all of the following attributes:
1. Format:
 - a. 8 1/2 by 11 inch size,
 - b. An index page, and
 - c. Revision traceability.
 2. Contents:
 - a. An organization chart, by position, of all quality control personnel responsible for compliance of

incoming components and in-plant manufacturing activities;

- b. A description of the quality assurance program adhered to by personnel listed on the organization chart;
- c. A flow chart depicting the minimum in-plant inspection requirements, using stations, a production control routing document, stage of manufacture or type of work control, or an equivalent method of in-plant inspection;
- d. A description of tests performed and test equipment used;
- e. A description of procedures for receiving and inspecting construction materials, handling damaged material, and rotating stock;
- f. A description of procedures for control of drawings and insignias; and
- g. A description of recordkeeping procedures.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective May 9, 1980 (Supp. 80-3). Amended subsections (B), (C), (D) effective October 20, 1981 (Supp. 81-5). Amended by adding subsection (E) effective January 20, 1982 (Supp. 82-1). Amended by adding subsection (C), paragraph (3) and subsection (D), paragraph (3) effective April 30, 1982 (Supp. 82-2). Amended effective April 5, 1985 (Supp. 85-2). Former Section R4-34-702 renumbered to R4-34-302, new Section R4-34-702 renumbered from R4-34-302 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-703. Drawings and Specifications

- A. A manufacturer of manufactured homes shall submit drawings and specifications that comply with applicable standards in R4-34-102(1).
- B. A manufacturer of factory-built buildings or FBB subassemblies shall submit plans that comply with the applicable standards in R4-34-102(2). The plans shall provide or have the following information or format attributes:
 1. A set of drawings, process descriptions, component lists, shop drawings, or other documents that specify and identify each component, process, assembly operation, and manufacturing step;
 2. A complete set of dimensional views designating the location of all processes performed in the manufacture of the unit or subassembly;
 3. A complete listing of all components and subassemblies by cross identification to usage;
 4. A traceable identification for each component and subassembly listed;
 5. A complete listing of all processes by cross identification to usage;
 6. An onsite foundation specification for each unit for a given soil bearing capacity;
 7. The location and process for stamping the permanent serial number; and
 8. The location of the Arizona Insignia of Approval.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective December 13, 1979 (Supp. 79-6). Amended effective May 9, 1980. Amended effective June 23, 1980 (Supp. 80-3). Amended subsection (G) effective July 29, 1980 (Supp. 80-4). Amended effective October 20, 1981 (Supp. 81-5). Amended subsection (B)(1) effective July 20, 1984 (Supp. 84-4). Amended effective April 5, 1985 (Supp. 85-2). Former Section R4-34-703 renumbered to R4-34-303, new Section R4-34-703 renumbered from R4-34-303 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-704. Alterations or Reconstruction

- A. Alterations.
 1. A retailer or broker performing any alteration on a unit shall send notice of the alteration to the manufacturer of the unit.
 2. A retailer or broker performing an alteration on a unit shall prepare a detailed set of drawings and specifications that depict all aspects of the alteration and any serial numbers of the unit.
 3. A retailer or broker shall ensure that manufactured home plans comply with the manufactured home construction and safety standards prescribed in R4-34-102(1).
 4. A retailer or broker shall ensure that factory-built building and FBB subassembly plans comply with R4-34-703(B).
- B. Reconstruction.
 1. A manufacturer shall comply with the standards in R4-34-102(2) when preparing reconstruction plans.
 2. A manufacturer preparing reconstruction plans shall prepare a detailed set of drawings and specifications that depict all aspects of the reconstruction and contain the serial number of the unit.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsection (F) effective August 28, 1980 (Supp. 80-4). Amended effective October 20, 1981 (Supp. 81-5). Amended effective April 5, 1985 (Supp. 85-2). Former Section R4-34-704 renumbered to R4-34-304, new Section R4-34-704 renumbered from R4-34-304 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-705. Accessory Structures and Ground Anchoring

- A. Accessory structures.
 1. For commercial factory-built buildings, an installer shall comply with the International Building Code when preparing accessory structure plans. For residential single-family factory-built buildings, an installer shall comply

with the International Residential Code when preparing accessory structure plans.

