

# MISSISSIPPI



## TITLE 19 PART 7; CHAPTER 5 RULES AND REGULATIONS FOR THE UNIFORM STANDARDS CODE FOR THE FACTORY-BUILT HOMES LAW REGULATION MH-5

AS ADOPTED, PURSUANT TO THE  
ADMINISTRATIVE PROCEDURES ACT,  
SECTION 25-41, MS CODE, 1972 ANNOTATED  
REVISED AND UPDATED  
Effective July 1, 2026

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**Table of Contents**

**Table of Contents**

**Rule 5.01: Promulgation and Purpose** ..... 6

**Rule 5.01.1: General** ..... 6

**Rule 5.01.2: Definitions** ..... 6

**Rule 5.01.3: Use of Manufacturer’s Installation Instructions**..... 13

**Rule 5.01.4: Manufacturer’s Installation Instruction Unavailable**..... 14

**Rule 5.01.5: Instructions for Installation of Used Multi-Section Factory-Built Homes** ..... 16

**Rule 5.02: Administration** ..... 17

**Rule 5.02.1: Rules and Regulations** ..... 17

**Rule 5.02.1-1: Licensure of Manufacturers, Developers, Retailers and Installers/Transporters**..... 17

**Rule 5.02.1-2: Manufacturer License Application** ..... 17

**Rule 5.02.1-3: Retailer/Developer License Application**..... 18

**Rule 5.02.1-4: Repossession and Resale**..... 18

**Rule 5.02.1-5: Installer/Transporter License Application** ..... 18

**Rule 5.02.1-6: Tax Identification Number** ..... 18

**Rule 5.02.1-7: License Fees** ..... 19

**Rule 5.02.1-8: Manufacturer Monitoring Inspection Fee** ..... 19

**Rule 5.02.1-9: Investigation and Examination of All License Applicants**..... 20

**Rule 5.02.1-10: Non-Compliance**..... 21

**Rule 5.02.1-11: Annual License Renewal Application** ..... 21

**Rule 5.02.1-12: Licensee Bonding and Insurance Requirements**..... 22

**Rule 5.02.1-13: Operating Without a Privilege License**..... 23

**Rule 5.02.1-14: Installation Inspection**..... 24

**Rule 5.02.1-15: Site Preparation, Anchoring and Blocking Requirement** ..... 24

**Rule 5.02.1-16: Time Period Allowed for Installation** ..... 24

**Rule 5.02.1-17: Property Locator/Certificate of Installation Submitted by the Retailer/Developer**..... 24

<b>Rule 5.02.1-18: Property Locator/Certificate of Installation Submitted by the Installer/Transporter</b> .....	26
<b>Rule 5.02.2: Factory-Built Home Installation Inspection Program</b> .....	28
<b>Rule 5.02.2-1: Purpose</b> .....	28
<b>Rule 5.02.2-2: Scope</b> .....	28
<b>Rule 5.02.2-3: Mississippi Factory-Built Home Installation Program Standards</b> .....	29
<b>Rule 5.02.2-4: Installation Inspection Requirements</b> .....	29
<b>Rule 5.02.3: Installation Inspection Procedure</b> .....	29
<b>Rule 5.02.3-1: Scheduling of the Inspection</b> .....	29
<b>Rule 5.02.3-2: Inspection Fees</b> .....	30
<b>Rule 5.02.3-3: Contract Rights Not Affected</b> .....	30
<b>Rule 5.02.3-4: State and Local Permits</b> .....	31
<b>Rule 5.02.4: Certification of Installation</b> .....	31
<b>Rule 5.02.4-1: Certificate of Inspection</b> .....	31
<b>Rule 5.02.4-2: Procedures for Failures to Comply With Installation Standards</b> .....	32
<b>Rule 5.02.4-3: Cost of Re-inspection</b> .....	32
<b>Rule 5.02.4-4: Scheduling a Follow-up of a Failed Inspection</b> .....	33
<b>Rule 5.02.4-5: Inspection Decal</b> .....	33
<b>Rule 5.02.4-6: Inspector Qualifications</b> .....	34
<b>Rule 5.02.4-7: Verification of Installer/Transporter License</b> .....	34
<b>Rule 5.02.4-8: Site Preparation by Homeowner</b> .....	35
<b>Rule 5.02.4-9: Waiver of Rights Invalid</b> .....	35
<b>Rule 5.02.4-10: Violations and Penalties</b> .....	35
<b>Rule 5.02.5: License Exceptions</b> .....	36
<b>Rule 5.02.6: Manufacturer Qualifications for License</b> .....	36
<b>Rule 5.02.7: Retailer Qualifications for License</b> .....	37
<b>Rule 5.02.7-1: Temporary Promotional Retail Sales Activity</b> .....	37
<b>Rule 5.02.7-2: Safeguarding the Public Interest</b> .....	39
<b>Rule 5.02.7-3: Retail Sales with In-house Transport and Installation Staff</b> .....	39
<b>Rule 5.02.7-4: Training Requirements</b> .....	39

<b>Rule 5.02.7-5: Vehicle Decals</b> .....	40
<b>Rule 5.02.7-6: Retail Lot Display and Temporary Storage</b> .....	40
<b>Rule 5.02.7-7: Inspection of Retail Lot Units and Records</b> .....	41
<b>Rule 5.02.8: Developer Qualifications for License</b> .....	42
<b>Rule 5.02.8-1: Safeguarding the Public Interest</b> .....	43
<b>Rule 5.02.8-2: Developer Sales with In-house Transport and Installation Staff</b> .....	43
<b>Rule 5.02.8-3: Training Requirements</b> .....	43
<b>Rule 5.02.8-4: Vehicle Decals</b> .....	44
<b>Rule 5.02.9: Installer/Transporter Qualification for License</b> .....	44
<b>Rule 5.02.9-1: Safeguarding the Public Interest</b> .....	45
<b>Rule 5.02.9-2: State and Local Compliance Requirements</b> .....	45
<b>Rule 5.02.9-3: Training Requirements</b> .....	45
<b>Rule 5.02.9-4: Contract Requirement</b> .....	46
<b>Rule 5.02.9-5: Vehicle Decals</b> .....	47
<b>Rule 5.02.9-6: Recordkeeping</b> .....	47
<b>Rule 5.02.9-7: Responsibility for Transportation Damage</b> .....	48
<b>Rule 5.02.9-8: Temporary Installer/Transporter License</b> .....	48
<b>Rule 5.03: Inspection Procedures</b> .....	48
<b>Rule 5.03.1: Authorized Inspections of Manufacturing Plants, Retail Locations, and Installer/Transporter Equipment and Installation Sites</b> .....	48
<b>Rule 5.03.2: Inspection Findings of Non-Compliance</b> .....	49
<b>Rule 5.03.3: Requirements of Factory-Built Homes for Human Habitation</b> .....	50
<b>Rule 5.03.3-1: Anchoring and Blocking</b> .....	50
<b>Rule 5.03.3-2: Installation Inspection</b> .....	50
<b>Rule 5.03.3-3: End Wall Marriage Line Gap Photographs and Skirting Installation of Factory-Built Homes</b> .....	51
<b>Rule 5.03.3-4: Factory-Built Homes Designated for Use Other Than Human Habitation</b> .....	52
<b>Rule 5.03.4: Consumer Complaints</b> .....	52
<b>Rule 5.03.5: Violations and Penalties</b> .....	53
<b>Rule 5.04: Minimum Standards for Blocking, Anchors, And Tie Downs</b> .....	55

<b>Rule 5.04.1: Standards for “Coded” Areas .....</b>	<b>55</b>
<b>Rule 5.04.2: Standards for “Non-Coded” Areas .....</b>	<b>55</b>
<b>Rule 5.04.3: Windstorm Protection and Wind Zone Designation .....</b>	<b>56</b>
<b>Rule 5.04.4: Data Plate and HUD Label Requirements .....</b>	<b>57</b>
<b>Rule 5.04.4-1: HUD Label.....</b>	<b>57</b>
<b>Rule 5.04.4-2: Data Plate .....</b>	<b>57</b>
<b>Rule 5.04.4-3: Missing HUD Label and Data Plate.....</b>	<b>58</b>
<b>Rule 5.04.4-4: Preparation of Factory-Built Housing Units for Transportation.....</b>	<b>58</b>
<b>Rule 5.05: Installation Standards for New Factory-Built Homes.....</b>	<b>59</b>
<b>Rule 5.06: Installation Standards for Used Factory-Built Homes .....</b>	<b>59</b>
<b>Rule 5.06.1: Site Preparation.....</b>	<b>60</b>
<b>Rule 5.06.1-1: Planning.....</b>	<b>60</b>
<b>Rule 5.06.1-2: Soil Conditions.....</b>	<b>60</b>
<b>Rule 5.06.1-3: Site Grading and Drainage.....</b>	<b>60</b>
<b>Rule 5.06.1-4: Raised Soil Pad .....</b>	<b>61</b>
<b>Rule 5.06.1-5: Determination of Proper Site Preparation .....</b>	<b>62</b>
<b>Rule 5.06.1-6: Written Contract on Site Preparation .....</b>	<b>63</b>
<b>Rule 5.06.1-7: Site Preparation by Homeowner .....</b>	<b>63</b>
<b>Rule 5.06.1-8: Removal of Organic Material.....</b>	<b>63</b>
<b>Rule 5.06.1-9: Clearance Under the Home .....</b>	<b>64</b>
<b>Rule 5.06.1-10: Sloped Site Installation.....</b>	<b>64</b>
<b>Rule 5.06.1-11: Ventilation of Under-floor Areas and Moisture Barrier Recommendation .....</b>	<b>65</b>
<b>Rule 5.06.2: Fire Separation .....</b>	<b>65</b>
<b>Rule 5.06.3: Sites Prone to Flooding.....</b>	<b>66</b>
<b>Rule 5.06.4: Soil Classification.....</b>	<b>67</b>
<b>Rule 5.06.5: Soil Type/Bearing Capacity .....</b>	<b>68</b>
<b>Rule 5.06.6: Required Piers and Anchorages .....</b>	<b>70</b>
<b>Rule 5.06.7: Pier Construction.....</b>	<b>72</b>
<b>Rule 5.06.7-1: Single Stacked Piers .....</b>	<b>72</b>

<b>Rule 5.06.7-2: Pier Caps .....</b>	<b>73</b>
<b>Rule 5.06.7-3: Shims .....</b>	<b>73</b>
<b>Rule 5.06.7-4: Removal of Organic Material .....</b>	<b>74</b>
<b>Rule 5.06.7-5: Protection from Frost Heave .....</b>	<b>74</b>
<b>Rule 5.06.7-6: Corner Piers .....</b>	<b>74</b>
<b>Rule 5.06.7-7: Double Tiered Pier Heights.....</b>	<b>75</b>
<b>Rule 5.06.7-8: Cast-In-Place Concrete Piers.....</b>	<b>76</b>
<b>Rule 5.06.7-9: Pier Footings.....</b>	<b>76</b>
<b>Rule 5.06.7-10: Marriage Line Piers.....</b>	<b>77</b>
<b>Rule 5.06.8: Pier Spacing and Placement .....</b>	<b>77</b>
<b>Rule 5.06.8-1: Placement of Door and Window Support Piers .....</b>	<b>78</b>
<b>Rule 5.06.8-2: Placement of End Frame Support Piers.....</b>	<b>78</b>
<b>Rule 5.06.8-3: Placement of Piers Under Concentrated Loads.....</b>	<b>78</b>
<b>Rule 5.06.8-4: Placement of Perimeter Support Piers.....</b>	<b>79</b>
<b>Rule 5.06.8-5: Piers for Homes Installed In Designated Flood Area .....</b>	<b>79</b>
<b>Rule 5.06.9: Installation Instructions for ABS Pads .....</b>	<b>80</b>
<b>Rule 5.06.10: Anchors and Tie downs.....</b>	<b>82</b>
<b>Rule 5.06.10-1: Single-wide Factory-Built Homes.....</b>	<b>82</b>
<b>Rule 5.06.10-2: Multi-Sectional Factory-Built Homes.....</b>	<b>89</b>
<b>Rule 5.06.10-3: Proprietary Ground (Pan) Foundation Stabilizing Systems.....</b>	<b>92</b>
<b>Rule 5.06.10-4: Anchor Tie Down Spacing and Sizes .....</b>	<b>96</b>
<b>Rule 5.06.11: Anchors .....</b>	<b>101</b>
<b>Rule 5.06.11-1: Soil Classification of Anchors .....</b>	<b>101</b>
<b>Rule 5.06.11-2: Determining the Soil Class of Anchors .....</b>	<b>101</b>
<b>Rule 5.06.11-3: Preferred Soil Class Anchor.....</b>	<b>101</b>
<b>Rule 5.06.11-4: Proper Installation of Ground Anchors and Tie Down Straps.....</b>	<b>102</b>
<b>Rule 5.07: Official Notices and Bulletins.....</b>	<b>103</b>
<b>Rule 5.08: Severability .....</b>	<b>103</b>
<b>Rule 5-09: Effective Date.....</b>	<b>103</b>

## **Title 19**

### **Part 7: State Fire Marshal**

#### **Chapter 5: Rules and Regulations for the Uniform Standards Code for the Factory-Built Homes Law Regulation MH- 5**

##### **Rule 5.01: Promulgation and Purpose**

###### **Rule 5.01.1: General**

These Rules and Regulations for Factory-Built Homes are promulgated by the Commissioner of Insurance of the State of Mississippi acting through the Chief Deputy State Fire Marshal and the Factory-Built Home Division in accordance with the Uniform Standards Code for Factory-Built Homes Law and the Mississippi Administrative Procedures Act, *Miss. Code Ann.* § 25-43-1, et seq., as amended, and shall become effective after adopted and promulgated in accordance with the provisions of the Mississippi Administrative Procedures. This Regulation is being filed as a regulation pursuant to the provisions of House Bill 1435, 2008 Regular Legislative Session as codified in *Miss. Code Ann.* § 75-49-11 (Supp. 2015); and upon agreement between the Mississippi State Fire Marshal's Office, Factory-Built Home Division (Division) and the Department of Housing and Urban Development (HUD), which requires the Division to conduct installation inspections of Factory-Built homes from and after July 1, 2009.

The purpose of these Rules and Regulations is to prevent the loss of life and property from fire and related hazards, and to restrict health hazards in Factory-Built homes by providing standards for construction, heating systems, and by requiring compliance with such standards during construction, marketing, transport, installation, anchoring and tie down for Factory-Built homes in the State of Mississippi.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-9; 75-49-11 (Supp. 2024).

###### **Rule 5.01.2: Definitions**

For the purpose of this Regulation, the following terms are defined as follows, unless the context clearly indicates otherwise:

1. "ANSI" - the American National Standards Institute or its successor.
2. "Affidavit of Homeowner Statement" – a certified document signed and notarized by the owner of the building declaring the Factory-Built home shall not to be used for full time residential use but may include acceptable uses such as hunting and fishing camps, storage buildings, office spaces or any other non-residential use.

3. “Certificate of Inspection Form”- is a form issued by the Factory-Built Home Division of the State Fire Marshal’s Office that contains the certificates of inspection submitted by any retailer, developer and installer/transporter who is engaged in the sale, transport and/or set-up (installation, blocking, anchoring and tie down straps) of a Factory-Built home intended for human habitation, to the Division within 72 hours (3 days) of the completion of the installation of a home at the home site.
4. “Chief Deputy State Fire Marshal” - is the individual appointed by the Commissioner of Insurance, who, along with his employees, is designated by the Commissioner to implement and enforce this chapter and to maintain, among other duties, the Factory- Built Home Division of the Insurance Department.
5. “Commissioner” - is the Commissioner of Insurance of the State of Mississippi.
6. “DAPIA” - (Design Approval Primary Inspection Agency) is a state or private organization that has been accepted by the Secretary of Housing and Urban Development to evaluate and approve or disapprove Factory-Built home designs and quality control procedures.
7. “Developer” – for the purposes of this Regulation, means any person who buys Factory-Built homes and real estate and then offers to sell or lease to the general public a land-home “package deal” consisting of the Factory-Built home along with the real estate. Upon renewal of a license, a developer must provide documentation to the Department of Insurance that he or she has at least five (5) available Factory-Built home sites. A developer shall be responsible for installation requirements for Factory-Built homes as set forth in Rule 5.04 – 5.06 of this Regulation. This definition of developer **is interpreted to exclude the following:**
  - a). Factory-built home parks and park owners having Factory-Built homes, on individual lots in the park, owned by the park or park owners and available for rent or lease;
  - b). An individual selling his personal Factory-Built home residence (one that the individual is currently living in or has previously lived in) and the real estate upon which the home is permanently installed and fixed, or has retained a real estate broker or real estate salesperson to sell the Factory-Built home and the real estate as a “package deal”;
  - c). An individual owning a single plot or multiple plots of real estate having a Factory-Built Home installed on said real estate and offering the same for lease to the general public provided the lease is not a lease-purchase under a “package deal”.
8. “Diagonal Tie” - any tie down designed to resist horizontal sliding or shear forces, and which deviates not less than 30° (0.52 rad) from a vertical direction.
9. “Division” - is the Factory-Built Home Division of the State Fire Marshal's Office.
10. “Employee” - any person, including a minor whether lawfully or unlawfully employed, in the service of an employer under any contract of hire or apprenticeship, written or oral, express or implied, and is under the control of the employer, provided there shall be excluded there from

all independent contractors. The control of the employer includes supervision of an employee's work, setting the employee's work schedule, and determining the method the employee uses to perform the specific work.

11. "Employer" - any person or entity who is retained to engage in, or who engages in, the business of directing, supervising, controlling or correcting the work conducted by persons retained as their employee.

12. "Fire Marshal's Office" - the Division of the Department of Insurance that is responsible for the regulation of Factory-Built housing in the State of Mississippi, and includes the Commissioner of Insurance, the State Chief Deputy Fire Marshal, and Deputy State Fire Marshals.

13. "Foundational Designs"- designs by a licensed architect or engineer that sets forth the foundation's requirements for the Factory-Built home.

14. "Factory-Built Home" - is a mobile home, manufactured home, and a modular home as those terms are defined in *Miss. Code Ann. § 75-49-3* (Supp. 2015).

15. "General Liability Insurance" - is a form of insurance that indemnifies against liability on account of injury to the person or property of another.

16. "Ground Anchor" - any device at the Factory-Built home site designed for the purpose of securing a Factory-Built home to the ground.

17. "Proprietary Ground (Pan)-Type Foundation Stabilizing System" - any engineer designed alternative device used for windstorm and seismic protection of a Factory-Built home.

18. "Homeowner" (Consumer) - is any person or firm who has purchased or is purchasing a Factory-Built home in good faith for purposes other than resale.

19. "Hook and Drop" - the delivery of any Factory-Built home to a residential site by a licensed installer/transporter with no intention of completing the anchoring and blocking of the unit which is to be used for human habitation.

20. "Human Habitation"- describes a place which will be occupied by humans but does not include places that will be inhabited only sporadically for use as a hunting or fishing camp. In these regulations, "human habitation" shall be presumed to be the intended purpose for any Factory-Built home manufactured under the guidelines of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 USCS 5401 et seq.), as well as the Manufactured Home Construction and Safety Standards contained in Title 24 Code of Federal Regulations, Part 3280, et seq. (HUD). This definition includes Factory-Built homes having one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking and eating. Homes designed for

human habitation shall be presumed to be intended for human habitation, unless properly certified otherwise pursuant to Rule 5.03.3-4 of these regulations.

21. “Hurricane Zone” - an area of Mississippi that has encountered sustained winds of 100 mph or more. Wind (Hurricane) Zone II areas for the State of Mississippi include the following counties: Hancock, Harrison, Jackson, George, Stone and Pearl River.