2. The Department may approve a design that does not comply with the International Building Code or the International Residential Code based on a demonstration by an Arizona Registered Engineer that the design is engineered to standards at least equivalent to those in the applicable code.
 3. An installer shall submit plans for all accessory structures except skirting, evaporative coolers, refrigeration, air conditioning systems, and storage rooms of less than 120 square feet.
- B.** Ground anchoring plans shall be certified by a registered engineer or approved by the Office of Manufactured Housing so that anchoring systems resist overturning and lifting effects of the wind.
1. An installer shall comply with the applicable requirements in R4-34-102 or the manufacturer's installation manual when preparing ground anchoring plans. If neither apply, the Department shall compare the plans to those of an equivalent, current installation to determine whether the plans are approveable.
 2. The plans shall be of sufficient detail and description that all materials, dimensions, and processes can be readily identified.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1).

R4-34-706. Factory-built Building Installation

- A.** An installer shall complete and submit an application form obtained from the Department.
- B.** An installer shall include the following in the installation plans:
1. The site plans, including the location of the building and location of all utility lines;
 2. The foundation plans, including:
 - a. A description of the soil class and the soil bearing pressure;
 - b. Footings designed to meet the minimum bearing pressure at the depth required;
 - c. A complete set of drawings indicating dimensions and details of the foundation footing and anchoring; a complete list of materials, and a cross-identification of how materials will be used, in the appropriate view; and
 - d. Calculations, prepared by an engineer, for all load conditions, including wind loads for horizontal loads, uplift loads, overturning; and horizontal and torsional earthquake effects on foundations.
 3. Electrical drawings, including the isometric one-line diagram required by R4-34-102(2)(g), that contain the following information:
 - a. Size and type of conductors, length of feeders, and all amperage;
 - b. Dimensions of gutterways and raceways;
 - c. Complete details of panelboards, switchboards, and distribution centers; and
 - d. All grounding and bonding connections.
 4. Plumbing drawings, including any one-line diagrams required by R4-34-102(2)(d) and (e) that contain the following information:
 - a. Location of sewer tap, water meter, and gas meter;

- b. Size, length, and all materials for sewer, water, and gas lines; and
- c. Location of all cleanouts and grade of sewer line.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

ARTICLE 8. PERMITS AND INSTALLATION

R4-34-801. Permits

- A.** A licensee or consumer shall obtain a permit for the installation of manufactured homes, mobile homes, factory-built buildings, accessory structures, or rehabilitation of mobile homes.
- B.** The Department shall issue or deny a permit within seven business days from the date the application is received.
- C.** A licensee or consumer shall obtain a permit before beginning any work and post the permit in a conspicuous location onsite. The licensee who contracts to install a unit or a licensed installer who subcontracts to perform the installation shall verify that a valid installation permit has been obtained before beginning the installation.
- D.** Local jurisdictions that have entered into agreement with the Department may issue installation permits and conduct inspections.
- E.** A permit fee shall be charged either by the Department or the local jurisdiction participating in the installation inspection program. The fee charged by the Department shall be the amount established by the Board under A.R.S. § 41-2144(A)(4). The fee charged by a local jurisdiction shall not exceed the amount established by the Board under A.R.S. § 41-2144(A)(4).
- F.** Every permit except a special use permit expires six months from the date the permit is issued. The Department may extend the permit for good cause.
- G.** A licensee or consumer shall obtain a certificate of occupancy from the Department before occupying a commercial factory-built building.
- H.** The permit holder, owner, or contractor shall call for all required inspections.
- I.** All work listed on the permit shall be accessible (opened) for inspections.
- J.** Approved plans or the manufacturer's installation manual shall be available onsite.
- K.** A special use permit for factory-built buildings used for events of 45 days or less shall be obtained from the Department. The permit expires 45 days from the date of purchase. The unit shall be removed from the site when the permit expires.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-801 repealed, new Section R4-34-801 renumbered from R4-34-501 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-802. General Installation

- A.** An installer or contractor shall affix and complete an Arizona Insignia of Approval to each manufactured home, mobile home, or single-family factory-built building at the tail-light

end of each unit, approximately one foot up from the floor and one foot in from the road side. "Road side" means the right side of the unit when viewing the unit from the hitch. The installer or contractor shall affix the insignia before calling the Office for an inspection.

- B. An installer or contractor shall make a report by the 15th of each month regarding compliance with subsection (A).
- C. An installer or contractor shall check with local jurisdictions for frost line requirements governing permanent foundations or utilities.
- D. An installer or contractor shall install multi-sectional manufactured homes manufactured after June 30, 1977, according to the manufacturer's instructions for joining the sections, making utility cross-over connections, and providing center (marriage) line and perimeter supports if the instructions are consistent with this Chapter.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended subsections (A), (D), (F), and (L) effective October 20, 1981 (Supp. 81-5). Former Section R4-34-802 repealed, new Section R4-34-802 renumbered from R4-34-502 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

R4-34-803. Soil and Materials

- A. A licensee that contracts with a consumer for an installation shall perform or contract for any site preparation necessary to make the site compatible with the manufactured home, mobile home, or residential single-family factory-built building to be installed. The licensee may contract with a licensed installer or other qualified professional to assess site and soil compatibility or perform any necessary preparation work. The party actually performing the site compatibility assessment or work is primarily responsible for work related to site compatibility or preparation. The licensee that contracts with the consumer, if a different entity, is secondarily responsible.
- B. Soil Preparation
 - 1. Unless contrary to law, an installer or contractor shall:
 - a. Divert any surface water away from the dwelling, any accessory structures, and their support components;
 - b. Provide sufficient drainage to prevent standing water and soil saturation detrimental to structures;
 - c. Establish soil grades that slope away from the dwelling, any accessory structures, and their support components; and
 - d. Compact all fill and backfill within 6 feet of the perimeter of the unit to prevent displacement.
 - 2. When determining soil compaction an installer or contractor shall:
 - a. Assume a minimum bearing capacity of 1,000 psf; or
 - b. Test and prove a minimum bearing capacity of 1,000 psf to the onsite inspector; or
 - c. Adhere to the specifications of a registered engineer, provided onsite, to an inspector.
- C. Materials: An installer or contractor shall use materials that comply with applicable standards incorporated in R4-34-102.
- D. Footings: An installer or contractor shall:
 - 1. Place each footing on a surface capable of distributing equalized transfer of applied loads;

- 2. Calculate and use the minimum size of each footing, necessary to minimize settling of the unit accounting for local soil conditions;
- 3. Use piers with a maximum square base of 11 1/2 inch installed on 12 inch by 12 inch footings to support mobile and manufactured homes manufactured before January 1, 1984;
- 4. Use main frame blocking installed on footings with 144 square inches of surface placed 3 feet, 6 inches from center, or footings with 256 square inches of surface placed at 6 foot intervals to support manufactured homes manufactured on or after January 1, 1984;
- 5. Use footing material with one of the following attributes:
 - a. Minimum 3/4-inch thick plywood or two layers of 5/8-inch thick plywood no less than 12 inches wide. The plywood shall be Grade CDX APA Rated Sheeting Exposure 1, PSI-treated for ground contact, conforming to International Building Code or International Residential Code, as applicable under R4-34-102(2)(a) or (b);
 - b. Minimum 2-inch nominal thickness wood no less than 12 inches wide, and treated for ground contact, conforming to the International Building Code or the International Residential Code, as applicable under R4-34-102(2)(a) or (b);
 - c. Minimum 3-inch thick precast concrete pad with either 256 or 144 square inches of ground surface. The concrete shall have a minimum of 28 days compressive strength of not less than 4000 pounds per square inch; or
 - d. Hard plastic pad with either 256 or 144 square inches of ground surface. The plastic pad shall withstand a minimum vertical concentrated load failure rating of 15,000 pounds when tested on very dense and coarse gravel soils. "Failure" means that a crack at least 4 inches in length has appeared anywhere on the pad or the pad's surface has curled or bowed.
- 6. Stack plywood with face grain perpendicular and fasten the plywood with corrosion-resistant nails or 7/16-inch wide-crown staples or screws;
- 7. Fasten wood products that are stacked with corrosion-resistant nails or 7/16-inch wide-crown staples or screws;
- 8. Not use any 2-inch thick piece of wood with split penetration greater than 4 inches into the end of the piece and parallel to the edges of the piece;
- 9. When precast concrete pads are stacked, use pads with equal sized surface sides;
- 10. When concrete masonry unit (CMU) building blocks are used for supports, use only 256 square inch ground and 8 inch by 16 inch caps;
- 11. Stack plastic pads only when the pad is provided with an interlocking system; and
- 12. Stack no more than two equal sized concrete pads per support.
- E. Supports (piers): An installer or contractor shall:
 - 1. Place supports or piers on footings that do not exceed the size of the footing;
 - 2. Ensure that supports or piers bear no greater load than 8,000 pounds;
 - 3. Ensure that supports or piers have a minimum vertical concentrated load failure rating of 15,000 pounds;
 - 4. Not use supports with a height in excess of 36 inches or less than 12 inches for more than 25% of the supports along the main beams of the chassis, including footing;