22. “Independent Contractor” - any person, firm or corporation who contracts to do a piece of work according to his own methods, without being subject to the control of his employer, except as to the results of the work, and who has the right to employ and direct the outcome of the workers independent of the employer and free from any superior authority in the employer to say how the specified work shall be done or what the laborers shall do as the work progresses; one who undertakes to produce a given result without being in any way controlled as to the methods by which he attains the result.

23. “Installer/transporter” - is any person engaged for hire as an independent contractor in the movement of, transportation, or both, or the installation, blocking, anchoring and tie-down of a Factory-Built home. An independent contractor “installer/transporter” shall not include persons who do not hold themselves out for hire to the general public for the purposes described in this definition. An installer/transporter shall be responsible for installation requirements for Factory-Built homes as set forth in Rule 5.04 – 5.06 of this Regulation. The use of the term “installer/transporter” in these regulations is intended to be synonymous with the term “Independent contractor installer or transporter” as defined in *Miss. Code § 75-49-3 (Supp. 2015)*.

24. “Inspection Decal” - is the decal issued and installed by a duly appointed representative (inspector) of the Factory-Built Home Division of the State Fire Marshal’s Office that is placed on all new and used Factory-Built homes at the time of a passed installation inspection by the State Fire Marshal inspector. The label is to be affixed near the HUD seal at the rear of the home or on the end of the home opposite the tongue end if no HUD seal is present.

25. “Inspector” - any person who is employed as a Deputy State Fire Marshal, or any person or entity designated and authorized by the State Fire Marshal’s Office pursuant to requirements set forth in Rule 5.02.4-6 of this Regulation who conducts Factory-Built home installation inspections.

26. “Installation” - completion of work performed to site, place, stabilize, support, anchor, and close-up a Factory-Built home, upon footings, piers or foundations and to join sections of a multi-section Factory-Built home sited in this State.

27. “Installation Instruction Manual” - DAPIA-approved instructions provided by the home manufacturer that accompany each new Factory-Built home and detail the home manufacturer requirements for support and anchoring systems and other work completed at the installation site to comply with the National Manufactured Housing Construction and Safety Standards Act of

1974, as amended (42 USCS 5401 et seq.) and as amended by the Manufactured Housing Improvement Act of 2000.

28. “Licensee” - is any manufacturer, retailer, developer or installer/transporter who obtains a privilege license from the Factory-Built Home Division of the State Fire Marshal’s Office of the Mississippi Department of Insurance. The licensee shall comply with all laws of the State of Mississippi regarding Factory-Built homes.

29. “Local Authority Having Jurisdiction” (LAHJ) - is any Federal, State, County, Municipal or community organization that oversees or regulates permitting, registration, and/or installation of Factory-Built homes.

30. “Manufacturer” - is any person engaged in the production (construction) of Factory-Built homes.

31. “Manufactured Building” - a closed structure, building assembly or systems of subassemblies which may include structural, electrical, plumbing, heating, ventilating, utility service lines, footings, foundations, porches or other service systems manufactured in manufacturing facilities, for installation or erection, with or without other specified components, as a finished building or as part of a finished building, which are not intended for human habitation but may be used as commercial, institutional, storage and industrial structures. Factory-Built homes are excluded. Manufactured building may also mean at the option of the manufacturer, any building of open construction made or assembled in manufacturing facilities away from the building site, for installation, or assembly and installation on the building site. For purposes of these regulations, the licensing and other requirements imposed shall only apply to Manufactured Buildings intended for human habitation.

32. “Manufactured Home” - defined by the United States Department of Housing and Urban Development, as a new or used structure defined by, and constructed in accordance with, the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 USCS 5401 et seq.) and as amended by the Manufactured Housing Improvement Act of 2000. For the purposes of this Regulation, it also includes those structures defined as a manufactured home and mobile home pursuant to *Miss. Code Ann.* § 75-49-3 (Supp. 2015).

33. “Mississippi Department of Transportation” (MDOT) - is the regulatory agency for transportation in the State of Mississippi. All licensees (manufacturers, retailers, developers or installer/transporters) shall comply with the requirements regarding transportation of Factory-Built homes under the jurisdiction of MDOT in the State of Mississippi.

34. “Mobile Home” - is a structure Factory-Built before June 15, 1976, that is not constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, (42 U.S.C. Section 5401 et seq.). It is a structure that is transportable in one or more sections, that, in traveling mode, is eight (8) feet or more in width and thirty-two (32) feet or more in length or when erected on site, is two hundred fifty six (256) or more square feet

and that is built on a chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes any plumbing, heating, air conditioning and electrical systems contained therein. A "mobile home" also includes any structure which meets all the requirements and complies with the standards established under this chapter.

35. "Modular home" is a structure which is: (i) transportable in one or more sections; (ii) designed to be used as a dwelling when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems with the home. A modular home must be certified by its manufacturers as being constructed in accordance with the most current version of the residential building code adopted by the Mississippi Building Codes Council; and when designed to be permanently installed at its final destination, shall be installed on an approved foundation constructed in compliance with the manufacturer's installation guidelines. The term "modular home" does not include manufactured housing as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974. Structures used for hunting and fishing camps are exempted from the building code requirements pursuant to the provisions of Mississippi Code Section 17-2-9.

36. "Modular Home Contractor" - is a licensed residential building contractor or a licensed retailer who buys Factory-Built modular homes for resale to the general public, whether to be located on the consumer's home site or a land-home package on property owned by the modular home contractor. A Mississippi licensed modular home contractor is authorized to sell new modular homes for installation on a consumer's home site or as part of a land-home package without the necessity of maintaining a separate sales center. A modular home contractor shall be responsible for the installation requirements for modular housing as provided in as set forth in Rule 5.04 – 5.06 of this Regulation.

37. "New Factory-Built Home" - is a Factory-Built home as defined in *Miss. Code Ann. § 75-49-3*, which has never been the subject of a first sale for human habitation.

38. "NFPA" - The National Fire Protection Association or its successor.

39. "Non-coded Area" - is any local jurisdiction (county or municipality) who have not adopted the latest edition and Appendices of the International Building Code published by the International Code Council or the board of supervisors of any county who has not adopted *Miss. Code Ann. § 75-49-21*, or other recognized building codes or portion thereof.

40. "Non-compliance" - is failure or refusal to comply with imposed standards and/or regulations.

41. "Park Model" - is a recreational park trailer, built on a single chassis, and having a gross trailer area of 400 square feet or less in the set-up mode when measurements are taken on the exterior of the trailer. The square footage includes all the siding, corner trim, molding, storage space, and area

enclosed by windows, but not the roofing overhang. A park model is not a permanent dwelling. It is temporary living quarters for recreational, camping, travel, or seasonal use.

42. “Person” - includes, unless the context indicates otherwise, corporations, companies, associations, firms, and partnerships, as well as individuals, but does not include any agency of government or tribal governmental entity.

42. “Pier Footing or Foundation” - the structural support pad that a support pier is placed upon.

43. “Pier Cap” - a concrete or pressure treated wood plate placed on top of the highest open cell block of the pier.

44. “Portable Building Unit” – is a closed structure, building assembly or system that is not designed or constructed to a nationally recognized building code and therefore not intended for residential use, having no interior finishes, no electrical wiring, no plumbing pipes and/or facilities and no heating/ventilation/cooling systems (see “manufactured building”).

45. “Retailer” - is any company or entity, with an established retail sales display and storage facility, engaged in the buying and thereafter selling, displaying or offering for sale of new, used or repossessed Factory-Built homes to the general public.

46. “Residential Dwelling” - Any building or structure that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied as residential living space or that are occupied for living purposes and as a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

47. “Set-up” - is any assembly or installation of a Factory-Built home onsite that includes aspects of work that are governed by this chapter.

48. “Site” - an area of land that a Factory-Built home is installed upon. It is defined as the area under the home to include a 10 ft. perimeter around the home.

49. “Stabilizer Plate” - is a device used to prevent horizontal movement of a ground anchor.

50. “Surety Bond” - is a type of bond which protects against loss due to the inability or refusal of an obligor to perform his or her contract.

51. “Tie down” - is any device designed for the purpose of anchoring a Factory-Built home to the ground anchors.

52. “Tiny House or Home”: Any closed structure, building assembly or systems of assemblies designed for use as a residential dwelling and ranging from 80 to less than 400 square feet in

size, which may or may not be constructed on a chassis (with or without axels or wheels). If intended to be used as residential dwellings, tiny homes/houses will be treated as a “modular home” (see Rule 5.01.2 (33)) with regard to the design and construction requirements in compliance with the most current version of the residential building code adopted by the Mississippi Building Codes Council; and when designed to be permanently installed at its final destination, shall be installed on an approved foundation constructed in compliance with the manufacturer’s installation guidelines pertaining to licensure of the manufacturing facility, retail entity and enforcement of installation standards for occupant safety.

53. “Used Factory-Built Home” - is a Factory-Built home as defined in *Miss. Code Ann. § 75-49-3* that has been subject of a first sale for human habitation, whether within this state or elsewhere.

54. “Vehicle Decal” - is a decal to be issued and placed on both the driver and passenger doors of the transporter vehicle (toter) which transports (moves) the Factory-Built home. Escort vehicles are not required to have truck decals. The truck decal is to be placed in a clearly visible location on the passenger and driver door of the vehicle.

55. “Vertical Anchor Tie” - is an anchor tie designed primarily to resist overturning by applying a force to the home or building in a direction no more than 15 degrees from the vertical.

Source: *Miss. Code Ann. §§ 75-49-1, et seq.; 75-49-11* (Supp. 2024).

### **Rule 5.01.3: Use of Manufacturer’s Installation Instructions**

- A. All new Factory-Built homes shall be installed in accordance with the manufacturer’s home installation instructions. These instructions may include but are not limited to the following details:
  - 1. Skirting must have vents and an opening for access to the crawl space and heat tape outlet.
  - 2. The dryer exhaust vent must terminate outside the home.
  - 3. Combustion air vents may be needed for sealed combustion units and fireplaces.
  - 4. A vapor barrier may be required on the soil.
  - 5. Adequate clearance must be maintained between the soil and wood floor joists.
  - 6. Water supply lines may be required to be insulated.
  - 7. The lot should be properly graded to avoid standing water around and under the home.
  - 8. The air conditioning condensate drain may be specified to have a termination outside the home.
  - 9. Specifications for utility connections must be followed.
  
- B. For all new and used Factory-Built homes, the skirting, the end wall siding and trim pieces are not to be installed at the connection point of the end sections until the installer/transporter

has confirmed the following requirements:

1. Floor connection: All floors of multi-section Factory-Built homes shall be securely fastened together along the entire length of the home such that the width of the gap between the two halves of the home is one (1) inch or less. Some filler material (APA rated sheathing (OSB or Plywood) not to exceed ½ inch thickness) are allowed in areas that exceed the one (1) inch allowable gap. The connections along the floor and any filler material used for all new homes, must be in compliance with the manufacturer's installation manual.
2. End walls: End walls of multi section Factory-Built homes shall be securely fastened together with the proper weather seal material installed such that the width of the gap between the two halves of the home is one (1) inch or less, pursuant to Manufactured Home Installation Standards 24 CFR 3285.801 (3) and 3285.802 (c). Some filler material (APA rated sheathing (OSB or Plywood) not to exceed ½ inch thickness) are allowed in areas that exceed the one (1) inch allowable gap. The connections along the end walls and any filler material used, for all new homes, must be in compliance with the manufacturer's installation manual.
3. Siding and trim pieces are not to be installed at the connection of the end sections until the installer/transporter has provided to the retailer and/or State Fire Marshal's office photographs of a.) the marriage line gap at each end of the mobile home showing end of the home with the serial number visible in the photograph and b.) a photograph of a ruler positioned at the widest portion of the end wall marriage line gap.
4. Any bottom board material that is damaged, during transport, set up and the installation of the lag bolts along the marriage line of the home, is required to be properly repaired according to the manufacturer's installation instructions for all new manufactured homes or MH-5 instructions on all used manufactured homes for proper repair of the bottom board.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.01.4: Manufacturer's Installation Instruction Unavailable**

A. If the manufacturer's installation instructions are not available, the anchoring and support requirements for used Factory-Built homes of the standards, herein, shall be followed and other aspects of the home installation shall conform to the minimum standards for occupancy established by the Rules and Regulations of the Factory-Built Home Division.

B. Factory-Built homes, both new and used, built after July 13, 1994, that conform to Wind Zone I ratings only, cannot be installed within a designated Wind Zone II area, unless approved by the county or municipality having jurisdiction within the Wind Zone II area. The Wind Zone II area for homes manufactured after July 13, 1994, consists of the following counties: Hancock, Harrison, Jackson, George, Pearl River, and Stone.

C. For used Factory-Built homes that were built prior to July 13, 1994, the following shall apply, If the Factory-Built home was built to the HUD Hurricane Zone rating that existed prior to July 13, 1994, it may be installed in one of the post-July 13, 1994, counties that are listed in

Rule 5.01.4 B, above. For reference, HUD designated Hurricane Zone counties that existed prior to July 13, 1994, were as follows: Hancock, Harrison, Jackson, George, Pearl River, Stone, Greene, Perry, Forrest, Lamar, Marion, Walthall, Pike, Amite, and Wilkinson. However, if the county or municipality has jurisdiction within the post-July 13, 1994, Wind Zone II area has adopted more restrictive requirements that would prohibit the installation of a pre-July 13, 1994, Hurricane Zone house, then the requirements of such county or municipality shall govern.

D. Used Factory-Built homes built prior to 1994, currently installed in a Wind Zone I location and having no accessible or readable data plate to determine the wind zone designation the home cannot be moved to a Wind Zone II location unless it can be proven that the home has a Wind Zone II designation.

E. Prior to the sale and installation of all new and used Factory-Built homes, the retailer, the developer and/or the installer/transporter shall determine whether the house is constructed to the properly rated Wind/Hurricane zone for its intended use and installation by referring to the HUD data plate. Any Factory-Built Home that is to be transported within or into the six (6) coastal counties of the State (Pearl River, Stone, George, Hancock, Harrison, and Jackson County) for installation, the retailer, the developer and/or installer transporter will be required to obtain a photocopy or a clear photograph of the data plate for the home. The photograph or copy of the data plate must be attached to the Property Locator/Certificate of Installation and submitted to the Factory-Built Home Division. If no accessible or readable data plate is available in the home to verify the Wind/Hurricane zone designation, a copy of the HUD data plate and compliance certificate must be obtained either from the manufacturer of the home or from the Institute for Building Technology and Safety (IBTS).

F. The support and anchoring systems of all Factory-Built homes that bear the HUD label shall be designated by a Registered Professional engineer or architect and meet the requirements of 24 CFR Section 3280.306, pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. Section 5401, et seq.) and the Manufactured Housing Improvement Act of 2000 as amended. The manufacturer shall provide complete tie down instructions with each Factory-Built home.

G. From and after July 1, 2005, no retailer, developer, transporter or installer/transporter shall deliver or cause to be delivered any Factory-Built home to any person at any site where such home is to be used for human habitation without anchoring and blocking such home in accordance with rules, regulations and procedures promulgated by the Commissioner pursuant to *Miss. Code Ann.* § 75-49-5; provided, however, that a period of thirty (30) days from date of delivery shall be allowed for the anchoring and blocking of such homes.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

## **Rule 5.01.5: Instructions for Installation of Used Multi-Section Factory-Built Homes**

The floor sections, roof sections, and wall sections are to be fitted together tightly. Connections must be sufficiently sealed to prevent air infiltration. Connection of multi-section Factory-Built homes (two or more sections), when manufacturer's installation instructions are not available, shall be as follows:

1. Floor connection: All floors, ceilings and end walls of multi-section Factory-Built homes shall be securely fastened together along the entire length of the home such that the width of the gap at the floor, ceiling and end walls between the two halves of the home is one (1) inch or less. Some filler material (APA rated sheathing (OSB or Plywood) not to exceed ½ inch thickness) are allowed in areas that exceed the one (1) inch allowable gap.
2. Siding and trim pieces are not to be installed at the connection of the end sections until the installer/transporter has provided to the State Fire Marshal's office photographs of a.) the marriage line gap at each end of the mobile home showing end of the home with the serial number visible in the photograph and b.) a photograph of a ruler positioned at the widest portion of the end wall marriage line gap. Some filler material (APA rated sheathing (OSB or Plywood) not to exceed ½ inch thickness) are allowed in areas that exceed the one (1) inch allowable gap.
3. Roof and Ridge Beams: All roof and ridge beams of multi-section Factory-Built homes shall be securely fastened together along the entire length of the home
4. End walls: End walls of multi-section Factory-Built homes shall be securely fastened together, with the proper weather seal gasket installed, such that the width of the gap between the two halves of the home is one (1) inch or less pursuant to Manufactured Home Installation Standards 24 CFR 3285.801 (3) and 3285.802 (c). Some filler material (APA rated sheathing (OSB or Plywood) not to exceed ½ inch thickness) are allowed in areas that exceed the one (1) inch allowable gap.
5. Any bottom board material that is damaged during transport of the home or during the installation of the lag bolts along the marriage line of the home is required to be properly repaired according to MH-5 instructions for proper repair of the bottom board.
6. The joints at the ridge of the roof shall be secured and weather tight.
7. Plumbing must be performed by a licensed installer transporter trained to connect the plumbing to the factory-built homes.
8. Care should be taken with crossover electrical wires to avoid sandwiching between studs when the sections are pulled together.
9. All electrical work (crossover wires, grounding requirements) must be performed by a licensed installer transporter trained to properly connect the cross-over electrical connections.
10. Crossover, heating and other duct connections shall only be performed by a licensed installer transporter trained to perform this type of work.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

## **Rule 5.02: Administration**

The Commissioner, acting through the Chief Deputy State Fire Marshal and the Factory-Built Home Division of the Mississippi Insurance Department, is hereby charged with the administration of this chapter. He may make and amend, alter or repeal, general rules and regulations of procedure for carrying into effect all provisions of this chapter, for obtaining statistical data respecting Factory-Built homes, and to prescribe means, methods and practices to make effective such provisions and he may make such investigations and inspections as in his judgment are necessary to enforce and administer this chapter *Miss. Code Ann. § 75-49-11*.

Source: *Miss. Code Ann. § 75-49-11* (Supp. 2024).

### **Rule 5.02.1: Rules and Regulations**

#### **Rule 5.02.1-1: Licensure of Manufacturers, Developers, Retailers and Installers/Transporters**

A. Each manufacturer, developer, retailer and installer/transporter must be licensed pursuant to *Miss. Code Ann. § 75-49-9*. Any person who knowingly and willfully fails to obtain a license in violation of *Miss. Code Ann. § 75-49-9* shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both, pursuant to *Miss. Code Ann. § 75-49-19*.

B. All license applicants registered as a Corporation or an LLC are required to have their company name and/or DBA name registered with the Mississippi Secretary of State's Office.

C. All license applicants that do not register as a Corporation or LLC are not required to register with the Mississippi Secretary of State's Office and shall be licensed to the individual making application for the license and not to the company name.

Source: *Miss. Code Ann. §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19* (Supp. 2024).

#### **Rule 5.02.1-2: Manufacturer License Application**

Every manufacturer engaged in the production (construction) of Factory-Built homes within or without the State of Mississippi shall apply for and obtain a license from the Commissioner. The application for license must be accompanied by proof of financial responsibility for cargo loss or damage by providing documentation of the bonding and liability insurance requirements as required by this regulation.

Source: *Miss. Code Ann. §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19* (Supp. 2024).

### **Rule 5.02.1-3: Retailer/Developer License Application**

A. Any retailer or developer conducting retail business within this State shall apply for a license annually to sell Factory-Built homes to be shipped into or sited in Mississippi. This licensure also applies to anyone who buys, relocates, re-builds and sells Factory-Built home units or anyone who buys and sells but does not move or relocate repossessed or used Factory-Built homes.