5. For a below ground installation, ensure that the height of the bottom of the perimeter rim joist is a minimum of 6 inches above finished grade;
 6. Ensure that the height of the bottom of the floor joist is a minimum of 18 inches above soil base unless otherwise specified by the manufacturer in instructions consistent with this Chapter;
 7. Locate supports or piers under the main beams of the chassis at intervals no greater than 6 feet and no more than 2 feet from either end of each main beam. When intervals no greater than 6 feet are not feasible because of running gear, supports shall be located as close as possible to the running gear with the remainder of the supports spaced according to the 6 and 2 foot requirements;
 8. Stagger the flanges on top of supports or piers so that every other flange is on the opposite side of the beam; and
 9. Construct permanent support heights to the International Building Code or the International Residential Code as applicable under R4-34-102(2)(a) or (b).
- F. Wedges:** An installer or contractor shall:
1. Use two wedges in alignment per support;
 2. Use wood wedges that are a minimum of 1 1/2 inches by 3 1/2 inches by 6 inches; and
 3. Drive wedges in tightly so that the height developed does not exceed 2 inches at the support; and
 4. Provide each I-Beam of the building with full bearing on the wedge; or
 5. Use listed or approved shimming material according to the manufacturer's wedge instructions; or
 6. Use material and methods designed by an Arizona professional engineer or architect and approved by the authority having jurisdiction.
- G. Anchoring:** An installer or contractor shall use an anchoring system that is certified by a registered, professional engineer.
- H. Snow/Wind Loads**
1. Under 24 CFR 3282.11 and 3280.305, the authority having jurisdiction may not require manufactured homes to be built or installed to a snow load greater than 20 pounds per square foot unless the jurisdiction has received approval from HUD.
 2. Manufactured homes may be manufactured and installed, at the owner's option, to withstand greater than a 20 pound snow load. An installer or contractor shall install these units according to the manufacturer's instructions for the foundation support system if the instructions are consistent with this Chapter.
- I. Permanent Foundation Systems**
1. An installer or contractor shall install factory-built buildings in compliance with R4-34-102(2).
 2. An installer or contractor shall install manufactured and mobile homes according to the manufacturer's permanent foundation requirements or sealed engineered plans if the requirements or plans are consistent with this Chapter.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-804. Utilities

- A.** Utility service facilities. An installer or contractor shall not enter into an agreement to connect units to utility service facilities that are not compatible with the units.
- B.** Electric. An installer or contractor shall make all electric connections or installations according to the National Electric Code.
1. An installer or contractor shall connect manufactured or mobile homes using a piece of flexible metal conduit no greater than 36 inches and no less than 18 inches long. The installer or contractor shall use liquidtight, flexible metal conduit when a manufactured home is set at ground level or in a wet location. The installer or contractor shall connect the flexible metal conduit at the location so that only the rigid conduit emerges from the ground and the conduit extends at least 6 inches above ground level.
 2. When service equipment is installed on a manufactured home, an installer or contractor shall install the grounding electrode in compliance with the National Electrical Code. The following items shall be installed according to the National Electrical Code:
 - a. Feeder size according to Table 310.15(B)(6),
 - b. Power supply cord according to 550.10, and
 - c. Conduit according to Chapter 9 (including Annex C).
- C.** Sewer. An installer or contractor shall make sewer connections or installations in compliance with the International Plumbing Code.
- D.** Water. An installer or contractor shall make water connections or installations in compliance with the International Plumbing Code.
- E.** Gas. An installer or contractor shall make gas connections or installations in compliance with the International Fuel Gas Code.
1. The installer or contractor shall perform a gas test with the gas appliance flex connectors capped and the valves in the open position. The installer or contractor shall pressurize the system at 6 inches of mercury (45 ounces of mercury) or 3 psi gauge for 15 minutes. The system passes if there is no drop in pressure during the test. Pressure shall be measured with a mercury manometer or slope gauge calibrated in increments not greater than 1/10th of a pound, or an equivalent device. The source of normal operating pressure shall be isolated before the pressure test.
 2. The flexible connector shall not be more than 6 feet long.
 3. Flex connectors are not required for permanent foundation systems.
- F.** Mechanical. An installer or contractor shall make mechanical connections and installations in compliance with the International Mechanical Code and the International Energy Conservation Code.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