B. Every retailer or developer that sells, transports, or installs new or used Factory-Built homes within the State of Mississippi shall apply for and obtain a license from the Commissioner. The application for license must be accompanied by proof of financial responsibility for cargo loss or damage by providing documentation of the bonding and liability insurance requirements as required by this regulation.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

### **Rule 5.02.1-4: Repossession and Resale**

Any person as defined in *Miss. Code Ann.* § 75-49-3(h) that repossesses and sells new or used Factory-Built homes which will be transported or relocated, from the existing home site within the State of Mississippi, shall contract the resale of the Factory-Built home through a current licensed retailer or developer to insure that the Factory-Built home is installed and set-up by a licensed installer/transporter in compliance with the Division's rules and regulations. A copy of said contract with the licensed retailer/developer is required to be on file with the Division.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

### **Rule 5.02.1-5: Installer/Transporter License Application**

Every installer/transporter that transports and/or installs new or used Factory-Built homes within the State of Mississippi shall apply for and obtain a license from the Commissioner. The application for license must be accompanied by proof of financial responsibility for cargo loss or damage by providing documentation of the bonding and liability insurance requirements as required by this regulation.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

### **Rule 5.02.1-6: Tax Identification Number**

A. All license applicants shall certify in the application to the Commissioner that the applicant will comply with the Construction Standards set forth under Rules and Regulations provided in *Miss. Code Ann.* § 75-49-5, and that the applicant has obtained a current and valid tax identification number.

B. All applications for license shall be obtained from and submitted to the Commissioner on

forms prescribed by the Commissioner.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

#### **Rule 5.02.1-7: License Fees**

A. Pursuant to *Miss. Code Ann.* § 75-49-9, the original license fee and all annual renewals thereof shall be Two Hundred Fifty Dollars (\$250.00) for manufacturing plants, located within or without the State of Mississippi, manufacturing or delivering homes for sale within the State of Mississippi and One Hundred Fifty Dollars (\$150.00) per retailer location and developer location within the State of Mississippi. The licensing fee for a Factory-Built home and/or modular independent contractor transporter or installer is One Hundred Dollars (\$100.00) for each company. The fee for modular home plan review shall be Four Hundred Dollars (\$400.00) per floor plan. Except as otherwise provided in Rule 5.02.1-9, the license shall be valid for the current license period (July 1 through June 30 of the following year) unless suspended or revoked as provided herein.

B. Every manufacturer, transporter or installer or retailer and developer who first sells manufacturers, transports or installs a new or used Factory-Built home in this state, before such first construction, sale, transportation or installation, shall apply for and obtain a license from the Commissioner. The original license fee, registration fee, annual relicensing, and all other required fees shall be paid to the Commissioner in such a manner as the Commissioner may by rule require. All funds received by the Commissioner shall be deposited in the State Treasury to the credit of the Department of Insurance.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); § 75-49-19 (Supp. 2024).

#### **Rule 5.02.1-8: Manufacturer Monitoring Inspection Fee**

Every manufacturer of Factory-Built homes in the State shall pay a monitoring inspection fee to the Secretary of Housing and Urban Development, or the Secretary's Agent, for each Factory-Built home produced in the State by the manufacturer. The fee shall be in an amount established by the Secretary pursuant to the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401, et seq.) and as amended by the Manufactured Housing Improvement Act of 2000. The portion of the fee which is returned to the State shall be deposited by the Commissioner in a designated account for use by the Factory-Built Housing Division to fund the conduct of the Mississippi Factory-Built Home Installation Inspection Program.

Source: *Miss. Code Ann.* § 75-49-5 (Supp. 2024).

### **Rule 5.02.1-9: Investigation and Examination of All License Applicants**

A. The Commissioner shall investigate and examine all applicants for all licenses by holding such hearings as he shall deem necessary or conduct investigations or examinations, or any combination thereof, as to the fitness or expertise of the applicant for the type of license for which the applicant applied. A license shall be granted only to a person who bears a good reputation for honesty, trustworthiness, integrity and competency to transact the business in such a manner as to safeguard the interest of the public and only after satisfactory proof of such qualifications has been presented to the Commissioner.

B. Pursuant to Miss Code Ann. § 75-49-9 (8), the Commissioner shall take all license applicants under consideration after having examined them through oral or written examinations, or both, before granting any license. If the license applicant is an individual, examination may be taken by his personal appearance for examination or by the appearance for examination of one or more of his responsible, full time managing employees; and if a partnership or corporation or any other type of business or organization, by the examination of one or more of the responsible, full time managing officers or members of the executive staff of the applicant's firm. Every application by an individual for a license to manufacture, sell, transport or install new or used Factory-Built homes, shall be verified by the oath or affirmation of the applicant, and every such application by a partnership or corporation shall be verified by the oath or affirmation of the applicant and a partner or an officer thereof. The applications for licenses shall be in such form and detail as the Commissioner shall prescribe.

C. Every independent contractor installer or transporter who transports or installs new or used Factory-Built homes within the State of Mississippi and who is applying for a license shall have passed a written examination (passing score of 70 or above). The examination shall consist of questions determined by the Commissioner to establish an applicant's knowledge related to the rules and regulations and administration relative to Factory-Built homes in the State of Mississippi and questions specifically related to the practical installation (anchoring, blocking, and tie down) of Factory-Built homes in this state. The examination shall be provided by the Commissioner or by a testing service acting on behalf of the Commissioner. The applicant is responsible for registering with the testing service to schedule the examination and is responsible for all fees. The applicant shall follow all procedures established about conduct at the examination. Failure to comply with all procedures established about conduct at the examination may be grounds for denial of application.

D. Prior to the issuance of a privilege license, the person applying for the license shall return the license application received in the "Notice of Renewal" and submit a copy of training certificates, that he and all of his responsible, full-time employees have attended an approved eight (8) hour installation and set-up training class pursuant to the Manufactured Housing Improvement Act of 2000.

E. The holder of any valid license issued by the Commissioner at the time *Miss. Code Ann.* § 75-49-9(8) became effective shall be automatically issued an equivalent license in the same category for which his previous license was issued **if the licensee is in compliance** with this chapter.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-9(8); 75-49-19 (Supp. 2024).

#### **Rule 5.02.1-10: Non-Compliance**

A. Non-compliance by a license applicant, as a condition precedent, of the requirements of *Miss. Code Ann.* § 75-49-9(7) and with the regulations set forth in this document, will be considered a violation of said regulations and violations shall be assessed administrative fines and penalties where applicable.

B. Pursuant to *Miss. Code Ann.* § 75-49-13, the Commissioner shall provide the license holder an opportunity to be heard on the question of these violations committed to determine whether he is qualified to receive the license applied for and if there may be sufficient grounds upon which to base a probation, denial, suspension or revocation of the license.

C. Pursuant to *Miss. Code Ann.* § 75-49-9(10), every license shall be issued annually and shall expire on June 30 following the date upon which it was issued. **License fees shall not be prorated for the remainder of the year in which the application was made but shall be paid for the entire year regardless of the date of the application.**

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

#### **Rule 5.02.1-11: Annual License Renewal Application**

A. The Commissioner shall on or before April 30 of each year, forward a "Notice of Renewal" by regular United States mail to each licensee at his or its last known mailing address. The "Notice of Renewal" will contain an application that shall be properly filled out by the person whose name will appear on the license, signed and returned to the State Fire Marshal's Office.

B. After depositing the "Notice of Renewal" in the United States mail, the Commissioner shall have no other duty or obligation to notify the licensee of the expiration of his or its annual license. **The failure of the licensee to obtain a renewal license on or before June 30 of the ensuing license period shall act as an automatic suspension of the license unless the Commissioner, for good cause shown in writing and the payment of an amount equal to double the license renewal fee plus the regular license fee for said delinquency, lifts the suspension and issues the renewal license. During the period of suspension, any practice by the licensee under the color of such license shall be deemed a violation of this chapter.**

If a license renewal application is not received from the licensee within thirty (30) days of the date of license suspension, the licensee shall be required to remove or cover-up **all forms** of advertisement (signage) identifying the business.

C. Prior to the issuance of the renewal license, all applicants shall resolve any and all financial responsibilities owed to the State of Mississippi (installation inspection fees, license fees, administrative fines, etc.), shall complete the correction of all installation defects reported to them by an official Affidavit of Correction Statement and shall certify these corrections by returning all Affidavits, signed and notarized, to the State Fire Marshal's Office. Failure to meet these requirements will result in a delay of the issuance of said license until full compliance has been acquired.

1. All applicants and licensees shall comply with the bonding and general liability requirements as established by *Miss. Code Ann.* § 75-49-11 and as described in Rule 5.02.1-12 of this regulation.

2. Annual renewals of a retailer's license shall require, as a condition precedent, that the retailer verify by oath or affirmation that all retail sales lots that he/or she maintains are done so in accordance with all rules and regulations promulgated by the Commissioner and that each lot has three (3) or more new or used Factory-Built homes located thereon for retail sale as a residential dwelling or for any other use at the time of application. Annual renewals of a developer's license shall require, as a condition precedent, that the developer verify and submit a copy of legal documentation indicating that the developer has five (5) or more locations for a Factory-Built home/land package.

3. With return of the annual licensure application, **it shall be the responsibility of each retailer, developer and installer/transporter to request in writing the number of truck decals needed for their transport vehicles** (toter). A decal is to be placed on the driver and passenger doors of each transport vehicle. Escort vehicles are not required to have decals.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

### **Rule 5.02.1-12: Licensee Bonding and Insurance Requirements**

A. After August 1, 2009, all new license applications and renewal applications for a license to act as a manufacturer, modular contractor, developer, retailer, transporter, or installer of Factory-Built homes in the State of Mississippi must provide to the State Fire Marshal's Office verification that they have obtained a general commercial liability policy and a surety bond in the following specified amounts:

B. Manufacturers or Modular Contractors - provide proof of a surety bond in the amount of \$500,000.00 per Licensed Facility or, for three (3) or more Licensed Facilities, a minimum bond in the amount of \$1,000,000.00; and proof of a general commercial liability policy in the amount of \$2,000,000.00 in coverage;

C. Developers - provide proof of a surety bond in the amount of \$50,000.00 per Facility or for three (3) or more Facilities, a minimum bond in the amount of \$100,000.00; and proof of a general commercial liability policy in the amount of \$1,000,000.00 in coverage;

D. Retailer (with 1 or more Facilities) - provide proof of a surety bond in the amount of \$50,000.00 per Facility or for three (3) or more Facilities with common ownership, a minimum bond in the amount of \$100,000.00; and proof of a general commercial liability policy in the amount of \$1,000,000.00 in coverage;

E. Installer/Transporter - provide proof of a surety bond in the amount of \$25,000.00; and proof of a general commercial liability policy for a minimum of \$100,000.00 in coverage. The general commercial liability policy or automobile liability policy must indicate that a cargo policy has been obtained by the licensee for the transport of Factory-Built homes.

1. Certificates of general commercial liability policies for all manufacturers, retailer/developers and installer/transporters shall have the Mississippi State Fire Marshal's Office as the designated certificate holder.

2. A surety bond written pursuant to the requirements set forth in this section shall comply with the Surety Bond for Licensure form that will be provided to the applicant from the State Fire Marshal's Office.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

### **Rule 5.02.1-13: Operating Without a Privilege License**

Any company/individual (retailer, developer or installer/transporter) who is found to be operating, under contract for hire and payment, without an appropriate privilege license in the State of Mississippi shall:

A. Show good cause, in writing to the Factory-Built Home Division of the State Fire Marshal's Office, why this violation occurred and includes the approximate number of Factory-Built homes sold and/or moved prior to obtaining a privilege license.

B. Request a retailer's, developer's, or installer/transporter's privilege license application. This application is to be returned, signed and notarized with a check payable to the Office of the State Fire Marshal pursuant to the fee schedule in Rule 5.02.1-7.

C. Schedule with the State of Mississippi to attend an 8-hr training course and have passed a written examination (passing score of 70 or above).

D. Set an inspection date with the State Fire Marshal's Office for all homes installed prior to the issuance of a license, which is required to verify compliance pursuant to these regulations.

E. Be subject to penalties as set forth in *Miss. Code Ann.* § 75-49-19.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

#### **Rule 5.02.1-14: Installation Inspection**

All Factory-Built homes passing an on-site inspection pursuant to this regulation, shall have a permanently attached serial numbered and color-coded inspection decal placed near the HUD label on the exterior siding on new or used Factory-Built homes built after June 1976, typically found on the opposite the hitch-end of the Factory-Built homes. **The inspection decal for each Factory-Built Home implies acceptance as having been installed in accordance with the manufacturer’s specification on all new homes, or the local authority having jurisdiction (LAHJ) in coded areas or in the absence of an installation manual (mostly used homes), the State of Mississippi’s Rules and Regulations for MH-5.**

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2015).

#### **Rule 5.02.1-15: Site Preparation, Anchoring and Blocking Requirement**

No retailer, developer, or installer/transporter shall deliver, or cause to be delivered, any Factory-Built home that is to be used for human habitation, to any person at any site without proper site preparation, water drainage provisions according to the manufacturers installation instructions (for all new Factory-Built homes) and anchoring and blocking of such home in accordance with the rules, regulations and procedures promulgated by the Commissioner of Insurance.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

#### **Rule 5.02.1-16: Time Period Allowed for Installation**

A period of not more than thirty (30) days from date of delivery to the site shall be allowed for the anchoring and blocking of all Factory-Built homes. No retailer, developer, or installer/transporter shall perform a “Hook and Drop” of any Factory-Built home, originally intended for human habitation, to any installation site. This requirement is provided for in *Miss. Code Ann.* § 75-49-7(2) and Rule 5.02.1-15 of this Regulation.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

#### **Rule 5.02.1-17: Property Locator/Certificate of Installation Submitted by the Retailer/Developer**

A. To ensure compliance with this regulation, it shall be the responsibility of each retailer and developer to submit the Property Locator/Certificate of Installation to the Factory-Built Home Division of the State Fire Marshal’s Office for **every** Factory-Built home that has been sold and

installed. The above listed form must be received in the State Fire Marshal's Office within seventy-two (72) hours (3 days) of completion of the installation of the home and **not** the sale of the home. The form must be signed by both the retailer/developer and the installer/transporter. The form enables the ~~only~~ duly appointed representative of the State Fire Marshal's Office to conduct inspections as required according to the Division. The information on the Property Locator/Certificate of Installation must be filled in completely, legible and shall include all of the following information:

1. The retailer's name, license number, address, telephone number, fax number and email address;
2. The installer/transporter's name, license number, address, telephone number, fax number and email address;
3. The homeowner's name, address of the home installation site including city, State, zip code, the homeowner's telephone number, county where home has been installed and the homeowner's email address.
4. The serial number of home, size of home, HUD number, Wind Zone designation, year/make/model of the home, new or used home designation, and the manufacturer of the home; and provide a photograph or photocopy of the home's Data Plate;
5. The date the home was installed;
6. Any exclusion of the home for use as a hunting/fishing camp, storage or other use, if applicable;
7. Determination of party responsible for the site preparation and water drainage;
8. Designation of type of pan foundation system, if installed on the home;
9. Determination if the home is located within a designated flood prone area. If the home is in a flood zone a copy of the flood elevation certificate is required to be attached as well as the engineer drawings from FEMA 85 Appendix H for the pier and anchoring requirements;
10. Class of anchor used for home installation or soil test probe readings for class of anchor installed;
11. Signatures of the retailer/developer and installer/transporter;
12. Precise and accurate written directions to the home installation site; using state highway numbers, county road numbers, towns, street names, and road names and

distances along each roadway; and/or,

13. A clear and legible map showing directions to the home-site from a known starting point.

14. For all multi-section manufactured home, the installer/transporter shall submit the required photographs of the end walls of the home showing the serial number of the home and the measured width of the marriage line gap at the widest point.

B. The forms may be submitted to the Division either by facsimile transmission to a phone number provided by the State Fire Marshal's Office or as a digital attachment to an email sent to a specific email address provided by the State Fire Marshal's Office. Any version of the form (cell phone photograph, facsimile transmission, etc.) submitted to the Office that has not been filled out completely, is of poor visual quality and otherwise illegible, will be immediately returned to the sender for correction.

C. Nothing contained herein shall restrict or limit the customer's option of independently contracting with a properly licensed transporter or installer for set-up and installation rather than purchasing transportation and installation services from the retailer or developer.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

### **Rule 5.02.1-18: Property Locator/Certificate of Installation Submitted by the Installer/Transporter**

A. It shall be the responsibility of each installer/transporter that transports or installs a home at a secondary location to submit, for **every** Factory-Built home, the Property Locator/Certificate of Installation to the Factory-Built Home Division of the State Fire Marshal's Office (SFMO). The above listed form must be signed and dated by the installer/transporter and received in the SFMO within seventy-two (72) hours (3 days) of completion of the installation of a home. The Property Locator/Certificate of Installation is to enable the duly appointed representative of the State Fire Marshal's Office to conduct inspections as required according to the Division. **This report requires all new and used homes that are transported or installed by an installer/transporter for someone other than a licensed retailer or developer.** The information on the forms must be legible and shall include all the following:

1. The retailer's name, license number, address, telephone number, fax number and email address;
2. The installer/transporter's name, license number, address, telephone number, fax number and an email address;

3. The homeowner's name, address of the home installation site including city, State, zip code, the homeowner's telephone number, county where home has been installed and the homeowners email address.
  4. The serial number of the home, size of the home, HUD number, Wind Zone designation, year/make/model of the home, new or used home designation, and the manufacturer of the home; and provide a photograph or photocopy of the home's Data Plate;
  5. The date of the installation;
  6. Any exclusion of the home for use as a hunting/fishing camp, storage or other use, if applicable;
  7. Determination of party responsible for the site preparation and water drainage;
  8. Designation of type of pan foundation system, if installed on the home;
  9. Determination if the home is located within a designated flood prone area. If the home is in a flood zone a copy of the flood elevation certificate is required to be attached as well as the engineer drawings from FEMA 85 Appendix H for the pier and anchoring requirements;
  10. Class of anchor used for home installation or soil test probe readings for class of anchor installed;
  11. Signature of the installer/transporter;
  12. Precise and accurate written directions to the home installation site; using state highway numbers, county road numbers, towns, street names, and road names and distances along each roadway; and/or,
  13. A clear and legible map showing directions to the home-site from a known starting point.
  14. For all multi-section Factory-Built home, the installer/transporter shall submit the required photographs of the end walls of the home showing the serial number of the home and the measured width of the marriage line gap at the widest point.
- B. The forms may be submitted to the Division either by facsimile transmission to a phone number provided by the State Fire Marshal's Office or as an attachment to an email sent to a specific email address provided by the State Fire Marshal's Office. Any version of the form (cell phone photograph, facsimile transmission, etc.) submitted to the Office that has not been filled out, is of poor visual quality and otherwise illegible, will be immediately returned to the sender for correction.

C. In all cases in which the installation is arranged and/or paid for by the retailer, the retailer shall assume responsibility for the proper set-up of the Factory-Built home. This subsection shall not relieve any installer/transporter from any responsibilities and applicable penalties.

D. All manufacturers, retailers, developers and installers shall comply with the Mississippi Factory-Built Home Installation Program as set forth in Rule 5.02.2 of this Regulation.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-9(7); 75-49-19 (Supp. 2024).

## **Rule 5.02.2: Factory-Built Home Installation Inspection Program**

This section of the regulation describes the standards and requirements for an installation inspection program for **all** Factory-Built homes sited within the State of Mississippi. Said program shall be called the Mississippi Factory-Built Home Installation Inspection Program (hereinafter “MS Inspection Program”).

Source: *Miss. Code Ann.* § 75-49-11 (Supp. 2024).

### **Rule 5.02.2-1: Purpose**

The Commissioner of Insurance, in his duties as State Fire Marshal, pursuant to the authority granted to him by House Bill 1435, 2008 Regular Legislative Session as codified in *Miss. Code Ann.* § 75-49-9(11); *Miss. Code Ann.* § 75-49-11 (Rev. 2008); as well as the provisions of Mississippi Department of Insurance Regulation No. 88-101, said Regulation being the Rules of Practice and Procedure before the Mississippi Insurance Department; and upon agreement between the Mississippi State Fire Marshal’s Office, Factory-Built Home Division (“Division”) and the Department of Housing and Urban Development (“HUD”), which requires the Division to conduct installation inspections of Factory-Built Homes from and after July 1, 2009.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.02.2-2: Scope**

The inspection program shall apply to **all Factory-Built homes** sited within the State of Mississippi installed on or after July 1, 2009.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.02.2-3: Mississippi Factory-Built Home Installation Program Standards**

The Mississippi Factory-Built Home Installation Program Standards (hereinafter “MS Installation Standards”) shall be the standards and requirements as set forth by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 USCS 5401 et seq.), Model Manufactured Home Standards and Manufactured Housing Installation Rules and Regulations (24 CFR Parts 3285 and 3286) and as amended by the Manufactured Housing Improvement Act of 2000, as same may be revised and amended; and Mississippi Department of Insurance Regulation MH-5, as amended.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.02.2-4: Installation Inspection Requirements**

A. Beginning July 1, 2009, every Factory-Built home that is sited within the State of Mississippi shall be subject to inspection under the MS Inspection Program prior to occupation. Said inspection shall be conducted by an inspector assigned by the State Fire Marshal’s Office to verify that the installation of the Factory-Built home meets the manufacturers’ published installation instructions and the MS Installation Standards as found herein.

B. Furthermore, each retailer/developer and/or installer/transporter shall certify, by submitting a Property Locator/Certificate of Installation Form to the State Fire Marshal’s Office indicating that they have installed said Factory-Built home in accordance with the requirements set forth by the manufacturers published installation instructions and the MS Installation Standards as found herein.

Source: *Miss. Code Ann.* § 75-49-1, et seq.; § 75-49-11 (Supp. 2024).

### **Rule 5.02.3: Installation Inspection Procedure**

#### **Rule 5.02.3-1: Scheduling of the Inspection**

A. For all new or used residential Factory-Built homes involving a retailer, the retailer is required to, within three (3) business days of the completion of the installation and prior to the installation of any porches or decks at the entrances to the home, or installation of any skirting around the home submit by e-mail, facsimile, or priority mail, a properly completed and signed Property Locator/Certificate of Installation form and the required photographs of the end walls of the multi-section home showing the serial number of the home and the measured width of the marriage line gap at the widest point to the Factory-Built Home Division of the State Fire Marshal’s Office. Directions included on or with the Property Locator form will provide information on the exact location where the home has been installed.

B. For secondary sitings not involving a retailer, the installer/transporter is required to submit, within three (3) business days of the completion of the installation and prior to the installation of any porches or decks at the entrances to the home, the installation of any skirting around the

home, submit by email, facsimile, or priority mail, the properly completed and signed Property Locator/Certificate of Installation form and the required photographs of the end walls of the multi-section home showing the serial number of the home and the measured width of the marriage line gap at the widest point to the Factory-Built Home Division of the State Fire Marshal's Office, for **all** Factory-Built homes. Directions included on or with the Property Locator form will provide information on the exact location where the home has been installed.

C. Inspections of the installed factory-built home shall be scheduled to occur within seven (7) to ten (10) business days following the receipt of the Property Locator/Certificate of Installation from the retailer, the developer and/or the installer/transporter. Resource and manpower shortages within the Division will require adjustments to the time frame for completing the received and assigned inspections.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-9; 75-49-11 (Supp. 2024).

### **Rule 5.02.3-2: Inspection Fees**

The State Fire Marshal has set a reasonable standard fee, which shall not be more than an amount allowed by HUD, for said inspection. The fee shall be paid by the installer/transporter, developer, or retailer. The State Fire Marshal will not charge the fee to the purchaser of the Factory-Built home. Inspection fee invoices shall be sent to the installer/transporter upon receipt of the Property Locator/Certificate of Installation. The payment for the inspection fees, including the remittance portion of the invoices, shall be promptly returned to the State Fire Marshal's Office. Failure to submit payment of the inspection fee invoices within 45 days from the date on the invoice shall be considered a violation of this regulation.

Any person, company or entity not in compliance with this Rule and having numerous unpaid invoices at the time of their license renewal (Rule 5.02.1-11) will have the issuance of their license delayed or denied until all past due invoices have been resolved.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-9; 75-49-11 (Supp. 2024).

### **Rule 5.02.3-3: Contract Rights Not Affected**

Failure to submit the Property Locator/Certificate of Installation to arrange for an inspection of a home within three (3) business days of the completed installation will not affect the validity or enforceability of any sale or contract for the sale of any Factory-Built home but will result in an extension of the time allowed to schedule the installation inspection.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-9; 75-49-11 (Supp. 2024).

### **Rule 5.02.3-4: State and Local Permits**

All necessary permit requirements under state law or by the LAHJ shall be obtained prior to installation of the Factory-Built home.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-9; 75-49-11 (Supp. 2024).

### **Rule 5.02.4: Certification of Installation**

#### **Rule 5.02.4-1: Certificate of Inspection**

When the installation work is complete, the retailer and/or installer/transporter shall certify by signature at the bottom of the Property Locator/Certificate of Installation devised for reprint purposes, that:

A. The Factory-Built home has been installed in accordance with:

1. An installation design and instructions that have been provided by the manufacturer and approved by the Secretary for Housing and Urban Development directly or through review by the DAPIA; or,

2. An installation design and instructions that have been prepared and certified by a professional engineer or registered architect, that have been approved by the manufacturer and the DAPIA as providing a level of protection for residents of the home that equals or exceeds the protection provided by MH-5, as amended.

3. If the installation instructions do not comply with the MS Inspection Program installation standards herein, the manufacturer is responsible for any aspect of installation that is completed in accordance with the installation instructions and that does not comply with the installation standards.

4. If a Factory-Built home is classified as “used” and the manufacturer instructions cannot be located, the installer/transporter shall comply with the provisions of this regulation, as amended, in installing the Factory-Built home.

5. Upon completion of the inspection, where the inspector has verified the installation as proper and has passed the home, a signed Certificate of Inspection will be sent to the homeowner, to the installer/transporter and to the retailer. This certificate is verification that the installation of the home has passed a final inspection.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

### **Rule 5.02.4-2: Procedures for Failures to Comply With Installation Standards**

A. If the proper installation of the new or used Factory-Built home cannot be confirmed at the time of the inspection, the inspector must notify the company performing the installation of any non-compliance issues with the installation standards. A written explanation (Affidavit of Correction Statement) will be sent to the installer, retailer and homeowner with the reasons why the inspector cannot approve the installation. If the installation is a secondary move the installer/transporter, and the homeowner will receive the Affidavit of Correction Statement. The person responsible shall have twenty (20) calendar days, from the date of the Affidavit of Correction Statement, to correct the defects found during the inspection and return the signed and notarized affidavit to the State Fire Marshal's Office indicating that all the listed defects have been corrected. Failure to comply with the return of the Affidavit of Correction Statement, set forth in this document, will be considered a violation of said regulations and shall be assessed administrative fines and penalties where applicable. After the installation is corrected and the notarized affidavit has been returned, the installation may be re-inspected by an inspector before the Certificate of the inspection can be issued. Submission of a signed and notarized affidavit by a manufacturer, developer, retailer or installer/transporter that is not factually correct will be considered as a violation of *Miss. Code Ann. § 97-7-10*.

B. If the manufacturer, developer or retailer retains the installer/transporter, all are jointly and severally responsible with the installer/transporter for correcting installation defects. Upon failure to pass the re-inspection of the installation, the manufacturer, developer, and/or retailer will be notified that the installer/transporter has failed to correct the defects.

C. Any person, company or entity not in compliance with this Rule and having numerous unreturned Affidavit of Correction Statements at the time of their license renewal (Rule 5.02.1-11) will have the issuance of their license delayed until all installation corrections have been made and the signed and notarized Affidavit of Correction Statements have been returned.

Source: *Miss. Code Ann. §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024)*.

### **Rule 5.02.4-3: Cost of Re-inspection**

Any inspection that is assessed as a failed case status (i.e. home not on site or home installation not complete at the time of the inspection, skirting installed on the home at the time of the inspection, porches or decks installed around the home or improper site preparation that requires the home to be moved to make the correction, etc.) will require a re-inspection of the installation following the correction of the identified defects and shall be assessed an additional inspection fee. The cost of that additional inspection fee will be the responsibility of the installer/transporter or, if the installer/transporter was retained by the manufacturer, developer or retailer, that individual or entity will be responsible for payment of the additional inspection fee

and, absent a written agreement with the purchaser that specifically states otherwise, that cost cannot be charged to the purchaser of the Factory-Built home. The re-inspection fee shall be reasonable and shall not exceed the cost of the original inspection fee.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

#### **Rule 5.02.4-4: Scheduling a Follow-up of a Failed Inspection**

Within three (3) business days following completion of all work to correct the failed installation inspection deficiencies, the responsible party making the corrections (retailer or installer) must notify the Fire Marshal’s Office, by submitting the signed and notarized Affidavit, to arrange for a follow-up inspection of the home installation site. The follow-up inspection shall be performed as soon as practicable by an inspector.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

#### **Rule 5.02.4-5: Inspection Decal**

A. Upon passing the final inspection, the inspector shall attach a color-coded serial numbered inspection decal on the exterior of the home near the HUD label on new or used Factory-Built homes built after June 1976, as shown in Figure 1, as proof that the Factory-Built home installation meets the MS Installation Standards as set forth in this regulation on all used Factory-Built homes and/or is in compliance with the manufacturers installation instructions on all new Factory-Built homes.



Figure 1. Inspection Decal Placed on the Exterior of the Home Near the HUD Label.

B. The State Fire Marshal's Office will supply inspection decals to each Deputy Fire Marshal inspector. Each decal will have spaces for the inspector to write in the homeowner's name, date of inspection and installer/transporter license number, and will bear the following statement:

**THIS UNIT HAS BEEN INSTALLED IN COMPLIANCE WITH THE UNIFORM STANDARDS CODE FOR THE FACTORY-BUILT HOMES LAW (SECTION 75-49-1 ET SEQ., CODE OF MISSISSIPPI (1972), AS AMENDED). THIS DECAL SHALL REMAIN THE PROPERTY OF THE STATE OF MISSISSIPPI, TO BE SURRENDERED UPON DEMAND.**

Anyone tampering with or removing this inspection decal from this unit will be prosecuted as set forth in these rules and regulations and shall be subject to suspension or revocation of their privilege license.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

#### **Rule 5.02.4-6: Inspector Qualifications**

A. Any person who is a Deputy State Fire Marshal may conduct inspections pursuant to this Regulation.

B. The inspector must be independent of the manufacturer, the retailer, the installer/transporter, and any other person that has a monetary interest, other than collection of an inspection fee, in the completion of the sale of the home to the purchaser.

C. The Commissioner may, in writing, suspend or revoke an inspector's authority to inspect Factory-Built home installations for cause. In deciding whether to suspend or revoke an inspector's authority to conduct such installation inspections, the Commissioner may consider the impact of the suspension or revocation on other affected parties and will seek to assure that the sales and siting of Factory-Built homes are not unduly disrupted.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

#### **Rule 5.02.4-7: Verification of Installer/Transporter License**

If the retailer, developer or manufacturer agrees to provide any transportation and/or set up in connection with the sale of a Factory-Built home, the retailer/developer or manufacturer must verify with the Mississippi State Fire Marshal's Office that the installer/transporter is licensed pursuant to *Miss. Code Ann.* § 75-49-9. The retailer/developer and or manufacturer shall

forward a copy of the current license and the signed contract with each installer/transporter to the Division office.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

#### **Rule 5.02.4-8: Site Preparation by Homeowner**

The manufacturer, retailer, developer or installer/transporter may agree in writing, by a written and signed contract with the homeowner, to allow the consumer to conduct the site preparation for the Factory-Built home installation. It will be the responsibility of the party providing the contract, to allow the homeowner to perform this work and to provide the homeowner with the State of Mississippi soil pad specifications set forth in MH-5, as amended. However, before the installer/transporter may begin installation of the Factory-Built home, the site preparation must be inspected by the installer/transporter to determine that the site preparation meets the requirements set forth in MH-5, as amended. If there is conflict between the installer/transporter and the consumer regarding the site preparation, the State Fire Marshal's Office may be required to mediate. Any fee charged by the State Fire Marshal's Office due to said mediation will be paid by the consumer.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

#### **Rule 5.02.4-9: Waiver of Rights Invalid**

Any provision of a contract or agreement entered into by a Factory-Built home purchaser that seeks to waive any recourse under the MS Installation Program is void, except a waiver provision may be allowed for any agreement entered into pursuant to the provisions of Rule 5.02.4-8 of this Regulation.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

#### **Rule 5.02.4-10: Violations and Penalties**

Failure of a retailer/developer or installer/transporter or both to comply with a material provision of this Regulation is considered a violation of *Miss. Code Ann.* § 75-49-7(2). The State Fire Marshal may deny a license application or suspend or revoke a license, and may impose an administrative fine, or both as provided in *Miss. Code Ann.* § 75-49-19, after giving notice of hearing to the applicant or licensee by serving a written statement of charges on the licensee at least twenty (20) days prior to hearing, in the manner provided for in *Miss. Code Ann.* § 75-49-13 for any violation of this Regulation.

Source: *Miss. Code Ann.* §§ 97-7-10; 75-49-7(2); 75-49-19; 75-49-11; 75-49-1 et seq. (Supp. 2024).

### **Rule 5.02.5: License Exceptions**

Pursuant to *Miss. Code Ann.* §75-49-5, the following entities or individuals are not required to have a privilege license:

A. An individual relocating and installing a Factory-Built home only within the boundaries of their personal property (defined as “Self-Set”), is the owner thereof, or the Factory-Built home is owned by a member of the individual's family, and the home is not intended for sale, exchange, or lease. Further, the installation of the home must meet the requirements set forth in this Regulation pertaining to the proper anchoring and blocking of the Factory-Built home. However, any transportation of a Factory-Built home by an unlicensed individual, who is compensated by the homeowner or other entity, and has transported the home upon a public right of way from another property not directly adjoining the destination property shall constitute a direct violation of this Regulation and *Miss. Code Ann.* §75-49-5 (Supp. 2015). The transportation of any Factory-Built home upon a public right of way, regardless of distance travelled, shall require a licensed installer/transporter to provide this service.

B. An individual performing maintenance, repairs, or corrections to an installation for the purpose of customer service on behalf of manufacturers, retailers or developers;

C. A transporter that conducts interstate transport of Factory-Built homes through the State of Mississippi for manufacturers, retailers or developers and does not deliver to and/or install at home sites intended for human habitation.

Source: *Miss. Code Ann.* §75-49-5 (Supp. 2024).

### **Rule 5.02.6: Manufacturer Qualifications for License**

A. All manufacturer applicants shall certify in the application that they will fully comply with 24 CFR 3280 and CFR 3282 of the National Manufactured Home Construction Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.) and as amended by the Manufactured Housing Improvement Act of 2000, set forth pursuant to *Miss. Code Ann.* § 75-49-5 and 75-49-11.

B. All manufacturers of modular homes shall certify in the application that they will fully comply with the Title 19, Part 7, Chapter 3 (ME-2007-3) Rules and Regulations For The Uniform Standards Code for the Factory-Built Homes Law as Related to Modular Homes.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.7: Retailer Qualifications for License**

To protect the health, safety and welfare of the public of this state, each applicant for a retailer's license shall:

1. Demonstrate to the Commissioner that he has a good general working mechanical knowledge of Factory-Built home construction and repair;
2. Demonstrate to the Commissioner that he has a good practical working knowledge of the manner in which Factory-Built homes are anchored and blocked in accordance with rules, regulations and procedures promulgated by the Commissioner;
3. Demonstrate to the Commissioner that he shall have or has adequate facilities for the installation, repair and servicing of Factory-Built homes and storage of parts and accessories and has at least one operable service truck. If, however, the retailer is contracting out all installation, repair and service, then he shall provide a duplicate of the executed contract to the Commissioner and said contract shall contain a clause stating that the Commissioner shall be notified (30) days in advance of its cancellation.
4. Demonstrate to the Commissioner that he has adequate space to display his Factory-Built homes at each sales lot and that he has or shall maintain a permanent sales office located at each of those sales lots with running water and sewer facilities for public comfort and convenience and to comply with the county health department regulations and other applicable safety standards for a permanent sales site in the county or municipality in which they are located. Prior to the issuance of the license, the physical location of the retail lot will be inspected by a representative of the Factory-Built Homes Division of the State Fire Marshal's Office to certify that the facilities meet the standards set forth by this Regulation.
5. Demonstrate to the Commissioner that he shall maintain full compliance with all bonding and insurance requirements for the entire licensure period.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

#### **Rule 5.02.7-1: Temporary Promotional Retail Sales Activity**

Nothing in this regulation shall prohibit a licensed Mississippi permanent retailer sales center from conducting a temporary promotional activity to retail consumers at a location other than its licensed permanent retailer location center so long as:

- A. The activity does not exceed seventeen (17) consecutive days in duration and is not repeated at that location within the next six (6) months;

B. The activity is within the county in which the retailer sales center has a permanent license or within fifty (50) miles radius of the location of the permanent licensed Mississippi sales center location, whichever is greater;

C. The temporary promotional site has:

1. Running water and sewer facilities for public comfort and convenience and to comply with the health and safety standards as well as other local ordinance requirements for a temporary sales site in the county or municipality in which the site is located;

2. If running water and sewer facilities are not fully accessible to the public at the site during the operation of the promotional event, then other arrangements must be made to ensure compliance with Rule 5.02.7-1(C)(1);

3. The temporary promotional site has a sign at least four (4) feet by eight (8) feet in size with lettering at least twelve (12) inches high advising the public that this is a temporary location and designating the address of the permanent licensed sales center retailer location, with the sign to be prominently located on the temporary promotional site for viewing by the public. This sign cannot be placed on a public right-of-way, and it must be placed in the display area where the event is held;

4. There is adequate space to display the Factory-Built homes at the temporary promotional site, and;

5. The license must be granted by the Commissioner for each temporary promotional site where employees or agents of the retailer meet the public regardless of whether sales will be made on site;

6. The licensed Mississippi retailer shall provide a thirty (30) day advance notice to the Factory-Built Home Division of the State Fire Marshal's Office for the purpose of license application, all counties or municipalities, permits and site inspection. The license will only be good for the seventeen (17) daytime-frame requested.