R4-34-805. Accessory Structures

- A.** For the purpose of A.R.S. § 41-2142(1), the word "attached" means fastened to a manufactured or mobile home or residential single-family, factory-built building at the time of its

installation and removable without degradation of the structural integrity of the unit.

- B. An installer or contractor shall install, assemble, or construct each accessory structure in compliance with applicable standards incorporated by reference in R4-34-102(3).
- C. An installer or contractor installing manufactured homes, mobile homes, or factory-built buildings shall provide an opening that permits access to the underfloor area. If the access is through the skirting, retaining wall, or perimeter foundation wall, the access opening shall measure at least 18 inches by 24 inches.
- D. The Department shall approve or reject plans as prescribed in R4-34-705.
- E. Above or Below Grade Skirting
 - 1. For all skirting, an installer or contractor shall:
 - a. Provide an 18 inch by 24 inch minimum access crawl hole,
 - b. Ventilate skirting according to the International Building Code or the International Residential Code, and
 - c. Install skirting according to this Chapter or the manufacturer's instructions if the instructions are consistent with this Chapter.
 - 2. For below grade skirting, an installer or contractor shall design and construct skirting as a retaining wall according to the International Building Code or the International Residential Code.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

Exhibit 1. Repealed

Historical Note

Exhibit 1 repealed by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2).

ARTICLE 9. REPEALED

R4-34-901. Repealed

Historical Note

Adopted effective April 4, 1985 (Supp. 85-2). Former Section R4-34-901 renumbered to R4-34-401, new Section R4-34-901 renumbered from R4-34-1001 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

ARTICLE 10. ADMINISTRATIVE PROCEDURES

R4-34-1001. Rehearing or Review

- A. A party may amend a petition for rehearing or review filed under A.R.S. § 41-2184 at any time before it is ruled upon by the Director. The opposing party may file a response within 15 days after the date the petition or amended petition is filed. The Director may require the filing of written briefs explaining the issues raised in the petition and provide for oral argument.
- B. The Director may affirm or modify the decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons in A.R.S. § 41-2184(D). An order modifying the decision or granting a rehearing shall specify with particularity the grounds on which the modification or rehearing is granted, and any rehearing shall cover only those matters.
- C. When a petition for rehearing or review is based upon affidavits, they shall be served with the petition. An opposing party or the Attorney General may, within 10 days after service, serve opposing affidavits.
- D. Not later than 15 days after the date of the decision, the Director may grant a rehearing or review on the Director's own initiative for any reason for which the Director might have granted relief on the petition of a party. The Director may grant a petition for rehearing or review, timely served, for a reason not stated in the motion.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4).

ARTICLE 11. RENUMBERED

R4-34-1101. Renumbered

Historical Note

Adopted as an emergency effective March 24, 1982, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 82-2). Former Section R8-2-41 adopted as an emergency now adopted as a permanent rule effective June 24, 1982 (Supp. 82-3). Adopted as an emergency effective October 12, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-5). Emergency expired. Former Section R8-2-41 repealed, new Section R8-2-41 adopted effective April 2, 1985 (Supp. 85-2). Former Section R8-2-41 repealed, new Section R4-34-1101 adopted as an emergency effective March 14, 1988, pursuant to A.R.S. § 41-1026, valid for only 90 days (Supp. 88-1). Emergency expired. Former Section R8-2-41 repealed, new Section R4-34-1101 adopted as a permanent rule with editorial corrections effective November 16, 1988 (Supp. 88-4). Section R4-34-1101 repealed, new Section adopted effective July 20, 1990 (Supp. 90-3). Section R4-34-1101 renumbered to R4-36-201 (Supp. 95-4).