7. The licensed Mississippi retailer shall submit its application for a license to the Factory-Built Home Division of the State Fire Marshal's Office at least thirty (30) days prior to the proposed effective date of the temporary promotional event. The failure to submit the license application at least thirty (30) days in advance can serve as a basis for denial of a license. Any license issued will only be valid for the seventeen (17) daytime-frame or any shorter period requested. Any license issued will only be effective for that period [actual days] in which sales are actively solicited or the period in which the homes are promoted by the retailer.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.7-2: Safeguarding the Public Interest**

A retailer or developer may be required to demonstrate to the Commissioner that he has a good general knowledge of and will comply with the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended, and as amended by the Manufactured Housing Improvement Act of 2000 and the rules and regulations promulgated by the Department of Insurance for the State of Mississippi and by the Department of Housing and Urban Development as they pertain to the responsibilities of a retailer to properly safeguard the public interest. No retailer or developer shall make use of transportation affecting interstate or foreign commerce or the mails to sell, lease, or offer for sale or lease in the State of Mississippi any Factory-Built home not in conformity with the aforesaid standards unless the developer or retailer, acting as a reasonable developer or retailer, does not know that the Factory-Built home does not conform to applicable standards. This prohibition of sale applies to any affected Factory-Built homes until the completion of the entire sales transaction. **A sales transaction with a purchaser is considered completed when all the goods and services that the retailer has agreed to provide at the time the contract was entered into have been provided.** Completion of a retail sale will be at the time the retailer completes setup of the Factory-Built home if the retailer has agreed to provide setup. If the retailer has not agreed to transport or set up the Factory-Built home, this prohibition of sale does not apply.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.7-3: Retail Sales with In-house Transport and Installation Staff**

A retailer that employs their own Factory-Built home transport and installation staff is authorized, under their retail license, to transport and install homes that are for sale at their retail location. Any transportation and installation of homes that are for sale by another licensed retailer/developer or for persons contracting for hire the transportation and installation of their personal home shall be considered as an installer/transporter, as defined in Rule 5.01.2 (U), and requires the retailer to apply for and obtain a separate installer/transporter license.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.7-4: Training Requirements**

A. The retailer shall ensure that within one (1) year of employment, all new sales staff will attend an eight (8) hours training seminar provided by the State Fire Marshal Factory-Built Home Division and thereafter, attend one eight (8) hours training seminar provided by the Factory-Built Home Division every three (3) years. At the time of license renewal, the employer of sales staff is responsible for submitting in writing to the Factory-Built Home Division a list of all sales staff and their date of employment and shall be required to display current training certificates of all sales staff at the retailer's current business location.

B. A retailer that employs their own installation staff shall ensure that within six (6) months of employment all the installation staff will attend an introductory eight (8) hour training seminar provided by the State Fire Marshal Factory-Built Home Division and thereafter, attend one eight (8) hours training seminar every year provided by the Factory- Built Home Division. The employer of the installation staff is responsible for submitting in writing to the Factory-Built Home Division a list of all the installation staff and their date of employment, which is due at the time of license renewal.

C. With the submittal of the annual renewal application, copies of all approved certificates of training shall be submitted by the retailer license holder for themselves, their sales staff and installation staff to the Factory-Built Home Division and provide affirmation in writing, as required by the Division, as having three (3) Factory-Built homes on their retail lot.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

#### **Rule 5.02.7-5: Vehicle Decals**

All retailers who have in-house service crews that install new or used Factory-Built homes or modular homes shall be required to display a current license period decal on all trucks (toters). The current vehicle decals will be issued by the State Fire Marshal’s Office/Factory-Built Home Division, based upon the number requested by the licensee at time of license renewal. The request must also include names of all drivers who may be operating the transport vehicle, a copy of each driver’s valid Commercial Driver’s License (CDL), a copy of each driver’s current valid employee ID card issued by the State Fire Marshals office, the VIN numbers of each vehicle, a photograph of the vehicle license tags for each of the transport trucks to which the decals will be attached. The color of the decals shall match the current home decals during the licensing period. A decal must be placed on the driver’s door and the passenger door of the vehicle in plain view to verify current license. Escort vehicles are not required to have decals.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

#### **Rule 5.02.7-6: Retail Lot Display and Temporary Storage**

A. All Factory-Built homes displayed or stored on a retail lot for periods longer than 30 days shall be stabilized as described below and to such a degree so as to not allow damage to occur while the home is present on the lot.

B. All new Factory-Built homes at the retail location shall be temporarily blocked as required in the “Display and Storage Instructions of the Home” section of the manufacturer’s installation manual.

C. For all used Factory-Built homes at a retail location, piers shall consist of a minimum of three (3) piers and are to be located under each I-beam, one at each end of the home and one

in front of each axle area. The piers shall be located no further than 2 feet from each end of the home and approximately at the center of the home.

D. For all used multi-section Factory-Built homes at a retail location, any opening within the marriage wall greater than 48 inches shall have a pier installed at each side of the opening.

E. For all used Factory-Built homes at a retail location, door and window openings greater than 48 inches shall have a pier installed at each side of the opening.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

**Rule 5.02.7-7: Inspection of Retail Lot Units and Records**

A. Upon request of the State Fire Marshal Deputy, while conducting a regularly scheduled lot inspection, all licensed retail lot owners shall be required to provide documentation or records for each of the new and used Factory-Built homes present on the retail lot at the time of the inspection. The files in the retail lot office for each home shall include the identifying numbers (HUD numbers and Serial Numbers), copy of the data plate for the home, transport damage report or inspection report on the condition of the home upon arrival from the manufacturer, work orders to repair any damage occurring during transport and a delivery invoice indicating the date that the home was delivered to the retail lot location.

B. All Factory-Built homes on the retail lot that have been on display and/or stored for longer than 30 days and that have been found not to be properly stabilized as described in Rule 5.02.7-6 shall be marked with a “Non-Compliance” tag, as shown in Figure 2. The tag will remain attached to the unit until such time as it has been properly stabilized. If the home is a new home, a damage

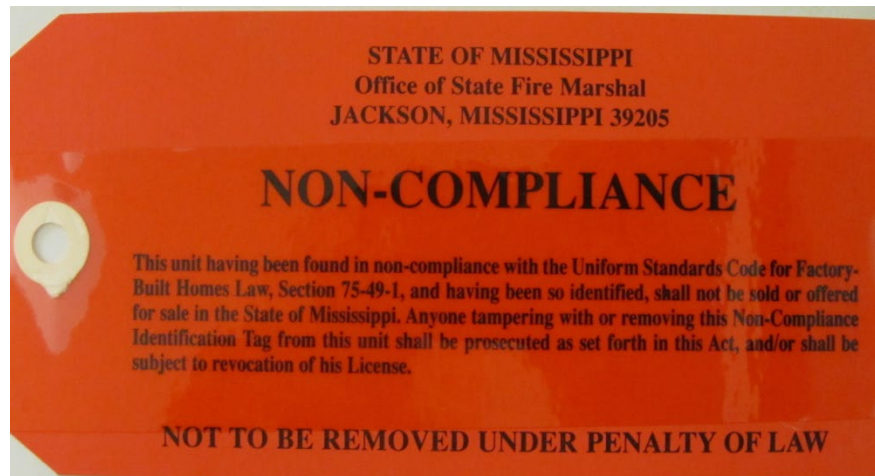


Figure 2. Retail Lot Factory-Built Home Non-Compliance Tag

assessment shall be required to be conducted by a representative of the manufacturer of the home and a letter on the findings shall be filed with the retailer's files on the home and with the State Fire Marshal's Office. The "Non- Compliance" tag may only be removed by the State Fire Marshal's Office at such time of notification that the Factory-Built home has been properly stabilized and that a damage assessment has been completed.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.8: Developer Qualifications for License**

In order to protect the health, safety and welfare of the public of this state, each applicant for a developer's license shall:

A. Demonstrate to the Commissioner that he has a good general working mechanical knowledge of Factory-Built home construction and repair;

B. Demonstrate to the Commissioner that he has a good practical working knowledge of the way Factory-Built homes are anchored and blocked in accordance with rules, regulations and procedures promulgated by the Commissioner;

C. Demonstrate to the Commissioner that he shall have or has adequate facilities for the repair and servicing of Factory-Built homes and storage of parts and accessories and has at least one operable service truck. If, however, the developer is contracting out all installation, repair and service, then he shall provide a duplication of the contract executed to the Commissioner and said contract shall contain a clause stating that the Commissioner shall be notified thirty (30) days in advance of its cancellation.

D. Demonstrate to the Commissioner that he has an adequate space to display his Factory-Built homes at each development site and that he has or shall maintain a permanent sales/business office within the State of Mississippi with running water and sewer facilities for public comfort and convenience and to comply with the county health department regulations and other applicable safety standards for a permanent structure in the county or municipality in which they are located. Prior to the issuance of the license the physical location of the developers' retail office will be inspected by a representative of the Factory-Built Homes Division of the State Fire Marshal's Office to certify that the facilities are up to standards set forth by this regulation.

E. Demonstrate to the Commissioner that he shall maintain full compliance with all bonding and insurance requirements for the entire licensure period.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.8-1: Safeguarding the Public Interest**

A developer may be required to demonstrate to the Commissioner that he has a good general knowledge of and will comply with the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended, and as amended by the Manufactured Housing Improvement Act of 2000 and the rules and regulations promulgated by the Department of Insurance for the State of Mississippi and by the Department of Housing and Urban Development as they pertain to the responsibilities of a retailer to properly safeguard the public interest. No retailer or developer shall make use of transportation affecting interstate or foreign commerce or the mails to sell, lease or offer for sale or lease in the State of Mississippi any Factory-Built home not in conformity with the aforesaid standards unless the developer or retailer, acting as a reasonable developer or retailer, does not know that the Factory-Built home does not conform to applicable standards. This prohibition of sale applies to any affected Factory-Built homes until the completion of the entire sales transaction. **A sales transaction with a purchaser is considered completed when all the goods and services that the retailer has agreed to provide at the time the contract was entered into have been provided.** Completion of a retail sale will be at the time the retailer completes setup of the Factory-Built home if the retailer has agreed to provide setup. If the retailer has not agreed to transport or set up the Factory-Built home, this prohibition of sale does not apply.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.8-2: Developer Sales with In-house Transport and Installation Staff**

A developer that employs their own Factory-Built home transport and installation staff is authorized, under their developer license, to transport and install homes that are for sale at their development location. Any transportation and installation of homes that are for sale by another licensed retailer/developer or for persons contracting for hire the transportation and installation of their personal home shall be considered as an installer/transporter, as defined in Rule 5.01.2 (23), and requires the developer to apply for and obtain a separate installer/transporter license.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.8-3: Training Requirements**

A. The developer shall ensure that within one (1) year of employment, all sales staff will attend one eight (8) hours training seminar provided by the State Fire Marshal Factory-Built Home Division and thereafter, attend one eight (8) hours training seminar provided by the Factory-Built Home Division every three (3) years. At the time of license renewal, the employer of sales and service staff is responsible for submitting in writing to the Factory-Built Home Division a list of all sales staff and their date of employment and to display current training certificates of all sales staff at the developer's current business location.

B. A developer that employs their own installation staff shall ensure that within six (6) months of employment all the installation staff will attend an introductory eight (8) hour training seminar and thereafter, attend eight (8) hours of training each year provided by the Factory-Built Home Division. The employer of the installation staff is responsible for submitting in writing to the Factory-Built Home Division a list of all the installation staff and their date of employment, which is due at the time of license renewal.

C. With the submittal of the annual renewal application, copies of all approved certificates of training shall be submitted by the developer license holder for themselves, their sales staff and installation staff to the Factory-Built Home Division.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

#### **Rule 5.02.8-4: Vehicle Decals**

All developers who have in-house service crews that install new or used Factory-Built homes or modular homes shall be required to display a current license period decal on all trucks (toters). The current vehicle decals will be issued by the State Fire Marshal's Office/Factory-Built Home Division, based upon the number requested by the licensee at time of license renewal. The request must also include names of all drivers who may be operating the transport vehicle, a copy of each driver's valid Commercial Driver's License (CDL), a copy of each driver's current valid employee ID card issued by the State Fire Marshal's office, the VIN numbers of each vehicle, a photograph of the vehicle license tags for each of the transport trucks to which the decals will be attached. The color of the decals shall match the current home decals during the licensing period. A decal must be placed on the driver's door and the passenger door of the vehicle in plain view to verify current license. Escort vehicles are not required to have decals.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

#### **Rule 5.02.9: Installer/Transporter Qualification for License**

In order to protect the Health, Safety and Welfare of the public of this State, each applicant for an installer/transporter license shall:

A. Demonstrate to the Commissioner that they have a good general working mechanical knowledge of Factory-Built home construction and repair;

B. Demonstrate to the Commissioner that they have a good practical working knowledge of the manner in which Factory-Built homes are anchored and blocked, in accordance with rules, regulations and procedures promulgated by the Commissioner and the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended and the Manufactured Housing Improvement Act of 2000.

C. Demonstrate to the Commissioner that they shall maintain full compliance with all bonding and insurance requirements for the entire licensure period.

D. Demonstrate to the Commissioner that, prior to receiving their license renewal, they shall resolve all financial responsibilities owed to the State of Mississippi and correct all installation defects reported to them by this office as required by Rule 5.02.1-11(C).

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.9-1: Safeguarding the Public Interest**

Each applicant for an installer/transporter license shall demonstrate to the Commissioner that he has a good general knowledge of and will comply with the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974, (42 U.S.C.S. 5401 et seq.), as amended, and the Manufactured Housing Improvement Act of 2000, and the rules and regulations promulgated by the Department of Housing and Urban Development as they pertain to the responsibilities of installers or transporters to properly safeguard the public interest.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.9-2: State and Local Compliance Requirements**

Each applicant for an installer/transporter license shall demonstrate to the Commissioner that he is in full compliance with the Mississippi Department of Transportation (MDOT) and any local requirements pertaining to the transportation of Factory-Built homes.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.9-3: Training Requirements**

Each applicant for an installer/transporter license shall demonstrate to the Commissioner that **the licensee and all employees** engaged in installation/set-up will attend eight (8) hours of training seminar provided by the State Fire Marshal Factory-Built Home Division per licensing year (July 1 to June 30) as provided by, approved by, or recommended by the Factory-Built Home Division of the State Fire Marshal's Office. The Commissioner of Insurance or the State Chief Deputy Fire Marshal may at his discretion consent to reciprocity for training of licensees with other states that have established training programs that meet or exceed the National Manufactured Home Construction and Safety Standards Act or State of Mississippi requirements of this chapter. The licensee is responsible for submitting in writing to the Factory-Built Home Division a list of all employees, copies of training certificates and their date of employment, which is due at the time of license renewal.

A. Each applicant for an installer/transporter license shall demonstrate to the Commissioner that he has passed a written examination (passing score of 70 or above) provided by the Commissioner or by a testing service acting on behalf of the Commissioner to establish an applicant's knowledge related to the rules and regulations and administration relative to Factory-Built homes in the State of Mississippi and questions specifically related to the practical installation (anchoring, blocking, and tie down) of Factory-Built homes in this state.

B. Each applicant for an installer/transporter license shall demonstrate to the Commissioner that they have obtained his approved eight (8) hour installation and set-up training certificate from the Factory-Built Home Division pursuant to the Manufactured Housing Improvement Act of 2000.

C. All installer/transporters and employees who install new or used Factory-Built homes or modular homes shall be required to maintain a copy of their recent training certificate or a currently valid ID card in all trucks (toters) or on their person and be able to produce such document upon demand by a Deputy State Fire Marshal.

D. All installer/transporters who install new or used Factory-Built homes or modular homes shall, always, be required to have a minimum of one employee on the installation crew who has completed the annual training requirement and that said person is in possession of a currently valid ID card. Failure by the installation crew to meet this requirement shall result in an immediate stoppage of the installation work. A member of the installation crew shall notify the licensee of the company, in the presence of the Deputy State Fire Marshal, that work has been stopped. Work may only be allowed to proceed if the licensee comes to the installation site, in person, to oversee the continuation of the installation work.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

#### **Rule 5.02.9-4: Contract Requirement**

All installer/transporters who conduct secondary moves of Factory-Built homes **shall have a written contract with the consumer signed by each party, with each party retaining a copy of the signed contract.** The installer/transporter will be required to maintain a copy of the said contract on file for a period of not less than three (3) years and available for random inspections by the Factory-Built Home Division pursuant to Section 75-49-5, Code of Mississippi (1972);

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.9-5: Vehicle Decals**

All installer/transporters who install new or used Factory-Built homes or modular homes shall be required to display a current license period decal on all trucks (toters). The current vehicle decals will be issued by the State Fire Marshal's Office/Factory-Built Home Division, based upon the number requested by the licensee at time of license renewal. The request must also include names of all drivers who may be operating the transport vehicle on a public road or right of way, a copy of each drivers valid Commercial Driver's License (CDL), a copy of each drivers current valid employee ID card issued by the State Fire Marshals office, the VIN numbers of each vehicle, a photograph of the vehicle license tags for each of the transport trucks to which the decals will be attached. The color of the decals shall match the current home decals during the licensing period. A decal must be placed on the driver's door and the passenger door of the vehicle in plain view to verify current license. Escort vehicles are not required to have decals. The color of the decals shall match the current home inspection decals during the licensing period. A decal must be placed on the driver's door and the passenger door of the vehicle in plain view to verify current license compliance. Escort and supply vehicles are not required to have vehicle decals.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.9-6: Recordkeeping**

The installer/transporter must retain the following for a period of three (3) years after certification of installation is received:

- A. A record of the name and address of the purchaser or other person with whom the installer/transporter contracted for the installation work and the address of the home installed;
- B. A copy of the contract pursuant to which the installer/transporter performed the installation work for the homeowner;
- C. A copy of any notice or affidavit from an inspector disapproving of the installation work;
- D. A copy of the Property Locator/Certificate of Installation in accordance with the MS Installation Standards as set forth in this Regulation, as amended; and,
- E. A copy of foundation designs used to install the Factory-Built home, if different from the designs provided by the manufacturer, including evidence that the foundation designs and instructions were certified by a professional engineer or registered architect, including the name, address, and telephone number of the professional engineer or architect certifying the designs.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.9-7: Responsibility for Transportation Damage**

A. The installer/transporter and/or business with which the installer/transporter is employed will be responsible for all safety related damages to the Factory-Built home while it is in the care, custody and/or control of said installer/transporter.

B. Any Factory-Built home abandoned on a highway, parking lot or other location during a move shall be the sole responsibility of the installer/ transporter and/or the business with which the installer/transporter is employed.

C. All installer/transporters retained by homeowners, retailer/developers or manufacturers shall be subject to the fines as set forth in this Regulation for the improper installation of Factory-Built homes.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

### **Rule 5.02.9-8: Temporary Installer/Transporter License**

A temporary license may be issued to persons or companies who are non-residents of this State and who are otherwise licensed transporters or installers in other states. Such temporary license shall remain in force for a period not to exceed thirty (30) days, unless extended for an additional period of sixty (60) days by the Commissioner or until a contract to transport or install during the period of the temporary license has been completed. Within five (5) days of any applicant delivery or beginning work as a transporter or installer under this section, the employer or person contracting with such person shall provide a copy of their installer/transporter license from out-of-state, proof of insurance and surety bond, a list of all employees of the company that will be operating under the temporary license and certify to the Commissioner such application without being deemed in violation of this act.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2024).

## **Rule 5.03: Inspection Procedures**

### **Rule 5.03.1: Authorized Inspections of Manufacturing Plants, Retail Locations, and Installer/Transporter Equipment and Installation Sites**

A. Factory-Built Home Plants located in the State of Mississippi, Factory-Built Home Retail Sales Lots, Developers, and Installer/Transporter business locations and equipment shall be subject to inspection by the Chief Deputy State Fire Marshal, Deputy State Fire Marshals or Duly Authorized Representative as may be required to insure Compliance with *Miss. Code Ann.* § 75-49-11, as amended, all applicable federal statutes and regulations as well as this Regulation.

B. A duly authorized representative of the Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect each manufacturing location within the State to assist and insure that Factory-Built homes are being constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, (42 U.S.C.S. 5401 et seq.), the Manufactured Housing Improvement Act of 2000 as amended, as well as the governing federal regulations pertaining to Factory-Built housing construction.

C. In the interest of public safety, Deputy State Fire Marshals, who are certified law enforcement officers, are duly authorized to stop and conduct inspections of installer/transporters that are transporting Factory-Built homes to verify compliance with *Miss. Code Ann.* § 75-49-9, 75-49-19 and this Regulation.

D. A duly authorized representative of the Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect each retailer and developer location to insure that Factory-Built homes offered for sale comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, as Amended, (42 U.S.C.S. 5401, et seq.), and the Manufactured Housing Improvement Act of 2000, pertinent federal regulations, as well as these rules and regulations.

Source: *Miss. Code Ann.* § 75-49-1, et seq.; § 75-49-11(Supp. 2024).

### **Rule 5.03.2: Inspection Findings of Non-Compliance**

A. Results of the inspection may be made available to manufacturers, retailers or developers upon request. When serious violations are found on HUD certified units or with the temporary storage of the units, the Factory-Built Home Division of the State Fire Marshal's Office shall immediately attach a non-compliance identification tag to the unit in question.

B. It shall be a violation of these Rules and Regulations for any Factory-Built home to be sold or offered for sale which has a non-compliance identification tag attached. The wording on such tag shall be as follows:

**"This unit, having been found to be in NON-COMPLIANCE with the Uniform Standards Code for Factory-Built Homes Law and having been identified, shall not be sold or offered for sale in the State of Mississippi. Anyone tampering with or removing this Identification Tag from this unit will be prosecuted as set forth in this Act and shall be subject to revocation of their license."**

C. A non-compliance identification tag attached to a unit may be removed only by the Factory-Built Home Division of the State Fire Marshal's Office. Such tag shall be completed as required thereon.

D. When the State Fire Marshal has reasonable grounds to believe that a unit has been constructed in non-compliance with these standards, he may require, at the manufacturers' expense, that the walls, floors, decking or other panels be removed for the purpose of inspection.

E. Units having been identified as being in non-compliance with these Rules and Regulations and having a non-compliance tag attached may be transported and relocated only after notice has been given to the Factory-Built Home Division of the State Fire Marshal's Office. Such notice will set forth the purpose for moving such unit, to whom the unit is to be delivered along with complete mailing address and telephone number, serial number, HUD label number and any other information as may be requested.

F. When such violation(s) have been corrected, the unit in question shall be re-inspected by the Factory-Built Home Division of the State Fire Marshal's Office and if found in compliance with the National Manufactured Home Construction and Safety Standards Act, the Manufactured Housing Improvement Act of 2000 and this Regulation, the inspector shall remove the non-compliance identification tag. The unit can then be sold or offered for sale.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

### **Rule 5.03.3: Requirements of Factory-Built Homes for Human Habitation**

#### **Rule 5.03.3-1: Anchoring and Blocking**

All Factory-Built homes, which include new or used Factory-Built homes, delivered by retailers, developers or independent contractor installers or transporters to any site where such home is to be used for human habitation shall be anchored and blocked in accordance with the Manufacturer Installation Instructions, if available, and/or Mississippi Factory-Built Home Installation Program as administered by the Factory-Built Home Division of the State Fire Marshal's Office, this Regulation and *Miss. Code Ann.* § 75-49-7.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

#### **Rule 5.03.3-2: Installation Inspection**

A duly authorized representative of the Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect site locations where Factory-Built homes, which include new and used Factory-Built homes, have been delivered and installed by retailers, developers or independent contractor installers or transporters, when such home is to be used for human habitation, to insure that the home is tied down, anchored and blocked in accordance with the Mississippi Factory-Built Home Installation Program as administered by the Factory-Built Home Division of the State Fire Marshal's Office, ; this Regulation and *Miss. Code Ann.* § 75-49-7.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

### **Rule 5.03.3-3: End Wall Marriage Line Gap Photographs and Skirting Installation of Factory-Built Homes**

Factory-Built homes shall not be skirted until a duly authorized representative of the Factory-Built Home Division of the State Fire Marshal's Office has inspected the set-up. An inspection of the home is usually scheduled to occur within seven (7) to ten (10) business days following the receipt of the Property Locator/Certificate of Installation from the retailer, the developer and/or the installer/transporter and may be extended to allow for unexpected shortages in manpower and resources.

Effective July 1, 2026, the installer/transporter is required to obtain photographs of the marriage line at the ends of the assembled multi-section residential units/homes (inclusion of the serial number of the home and a visual measurement (using a tape measure or ruler) of the widest portion of the marriage line gap is required)) prior to installing the end wall siding, and is required to submit those photographs to the retailer and to the State Fire Marshal's office attached to the property locator/certificate of installation form. Any gap at the end walls of the marriage line exceeding 1 inch in width is not acceptable and will delay the inspection. Some filler material (APA rated sheathing (OSB or Plywood) not to exceed ½ inch thickness) are allowed in areas that exceed the one (1) inch allowable gap. The connections along the marriage line and any filler material used, for all new homes, to reduce the gap must be in compliance with the manufacturer's installation manual.

The connections along the entire marriage line must be corrected to the 1 inch or less in width for the compression of the gasket to provide the proper seal and pass the State inspection. Marriage line gap widths that are not properly closed up will increase the potential for air infiltration from the exterior and/or attic space of the home resulting in an increase in moisture condensation levels inside the home.

If, at the time of the installation inspection, the skirting on the Factory-Built home has already been installed, it will be necessary to reschedule the inspection until such time that all skirting has been removed for an unobstructed view of the entire underside of the home. The person(s) removing the skirting shall be responsible for contacting the State Fire Marshal's Office when the home is ready for the inspection to be conducted. A second inspection fee will be assessed by the retailer for each occurrence of the skirting having been installed prior to the State Fire Marshal inspection.

Prior to the installation of the skirting on any Factory-built home, it shall be the responsibility of the either the retailer and/or installer to contact the State Fire Marshal's office for confirmation that the installation inspection has been completed and a decal has been placed on the home.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

#### **Rule 5.03.3-4: Factory-Built Homes Designated for Use Other Than Human Habitation.**

All Factory-Built homes originally built for human habitation, which an installer/transporter delivers to a home site, shall be required to be installed in compliance with the standards set forth in this regulation, with the exception of any homes properly certified as “not to be used for human habitation (i.e. hunting/fishing camp, storage, etc.).” Proper certification that a home will not be used for human habitation must be accomplished by the installer/transporter as follows:

- (1) The installer/transporter must obtain a completed Affidavit of Homeowner Statement, signed and notarized by the homeowner confirming that the Factory-Built home will not be used for human habitation, as defined herein. The affidavit must be on the form prescribed by the State Fire Marshal’s Office.
- (2) No later than 72 hours following the completion of the installation, the retailer, the developer and/or the installer/transporter must submit to the State Fire Marshal’s Office the completed Affidavit of Homeowner Statement and the Property Locator/Certificate of Installation.

Failure to comply with this Rule shall create a presumption that the Factory-Built home is intended to be used for human habitation and will be inspected for compliance with the Regulations herein and an inspection fee will be charged to the party responsible for submitting the Property Locator/Certificate of Installation.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

#### **Rule 5.03.4: Consumer Complaints**

A. In cases of complaints of improper construction, installation and/or set-up of any new Factory-Built homes lodged against manufacturers, retailers, developers, and/or installers/transporters, the Factory-Built Home Division of the State Fire Marshal’s Office will coordinate with the homeowner the initiation of a formal complaint. The complaint process will provide the necessary inspections and investigations of problems reported to the manufacturer, the retailer, the installer and this office during the first twelve (12) months from the date the homeowner has taken possession of the Factory-Built home.

B. At any time during the first twelve (12) months following the homeowner taking possession of the Factory-Built home, the manufacturer, retailer and/or installer may at any time request, in writing, for the State Fire Marshal’s Office to schedule, with the homeowner, a date to conduct an on-site inspection to investigate the issues listed by the homeowner. It will also be acceptable, if the homeowner is directed, by the manufacturer, retailer/developer or installer, to

contact the State Fire Marshal's Office of the Factory Built Home Division to file a consumer complaint.

C. A duly authorized representative of the Factory-Built Home Division of the State Fire Marshal's Office when scheduling a site inspection regarding a consumer complaint the manufacturer, retailer, developer, and installer/transporter licensee shall be present for each such inspection. If any manufacturer, retailer, developer, and installer/transporter licensee is unable to attend the site inspection, his duly authorized representative shall be a person employed by the licensee with authority to make decisions regarding corrective action and remedial plans if required.

D. In cases of complaints of improper installation and/or set-up of any used Factory-Built lodged against installers/transporters and documented in writing (i.e. Emails, texts, facsimile), the Factory-Built Home Division of the State Fire Marshal's Office will coordinate with the homeowner in an effort to provide the necessary inspections and investigations of these problems. All issues must be reported, in writing, to the installer and this office within the first twelve (12) months of the date the home is sited at the location intended for human habitation and the date the installation decal has been affixed to the Factory-Built home by the inspector.

Source: *Miss. Code Ann. § 75-49-1, et seq.; § 75-49-11 (Supp. 2024).*

### **Rule 5.03.5: Violations and Penalties**

When any provision of *Miss. Code Ann. § 75-49-1 through 75-49-21*, as amended, is violated, the State Chief Deputy Fire Marshal, State Deputy Fire Marshals or Duly Authorized Representative may file appropriate action as set forth in *Miss. Code Ann. § 75-49-19*. The penalties include:

A. Any person who knowingly and willfully violates any of the provisions of this chapter or any rules and regulations made hereunder shall be liable to the State of Mississippi for a civil penalty of not more than One Thousand Dollars (\$1,000.00) for each such violation. Each violation of a provision of this chapter or a rule or regulation made hereunder shall constitute a separate violation with respect to each Factory-Built home or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty may not exceed One Million Dollars (\$1,000,000.00) for any related series of violations occurring within one (1) year from the date of the first violation.

B. An individual, or a director, officer or agent of a corporation, who knowingly and willfully violates any of the provisions of this chapter or any rules and regulations made hereunder in a manner which threatens the health and safety of any purchaser of a Factory-Built home is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both.

C. This chapter shall not apply to any person who establishes that he did not have reason to know in the exercise of due care that such Factory-Built home is not in conformity with applicable Factory-Built home construction and safety standards, or to any person who, before such first purchase, holds a certificate issued by the manufacturer or importer of such Factory-Built home to the effect that such Factory-Built home conforms to all applicable Factory-Built home construction and safety standards, unless such person knows that such Factory-Built home does not so conform.

D. An individual, or director, officer or agent of a corporation, who knowingly and willfully fails to obtain the applicable license under this chapter and who is required to obtain such a license under this chapter, and who may knowingly and willfully violate any provisions of this chapter or any rules and regulations made hereafter with respect to the manufacture, selling, distribution, or safe anchoring and blocking of a Factory-Built home when intended to be used for human habitation is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both.

E. An administrative review of all privilege licenses issued pursuant to *Miss. Code Ann.* § 75-49-9(7), shall be conducted upon receipt of any verifiable complaint(s) of any nature that exceeds sixty (60) days in length without resolution, which may lead to a possible licensure hearing (hereafter known as the Dispute Resolution Program) pursuant to *Miss. Code Ann.* § 75-49-13, as amended. The sixty (60) day period shall not serve as a mandatory waiting period, and in the appropriate case the Commissioner may, at his discretion, schedule a licensure hearing prior to the expiration of sixty (60) days. The procedures set forth in *Miss. Code Ann.* § 75-49-13 for hearings and appeals shall govern the Dispute Resolution Program.

F. The Dispute Resolution Program shall address the following:

1. The timely resolution of disputes among manufacturers, retailers, or installers regarding responsibility for correction and repair of defects in Factory-Built homes;
2. The issuance of appropriate orders for correction and repair of defects in such homes, and;
3. Any dispute regarding defects in the Factory-Built home that are reported within one (1) year after the date of first installation.

G. Nothing in this Regulation shall prohibit informal disposition by settlement or consent order, i.e., an order based upon an agreement in writing between the parties in lieu of an administrative hearing.

H. If the administrative hearing order calls for the revocation, suspension, and/or voluntary surrender of a privilege license for any manufacturer, retailer/developer, or installer/transporter, a mandatory two (2) year waiting period will be imposed before any application for re-licensure may be submitted for review. In addition, all monetary obligations (outstanding invoices and

finer) to the State, at the time of the loss of the privilege license, must be paid prior to the submittal of the license application. A formal administrative hearing may be held with the license applicant to review the status of all monetary obligations. If the license is to be issued to the applicant, all the requirements in Rule 5.02.9-2, Rule 5.02.9-3, and Rule 5.02.9-8 shall apply.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; §§ 75-49-11, 75-49-13, 75-49-19 (Supp. 2024).

## **Rule 5.04: Minimum Standards for Blocking, Anchors, And Tie Downs**

### **Rule 5.04.1: Standards for “Coded” Areas**

Any local government (county or municipality) which has adopted the latest edition and Appendices of the International Building Code published by the International Code Council (ICC) or the International Residential Code for One and Two-Family Dwellings as published by the ICC or the board of supervisors of any county who has adopted *Miss. Code Ann.* § 75-49-21, will be regarded by the Factory-Built Home Division of the State Fire Marshal's Office as being in full compliance with these Rules and Regulations of the "Uniform Standards Code for Factory-Built Homes Law" and as such will assume responsibility as LAHJ for local code enforcement for the installation, blocking, anchoring and tie downs, and inspection procedures to ensure compliance with the National Manufactured Home Construction and Safety Standards Act of 1974, which are defined as Factory-Built homes within their respected jurisdictions. Additionally, homes that are installed in accordance with federal guidelines required to meet the financing criteria of a federal agency are regarded by the Factory-Built Home Division of the State Fire Marshal's Office as being in full compliance. However, the Factory-Built Home Division of the State Fire Marshal's Office is the State Administrative Agency for the Department of Housing and Urban Development only.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11(Supp. 2024).

### **Rule 5.04.2: Standards for “Non-Coded” Areas**

Minimum standards for blocking, anchors and tie downs for Factory-Built homes in non-coded areas of the state, when delivered to a home site location in the State of Mississippi, where they are intended to be used for human habitation shall be installed in accordance with the Mississippi Factory-Built Home Installation Program, the regulations herein, and any and all applicable state and federal laws. A period of thirty (30) days from the date of delivery is allowed for blocking and anchoring of the home.

If the licensure exceptions do not apply (as listed in Rule 5.02.5), no Factory-Built home shall be installed within this state unless such installation is done by an installer/transporter licensed by the Mississippi Department of Insurance State Fire Marshal's office in accordance with the

manufacturer's approved installation plan or the minimum standards set forth in this Regulation. The licensed installer/transporter or an employee of the licensed installer/transporter who possesses a current certificate of training from the State Fire Marshal's Office must be present during the entire installation process. The owner or purchaser of a Factory-Built home is not allowed to transport said home unless the owner or purchaser is a licensed installer/transporter.

If the manufacturer's installation manual is unavailable for the installation, then the home must be installed according to the minimum standards set forth in this regulation.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

### **Rule 5.04.3: Windstorm Protection and Wind Zone Designation**

A. All new and used Factory-Built homes shall be installed in compliance with the set-up/installation instructions manual, in accordance with Federal Manufactured Home Construction and Safety Standards, 24 CFR Section 3280.306, (Windstorm protection) as follows: (a) Provisions for support and anchoring systems. Each Factory-Built home shall have provisions for support/anchoring or foundation systems that, when properly designed and installed, will resist overturning and lateral movement (sliding) of the Factory-Built home as imposed by the respective design loads. For Wind Zone I, the design wind loads to be used for calculating resistance to overturning and lateral movement shall be the simultaneous application of the wind loads indicated in Section 3280.305 (1)(i), increased by a factor of 1.5. The 1.5 factor of safety for Wind Zone I is also applied simultaneously to both the vertical building projection, as horizontal wind load, and across the surface of the full roof structure, as uplift loading. For Wind Zones II and III, the resistance shall be determined by the simultaneous application of the horizontal drag and uplift wind loads, in accordance with Section 3280.305 (c)(1)(ii). The basic allowable stresses of materials required to resist overturning and lateral movement shall not be increased in the design and proportioning of these members. No additional shape or location factors need to be applied in the design of the tie down system. The dead load of the structure may be used to resist these wind loading effects in all Wind Zones.

B. Used Factory-Built homes, as defined in this chapter, not provided with such set-up/installation instruction manuals, and not provided with instructions shall comply with the specifications listed under Rule 5.06, Mississippi Factory-Built Home Installation Program Standards, *infra*.

C. Factory-Built homes, both new and used, built after July 13, 1994, that conform to Wind Zone I ratings only, cannot be installed within a designated Wind Zone II area. The wind Zone II area for homes manufactured after July 13, 1994, consists of the following counties: Hancock, Harrison, Jackson, George, Pearl River and Stone.

D. For used Factory-Built homes that were built prior to July 13, 1994, the following shall apply: If the Factory-Built home was built to the HUD Hurricane Zone rating that existed prior to July 13, 1994, it may be installed in one of the post July 13, 1994, counties that are listed in (C) above. For reference, HUD designated Hurricane Zone counties that existed prior to July 13, 1994, were as follows: Hancock, Harrison, Jackson, George, Pear River, Stone, Greene, Perry, Forrest, Lamar, Marion, Walthall, Pike, Amite, and Wilkinson. However, if the LAHJ within the post-July 13, 1994, Wind Zone II area has adopted more restrictive requirements that would prohibit the installation of a pre-July 13, 1994, Hurricane Zone house, then the requirements of such county or municipality shall govern.

E. Prior to the sales and installation of all new and used Factory-Built homes, the retailer, the developer and/or the installer/transporter shall determine whether the house is constructed to the properly rated Wind/Hurricane zone for its intended use and installation by referring to the HUD data plate. Any Factory-Built Home that is to be transported within or into the six (6) coastal counties of the State (Pearl River, Stone, George, Hancock, Harrison, and Jackson County) for installation, the retailer, the developer and/or installer transporter will be required to obtain a photocopy or a clear photograph of the data plate for the home. The photograph or copy of the data plate must be attached to the Property Locator/Certificate of Installation and submitted to the Factory-Built Home Division. If no accessible or readable data plate is available in the home to verify the Wind/Hurricane zone designation, a copy of the HUD data plate and compliance certificate must be obtained either from the manufacturer of the home or from the Institute for Building Technology and Safety (IBTS).

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

#### **Rule 5.04.4: Data Plate and HUD Label Requirements**

##### **Rule 5.04.4-1: HUD Label**

Each section of each Factory-Built home under the Federal Manufactured Home Construction and Safety Standards (FMHCSS) shall contain a HUD label issued by the inspection agency. The label indicates that the home meets the applicable standards and that the construction process has been monitored by a third-party inspection agency.

Source: *Miss. Code Ann.* §§ 75-49-1, *et seq.*; 75-49-11 (Supp. 2024).

##### **Rule 5.04.4-2: Data Plate**

Each Factory-Built home is required to bear a data plate affixed, in a permanent manner, near the electrical panel, on the base cabinet door below the kitchen sink or other readily accessible and visible location. The retailer receiving the Factory-Built home from the manufacturer shall

be required to maintain a photocopy of the HUD data plate in the retail office record file for each home and provide a copy of the data plate to be submitted with the required Property Locator form. The data plate shall contain information, including the name and location of the manufacturer, HUD number, model number, serial number, design-approval agency, list of factory installed appliances, date of manufacture, the wind zone classification, roof load, and thermal zones for which the unit was constructed.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

### **Rule 5.04.4-3: Missing HUD Label and Data Plate**

No Factory-Built home constructed on or after June 15, 1976, may be installed within the State of Mississippi unless it has retained the HUD label, on the exterior of the home, or a data plate (see paragraphs 5.04.4-1 and 5.04.4-2 above), on the inside of the home or verification certificates of the HUD label or HUD data plate compliance certificates for the home have been obtained, by either the retailer or homeowner from The Institute for Building and Technology Safety (IBTS) or if available, from the manufacturer of the home.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

### **Rule 5.04.4-4: Preparation of Factory-Built Housing Units for Transportation**

A. Transportation Originating Outside Mississippi: Preparation of the new Factory-Built housing unit for transport where transportation originates outside of Mississippi shall be in accordance with the laws and applicable rules for the State of origin.

B. Transportation Originating Within Mississippi: Only licensed manufacturers, licensed retailers, and licensed installer/transporters may prepare a Factory-Built housing unit located in Mississippi for transport.

(a) Only licensed manufacturers, licensed retailers and factory-certified installer/transporters may prepare a new Factory-Built housing unit located in Mississippi for transport.

(b) All used Factory-Built housing units that have been occupied and where a licensed manufacturer and/or a licensed retailer are **not** involved, the following tasks must be completed by the licensed installer/transporters:

1. Photographs must be obtained of all areas of the home (inside, outside and underneath) to record the existing physical condition of the home and to document the existing anchoring systems and devices prior to initiation of the demobilization process.
2. Anchoring systems and devices must be carefully removed in the reverse order from which they were installed; anchors removed from the ground at the existing home site are not

to be re-used at the new installation site.

3. Ridge Caps must be carefully removed from the roof of multi-section homes.
4. Multi-section homes must be carefully separated following the reverse procedure used to connect buildings together.
5. All furnishings and contents inside the home must be removed.
6. Plumbing, electrical, heat-producing equipment and air conditioning equipment must be properly disconnected by a licensed installer transporter who is trained to perform this work on a factory-built home.
7. Wheels and axles must be properly installed on the frame of the home.
8. All piers must be removed from under the home.
9. The bottom board under the home must be secured for transport and any existing openings shall be properly sealed to prevent further damage and loss of floor insulation.
10. All multi-section unit(s) must be properly weather-sealed to protect the inside of the home from moisture and wind damage during transportation and while awaiting assembly of the units on the homeowner's property.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

### **Rule 5.05: Installation Standards for New Factory-Built Homes**

The Mississippi Factory-Built Home Installation Inspection Program (“Installation Program”) is established to set forth the requirements by which manufacturers, retailers, developers, installer/transporters, and installation inspectors will be held accountable for assuring the appropriate installation of new Factory-Built homes within the State of Mississippi meet the intent of the manufacturer’s installation requirements. The Mississippi Factory-Built Home Installation Program Standards (“Installation Standards”) are the standards and requirements as set forth by the Federal Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 USCS 5401 *et seq.*) and as amended by the Manufactured Housing Improvement Act of 2000, and as same may be revised and amended.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

### **Rule 5.06: Installation Standards for Used Factory-Built Homes**

The Mississippi Factory-Built Home Installation Inspection Program (“Installation Program”) is established and sets forth the requirements by which manufacturers, retailers, developers, installer/transporters, and installation inspectors will be held accountable for assuring the appropriate installation of used Factory-Built homes within the State of Mississippi.

Source: *Miss. Code Ann.* § 75-49-1, *et seq.*; § 75-49-11 (Supp. 2024).

## **Rule 5.06.1: Site Preparation**

### **Rule 5.06.1-1: Planning**

Before attempting to move a home, the installer/transporter shall ensure that the transportation equipment and home can be routed to the installation site. Special transportation permits that may be required from federal, state, county, or city officials shall be the responsibility of the installer/transporter.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.1-2: Soil Conditions**

To help prevent settling or sagging, the foundation for all Factory-Built homes must be constructed on firm, undisturbed soil or fill that is placed in layers and each layer compacted to at least 90 percent of its maximum relative density. Loose sands, gravel or other materials having an allowable soil bearing pressure of less than 2000 pounds per square foot (psf) are not to be used as the fill material. All organic material such as grass, roots, twigs, and wood scraps must be removed from the area where the soil pad will be built, and especially in areas where the support pier footings are to be placed.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.1-3: Site Grading and Drainage**

A. The Factory-Built home shall be placed on a properly prepared site. After removal of all organic material, the home site must be graded or otherwise prepared to ensure adequate water drainage, per the manufacturer's installation instructions for all new Factory-Built homes and the requirements, herein, for all used Factory-Built homes. Site preparation and drainage will be a shared responsibility of the retailer, developer and installer/transporter of Factory-Built homes sold by the retailer except when the site is located in a mobile home park, as contemplated by Mississippi Code Ann., Section 75-49-5, and applicable HUD Regulations. Each site where a home is to be installed shall be reviewed by the retailer, homeowner and/or installer to ensure the placement of the home on the property can be safely accomplished and shall have a properly crowned and finished grade that will provide for drainage of all water around and away from the home site (see Figure 3).

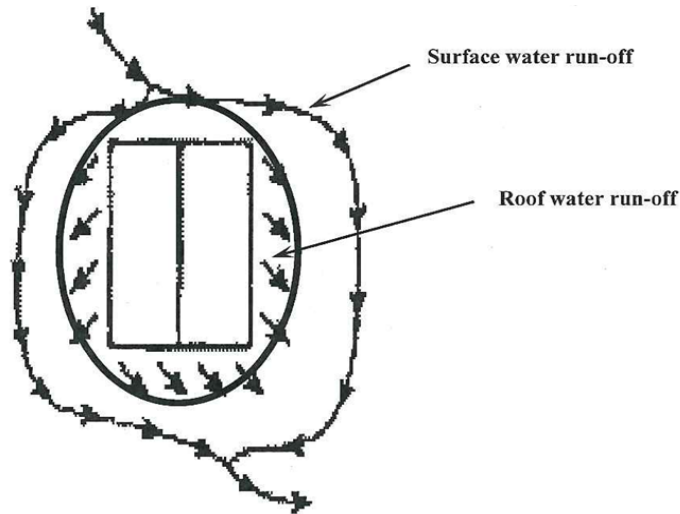


Figure 3. Water drainage must be diverted around and away from the home.

B. The site shall be properly crowned and sloped so that water will not run under the home and will not pool within ten (10) ft of any side of the home (see Figure 4).

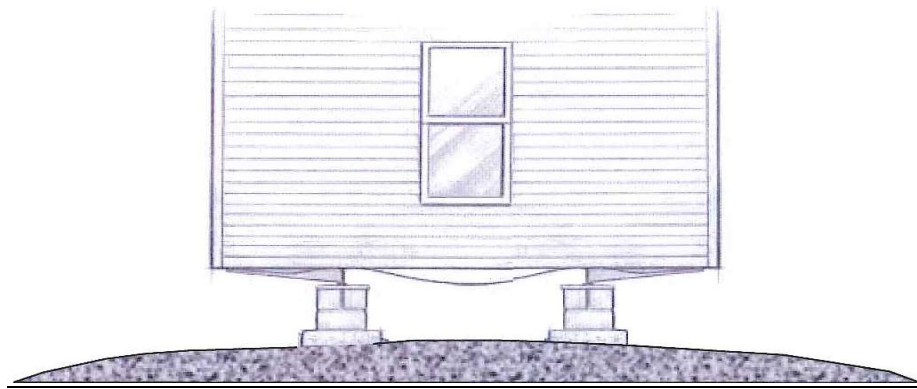


Figure 4. The appearance of a properly crowned soil under the home.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

**Rule 5.06.1-4: Raised Soil Pad**

If the installation site is flat or is in a low area, compactable soil material must be brought to the site to create the proper grading under the home. The fill material for the pad of soil must be placed on each home installation site such that the dimensions of the pad will extend a minimum distance of 10 ft beyond each side of the home. The location where the soil pad fill material will be placed must be free of any organic debris (such as vegetation, wood, roots, twigs, dead branches, grass and brush). The soil pad material is to be applied in thin consistent layers, not exceeding 8 inches, with each layer compacted to at least 90 percent of its

maximum relative density before the next layer is placed. This method should provide the proper load bearing capacity for the support pier footings. Layers exceeding eight (8) inches can result in inadequate compaction and future settlement. Loose sand, gravel or other non-compactable materials are not to be used as the fill material for the pad. The soil under the home shall be adequately crowned and sloped from the centerline of the home providing a minimum slope of ½ inch per foot from the center of the soil pad to the distance 10 ft away from each side and end of the home (see Figure 5). Exceptions to these requirements may be allowed where property lines, retaining walls, slopes, mature trees or other physical conditions prohibit achieving the minimum distance from the sides and ends of the home. All depressions in the soil pad resulting from the use of the transportation equipment moving the home onto the installation site shall be properly filled and graded by the installer/transporter before departing the installation site.

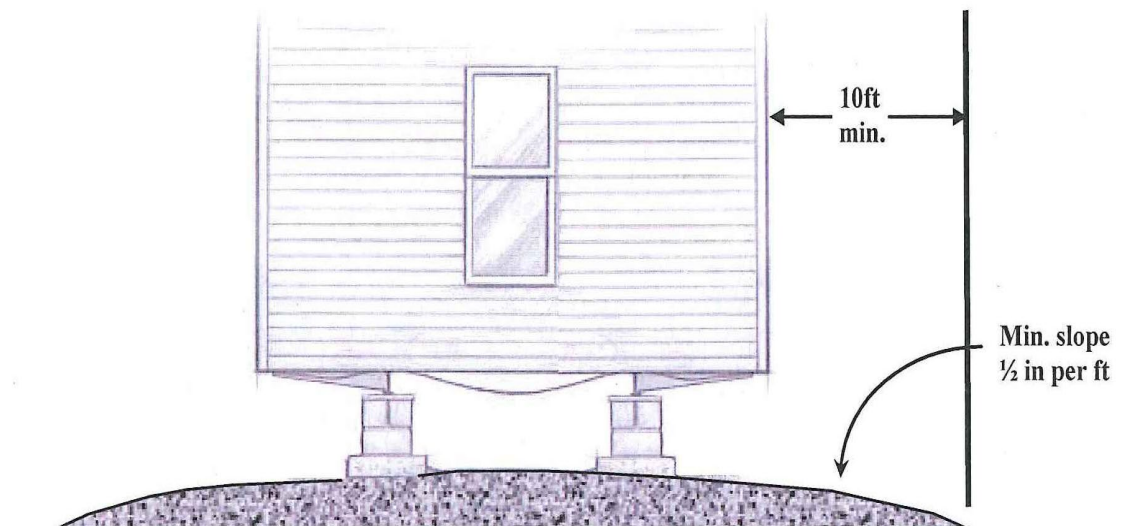


Figure 5. Slope of pad and distance of slope beyond edges of home.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.1-5: Determination of Proper Site Preparation**

A. Before installing the Factory-Built home, the installer/transporter has the responsibility to determine that the site preparation meets the requirements set forth in either the manufacturer's installation manual for all new Factory-Built homes or as set forth in this Regulation for all secondary sitings of used Factory-Built homes. The installer/transporter is required to make a visit to the installation site prior to transporting the Factory-Built home to the new location. If the LAHJ has more stringent regulations for Factory-Built homes installed in local mobile home parks, those regulations shall take precedence.

B. If the retailer or developer sells the Factory-Built home and retains the installer/transporter, the responsibility to ensure that site preparation is done properly shall be a shared responsibility of the retailer, the developer, and the installer/transporter.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.1-6: Written Contract on Site Preparation**

A written contractual agreement between the homeowner, the retailer, the developer and/or installer/transporter may be used to determine which party is to perform the site preparation. The installation of any Factory-Built home shall not be performed on an improperly prepared home site.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.1-7: Site Preparation by Homeowner**

If the homeowner requests to do their own site preparation work, the retailer, developer or the installer/transporter, may agree to this, but the agreement must be made in writing. The retailer, the developer and/or the installer/transporter is required to provide the homeowner with the necessary information and diagrams on the proper dimensions of the finished soil pad and water drainage requirements. However, the existence of said contractual agreement shall not relieve the installer/transporter of the responsibility of determining that the site for the home has been properly prepared by the homeowner. Before the installer/transporter may begin the installation of the Factory-Built home, the installer/transporter shall determine that the site preparation meets the requirements set forth in either the manufacturer's installation manual for all new Factory-Built homes or as set forth in this Regulation for all used Factory-Built homes. If there is conflict between the retailer, developer, installer/transporter and the homeowner regarding the site preparation, the State Fire Marshal's Office may be required to mediate.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.1-8: Removal of Organic Material**

All organic material, such as grass, roots, twigs, and wood scraps, shall be removed from beneath the site where the soil pad for the home will be placed and must include the locations where the footings for each of the support piers of the home are to be installed. The purpose of this is to minimize settling due to the decomposition of any organic material and reduce the potential for any insect damage.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.1-9: Clearance Under the Home**

The site should be properly graded such that a minimum clearance of 12 inches shall be maintained beneath the lowest member of the main frame (I beam or channel beam) and the soil under the home. However, no more than 25 % of the underside of the main frames of the home shall be allowed at the minimum clearance of 12 inches above the existing grade. This clearance requirement is to provide the access necessary for the HVAC, electrical, and plumbing contractors to complete the required system connections.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.1-10: Sloped Site Installation**

Where the site slopes toward the foundation (piers) of the home, it is important to provide proper diversion of over the ground water that may be flowing toward the home and its foundation. An acceptable method is to create wide, shallow, drainage swales on the uphill side of the home for diversion of water around and away from the underside of the home (Figure 6.) Note the appearance and placement of the soil pad for home sites that may be necessary meet these conditions.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

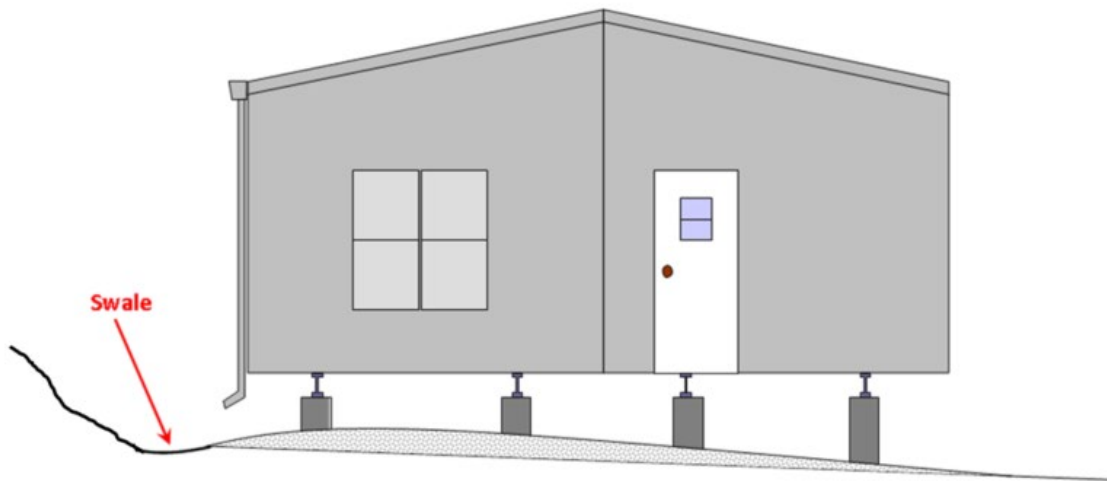


Figure 6. Example of proper site preparation to divert water around and away from the home on a sloped site.

### **Rule 5.06.1-11: Ventilation of Under-floor Areas and Moisture Barrier Recommendation**

A. For all new and used Factory-Built homes, if the space under the home is to be enclosed with skirting or other materials, the skirting shall be vented, and a six (6) mil polyethylene sheeting or equivalent shall be placed on the ground area in the crawlspace below the home. When installed, the moisture barrier should cover the entire area under the home up to the edge of all four (4) exterior walls and overlap a minimum of 12 inches at all joints. All organic material, such as grass, roots, twigs, and wood scraps shall be removed from beneath the home prior to placing the moisture barrier.

B. A minimum of four ventilation openings totaling no less than 4 square feet of net free vent area must be provided. One shall be placed at or near each corner as high as practicable. If manufacturer's installation instructions are available and require more vents, the manufacturer's instructions shall apply.

C. Vent openings shall provide cross ventilation on at least two opposite sides. The openings shall be covered with corrosion resistant mesh or as part of the vinyl skirting material.

D. Moisture producing devices, such as dryers, shall be vented to the atmosphere in such a manner to ensure that all moisture laden air, from the appliance, is carried beyond the perimeter of the home. To prevent excessive moisture and combustible lint accumulation under the home, the clothes dryer exhaust shall not be vented into the enclosed area directly beneath the Factory-Built home.

E. Ventilation and moisture barrier requirements for all new Factory-Built homes shall be provided according to the manufacturer's installation manual.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.2: Fire Separation**

Separation from adjacent structures and lot lines is based on the fire resistance rating of the home pursuant to **NFPA 501A Standard for Fire Safety Criteria for Factory-Built Home Installations, Sites and Communities**, Section 4 2.1, entitled "Fire Safety Separation Requirements," Sub section 4.2.1.1 as follows:

Any portion of a Factory-Built home, excluding the tongue, shall not be located closer than 10 ft. when placed side to side, 8 ft. when placed end to side, or 6 ft. end to end horizontally from any other Factory-Built home, existing house structure, storage building, garage, shop or community building not attached to the Factory-Built home unless the exposed composite walls

and roof of either structure are without openings and constructed of materials that will provide a one hour fire rating or the structures are separated by a one hour fire rated barrier. Most Factory-Built homes may be classified as "non-rated" construction. However, manufacturers may, in some instances, construct one hour rated walls. Information regarding the fire rating of the unit may be obtained from the manufacturer or third-party inspection agency identified on the data plate.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.3: Sites Prone to Flooding**

A. Prior to the installation of the Factory-Built home, the retailer and/or the installer/transporter are responsible for determining if the home site is wholly or partially within a flood prone area. If the home is located within a flood prone area, the installer/transporter is also responsible for contacting the homeowner to determine if they have obtained the proper flood elevation permit/certificate for the property from the county floodplain coordinator. All new Factory-Built homes that are to be located in a flood prone area shall require the manufacturer's approval of the installation of the home. If the location is approved by the manufacturer, then the installation shall require:

1. The home set a minimum distance above the base flood elevation as determined by the LAHJ or land surveyor,
2. meet all the requirements set forth in the Federal Emergency Management Agency (FEMA) September 1985 publication, *Factory-Built Home Installation in Flood Hazard Areas*, and
3. shall have an engineer-designed foundation system (as provided in Appendix H of the FEMA 85 publication) installed.

B. All used Factory-Built homes that are installed within a flood prone area shall be required to:

1. be set a minimum height above the base flood elevation, as determined by the LAHJ or land surveyor,
2. meet all the installation standards set forth in this Regulation,
3. meet all the installation standards set forth in the FEMA 1985 publication, and
4. shall have an engineer- designed foundation (as provided in Appendix H of the FEMA 85 publication) system installed.

C. For all homes placed in sites that have a potential for flooding, special elevations and anchoring techniques are required. Consult an engineer and the LAHJ (local building official, etc.) to make sure that the design and construction of the foundation system of the home conform to applicable federal, state, and local codes and regulations.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### Rule 5.06.4: Soil Classification

The following soil classifications in Table I have been adopted for the purpose of determining design loads, specifications and holding power of anchors and tie down devices.

**Table I Soil Classification**

<b>Soil Class</b>	<b>Types of Soils</b>	<b>Blow Count (ASTM)</b>	<b>Test Probe (1) Torque Value (2)</b>
I	Sound hard rock; Very dense and/or cemented ....	N/A	N/A
II	Sands, coarse gravel and cobbles, preloaded silts, clays and corals...	40 and up	More than 550 lbs.-in.
III	Medium-dense coarse, sands, sandy gravel, very stiff silts and clays....	24-39	350-549 lbs.- in.
IV(4)	Loose to medium dense sands, firm to stiff clays and silts, alluvial fill.....	(3) 14-23	(3) 200-349 lbs. – in.
V	Peat, organic silt, inundated silts, loose fine sand, alluvium, loess, varied clays, fill, fly ash....	0-14	0-200 lbs. – in.

(1) The soil test probe (See Figure 7) is a device for measuring the torque of soils to assist in evaluating the holding capacity of the soils in which the anchor is to be placed. The test probe has a helix on its end. The overall length of the helical section is 10.75 inches; the major diameter is 1.25 inches; the minor diameter is 0.81 inches; the pitch is 1.75 inches. The shaft of the test probe must be of suitable length and marked for proper determination of the anchor depth.



Figure 7. Soil test probe equipment.

(2) A measure synonymous with the moment of a force when distributed around the shaft of the test probe.

(3) Below these values a registered professional engineer must be consulted.

(4) A C-4 anchor must be used unless the soil is tested with a soil test probe and the readings allow for another soil type anchor to be used.

(5) No previously installed or existing ground anchors that have been removed shall be reused for the installation of the Factory-Built home at any new installation site.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.5: Soil Type/Bearing Capacity**

Under the Federal Standards, manufacturers are only required to provide one acceptable method for installing the home. However, manufacturers usually provide installation instructions that can be applied to a number of sites. These "generic" instructions commonly specify a minimum acceptable bearing capacity of the soil. Additionally, the manufacturer may offer options for acceptable footing sizes based on the bearing capacity of the soil. Installer/transporters and inspection personnel should first determine the bearing capacity of the soil in order to determine the proper size footing or foundation. Different soil types will have different bearing and holding capacities. The bearing capacity of the soil is the load per unit area that can be supported safely by the ground. The performance of the ground anchor is also related to the soil's holding capacity. In the absence of borings, test pits, and other soil investigations that

provide information on the proposed site, the following description of soil types in Table II may be used for homes installed in Mississippi.

**TABLE II – BEARING CAPACITY/SOIL TYPE\***

<b>Bearing Capacity, psf</b>	<b>Bearing Capacity kg/m2</b>	<b>Soil Type</b>
2000	9765	Loose sand clay soils or medium soft clay
3000	14647	Firm or stiff clay
4000	19530	Loose fine sand or compact inorganic silt soils
6000	29295	Compact sand clay soils
8000	39059	Loose coarse to medium compact fine sand

\*Note: The above table may be used if the soil characteristics are known. If the soil type is unknown, the following resources may be consulted to determine the soil type/bearing capacity:

- (a) LAHJ.
- (b) Soil conservation district.
- (c) United States Geological Survey.
- (d) The Resource Conservation Agency of the U. S. Department of Agriculture.
- (e) Highway Department.
- (f) Qualified Professional Engineer; and/or
- (g) Other methods approved by the Commissioner.

A pocket penetrometer (see Figure 8) is a simple instrument used to estimate allowable soil bearing capacity in areas where the support pier footings are to be placed. The following provides instructions on the use of the pocket penetrometer.

- a. Select a location that will be used for placement of a footing and clear a one square foot area (12 inches x 12 inches) to the depth of the bottom of the thickness of the footing to be used.
- b. Using the instructions provided with the pocket penetrometer, slowly insert the tip of the probe in the soil until the engraved mark on the tip is level with the surface of the soil.
- c. Take a minimum of five (5) readings in the area cleared for the footing.
- d. Discard the high and low reading and average the remaining readings.
- e. Compare the resulting average value with the values shown in Table II.
- f. Round the resulting average down to the match the nearest soil bearing value in Table II.



Figure 8. Pocket penetrometer

In lieu of determining the soil bearing capacity by the methods described above, an allowable bearing capacity of 2000 psf may be assumed unless the site-specific information requires the use of lower values based on soil classification and soil type.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.6: Required Piers and Anchorages**

A. All used Factory-Built homes are required to have diagonal and longitudinal anchors with tie downs to restrict the unit from being pushed from the main support piers. These diagonal anchors and tie down straps also restrict overturning of the structure. Additional over-the-top tie downs or vertical side wall tie downs to restrict overturning are required for some Factory-Built home installations based on the Wind Zone designation of the home. When a used Factory-Built home is relocated (secondary move) **all** of the original or existing diagonal, longitudinal and vertical tie downs for the wind zone designation of the home must be reinstalled, however, no anchors removed from the previous installation site shall be used at the new installation site. The installer is required to obtain photographs of all the tie downs and existing brackets present on the home before the home was moved to validate the set-up of the home at the new location.

B. Piers or load bearing support or devices shall be designed and constructed to evenly distribute the loads. The maximum pier loads are listed in Table III and Table IV. Piers

shall be securely contacting each I-beam of the Factory-Built home and shall extend at least six (6) inches from the centerline of each I-beam. Other types of load bearing supports or devices shall be listed or approved for the use intended.

**TABLE III – MAXIMUM PIER LOAD IN POUNDS**

Number of Concrete Blocks	Soil Bearing Value	Maximum Allowable Load
1	1,000 lbs./square foot	4,800 lbs.
2	2,000 lbs./square foot & greater	9,600 lbs.

\* ABS Pad types include the following:

13 ¼” x 26 ¼” Pad 2.395 square feet ID#4148 4 or  
 20” x 20” Pad 2.777 square feet ID#1055 7

**TABLE IV - MAXIMUM PIER LOAD**

Type	ABS Pad Configuration	ABS Pad Area (in square inches)	Soil Bearing Capacity PSF (in pounds)					Remarks
			1000	1500	2000	2500	3000	
1	1-16 x 16 w/1 or w/2 CMUs	256	780	670	560	450	340	Max: 5340 #
2	1-18.5 x 18.5 w/1 CMU	342	375	563	750	598	598	Max: 5600 #
3	1-18.5 x 18.5 w/2 CMUs	342	375	563	750	938	125	Max: 7125 #
4	2-13.13 x 26.13 w/1 CMU	342	375	563	750	938	400	Max: 6400 #
5	1-18.5 x 18.5 w/1 CMU	342	375	563	750	938	125	Max: 7125 #
6	1-20 x 20 w/1 CMU	400	775	167	556	600	600	Max: 5600 #
7	1-20 x 20 w/2 CMUs	400	775	167	556	944	333	Max: 8333 #

*All pad sizes shown are nominal dimensions and may vary up to 1/8 inch.*

C. Pier foundations shall be installed directly under each I-beam of the Factory-Built home. If the Factory-Built home installation instructions are not available for a used home, piers

for single section homes are to be placed under each longitudinal I-beam not to exceed 8 ft. on center spacing for homes that are 14 ft. wide or less when using a minimum soil bearing capacity of 2,000 psf. End piers shall be placed no more than two (2) feet and no less than one (1) foot from the end of each I-beam.

D. For used homes, having no manufacturers installation instructions, of widths over 14 ft, piers shall be placed under each I-beam no further apart than 6 ft. on centers, when using a minimum soil bearing capacity of 2,000 psf. End piers shall be placed no more than two (2) feet and no less than one (1) foot from the end of each I-beam.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

## Rule 5.06.7: Pier Construction

### Rule 5.06.7-1: Single Stacked Piers

**Except for corner piers**, support piers less than 36 inches high, shall be constructed of single stacked masonry units, placed with the open cells in the vertical position when placed upon the pier footing. The frame piers must be installed so that the long sides are at right angles to the supported I-beam. (See Figure 9 and Table V). Perimeter piers shall be single tiered and placed parallel to the sidewall under the rim joist.

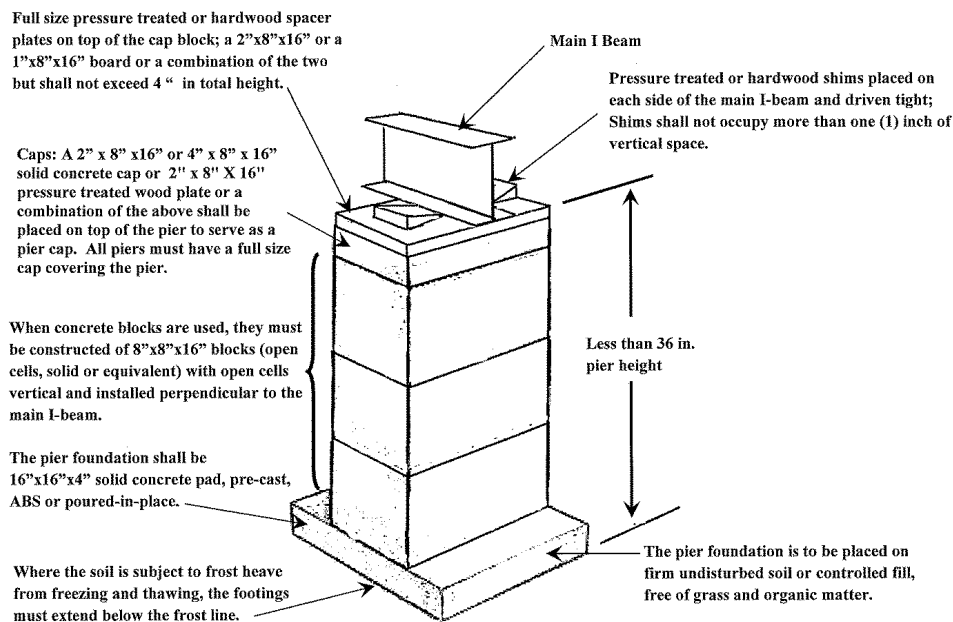


Figure 9. Single block pier construction.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

Table V Pier Construction

Pier Location	Pier Height, inches	Configuration
Frame Piers	Less than 36 inches	Single stacked blocks with long side perpendicular to frame I-beam
	Between 36 and 67 inches	Double Stacked Interlocked blocks
	Between 68 and 80 inches	Double stacked interlocked, filled with mortar, reinforced
Corner Piers	All Heights	Double Stacked Interlocked blocks
Perimeter Piers	54 inches or less	Single stacked blocks with long side parallel to the perimeter rail (rim joist)
Marriage Line Piers	54 inches or less	Single stacked blocks with long side perpendicular to the marriage line

**Rule 5.06.7-2: Pier Caps**

All piers must have a full-size cap covering the top of the pier. A solid concrete 2”x8”x16” or 4”x8”x16” block or a 2”x8”x16” pressure treated wood plate shall be placed on top of the pier to serve as a cap. All caps must be of the same length and width as the piers on which they rest. When split caps are used on double stack piers, the caps must be installed with a long dimension across the joint in the blocks below. Additional full-size pressure treated or hardwood plates not less than 1 x 8 x 16 inch may be used but the additional plates shall not exceed 4 inches in total height.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

**Rule 5.06.7-3: Shims**

- A. The I-beam shall be cushioned with treated wood or hardwood or other approved shims (wedges). The shims (wedges) shall be used in pairs, installed in opposite directions and be fitted and driven tightly between the pressure-treated wood plate and the I-beam of the home.
- B. One shim at least 4”x6” nominal shall be placed on each side of the main frame on single tiered piers (see Figure 7).

- C. Two shims shall be placed on each side of the I-beam on double tiered piers (see Figure 8).
- D. Shims shall not occupy more than 1 inch of vertical space between the top plate and the I-beam.
- E. Shims shall be used in pairs and driven tight.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.7-4: Removal of Organic Material**

All grass, debris and other organic materials shall be removed before footing or pier foundations are installed. The minimum I-beam support pier foundation shall be a 16-inch x 16-inch x 4-inch solid concrete pad, pre-cast, poured-in-place, or ABS pads.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.7-5: Protection from Frost Heave**

Where the soil is subject to frost heave from freezing and thawing, the footings for support piers must extend below the frost line (no less than two (2) inches from the top of the ground).

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.7-6: Corner Piers**

All used single wide home corner piers, regardless of the length of the home and wind zone, shall be double tiered units at least 16" x 16" consisting of interlocking masonry units and shall be fully capped as shown in Figure 10. Two 8 x 16 x 4 inch concrete cap blocks or two 2x8x16 inch treated wood plates may be used on a double tiered pier provided that the joint between the blocks or plates is perpendicular to the joint between the open cell concrete blocks and is also perpendicular to the I-beam. The corner piers shall be placed not more than 2 ft. and not less than 1 ft. from the end of each I-beam.

Corner piers on the outer I-beams of each half of a used multi-section home factory-built home are required to be double blocked regardless of height (see Figure 11). Corner piers on the inner I-beams of each half of the multi section factory-built home may be single blocked unless the pier height is 36 inches or higher.

The placement and construction of corner piers on all new factory-built homes must be done according to the manufacturer's installation instructions. The installer is required to submit, with the Property Locator/Certificate of Installation, a copy of the manufacturer's installation instruction pertaining to the construction of corner piers, if double blocking is not required.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

## Rule 5.06.7-7: Double Tiered Pier Heights

A. Piers 36 inches to 67 inches high shall be double-tiered units at least 16x16 inches consisting of interlocking masonry units and shall be fully capped with a 2 inch or 4-inch-thick solid masonry unit two (2) 2"x8"x16" pressure treated wood plates. (See Figure 11 and Table V).

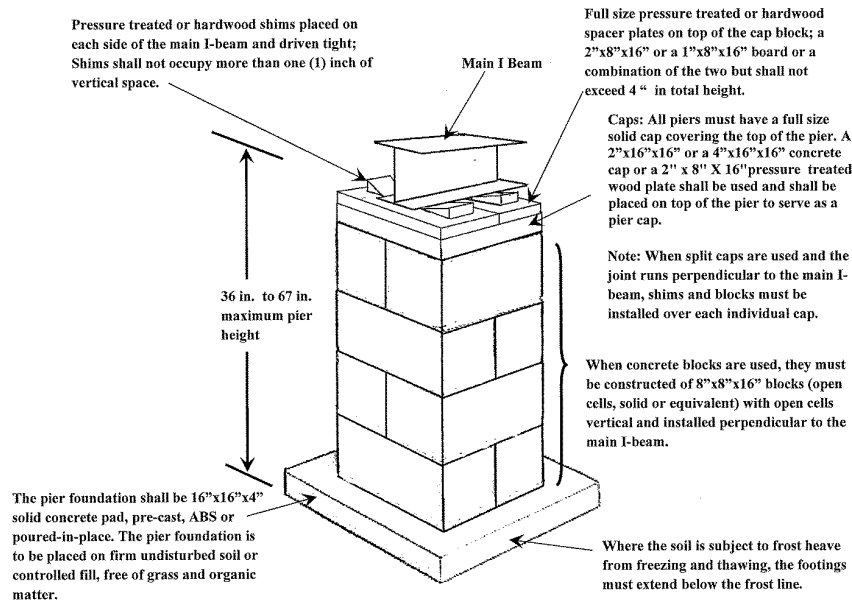


Figure 10. Double Block Pier Construction.

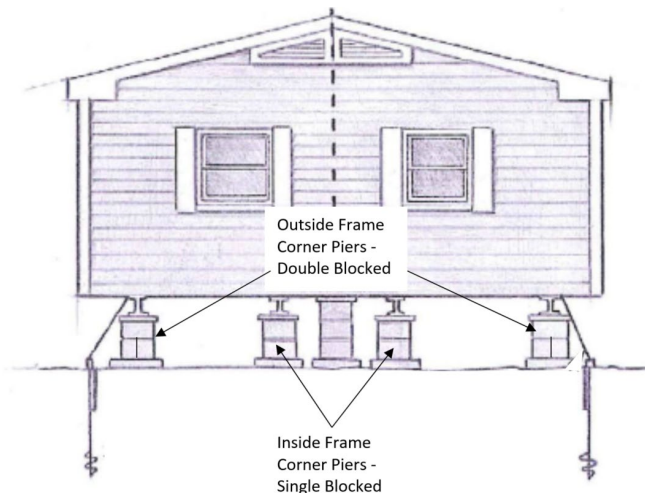


Figure 11. Corner Piers Under the Outside and Inside Frames of a Multi-Section Home

B. All support piers between 68-80 inches high, for used Factory-Built homes, shall be constructed in accordance with the provisions of Rule 5.06.7-7(A), provided the piers shall be filled with grout and reinforced with four (4) continuous No. 5 steel bars. One steel bar shall be placed in each corner of the grouted space of the piers. Footings for piers of these heights shall be poured in place and shall be a minimum-twelve (12) inches thick with a least a 28-day compressive strength of 3,000 pounds per square inch (psi) and shall be required to contain proper reinforcing rebar. The footing reinforcing rebars shall extend a minimum of six (6) inches above the surface of the poured in place footing and match the spacing of the open cells of the masonry concrete blocks. However, it is recommended to consult with a local concrete supplier or local building code office for determining periods of cure time required before setting up a Factory-Built home on the poured concrete footings. For all new Factory-Built homes, the pier construction requirements, for piers in this height range, shall be in compliance with the manufacturer's installation instructions.

C. The maximum pier height shall be no more than 80 inches unless designed and approved by a registered engineer or a higher height/different design is required by the National Flood Insurance Program (NFIP) floodplain management criteria.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.7-8: Cast-In-Place Concrete Piers**

Cast-in-place concrete piers meeting the same size and height limitations of Rule 5.06.7-1 through 5.06.7-7 above, may be substituted for piers constructed of masonry units.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.7-9: Pier Footings**

A. Every pier shall be supported by a footing. All I-beam support piers and marriage line support piers shall be constructed on footings of solid concrete not less than 16 x 16 inches that consist of a 4-inch-thick concrete pad, precast, ABS, or poured in place concrete slab, unless other footing types and sizes are allowed. All footings are to be placed on stable undisturbed soil or properly compacted fill material. The fill material must be compacted to 90 percent of maximum relative density to adequately provide the proper load bearing capacity for the support pier footings.

B. Perimeter pier footings are required to be a 4"x 8"x 16" concrete pads or equivalent size ABS pads.

C. Prepare the surface of the footing making sure the top surface of the footing upon which the pier will be installed is level, flat and smooth.

D. Poured-in-place concrete runners used as footings for a new Factory-Built shall meet the guidelines of the manufacturer's installation instructions. For all used Factory-Built homes the concrete runners shall be eight (8) to twelve (12) inches thick with a 28-day compressive strength of 3,000 pounds per square inch (psi) and shall be required to contain proper reinforcing steel. For 3000 psi concrete, it is generally recommended to wait at least 28 days before applying significant weight, as this is the standard curing time for concrete to reach its full strength and achieve optimal durability. However, it is recommended to consult with a local concrete supplier or local building code office for determining accurate periods of cure time required before setting up a Factory-Built home on the poured concrete slab or runners.

E. If an existing concrete slab is to be used as the foundation of the home and the thickness and the existence of reinforcing steel cannot be readily determined, all I-beam support piers shall be required to be placed on solid concrete footings, 4 x 16 x 16 inches, or equivalent size ABS pads. In addition, the top elevation of the existing concrete slab shall be a minimum of 4 inches higher than the existing grade of the soil around the slab.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.7-10: Marriage Line Piers**

Marriage line piers shall be constructed to the same requirements as all other main frame support pier requirements (see Table V). Marriage line piers, less than 54 inches in height, shall be single tiered, on footings and placed perpendicular to the line of the mated sections of the home. All wide openings along the length of the marriage line are required to have support piers at each side of the opening. Typical marriage line openings are cathedral openings and passageway openings which are 48 inches and larger. Marriage lines shall also have support piers at each ridge beam column location and within 2 ft. of each end of the home.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.8: Pier Spacing and Placement**

A. For proper pier spacing and placement for all new Factory-Built homes, the piers shall be located in accordance with the Factory-Built home manufacturer's installation instructions.

B. If the Factory-Built home manufacturer installation instructions are not available for a used home, piers for single section homes are to be placed under each I-beam not to exceed 8 ft. on center spacing for homes that are 14 ft. wide or less. For single section homes that exceed 14 ft in width, piers shall not exceed 6 ft. on center spacings for the minimum soil bearing capacity of 2,000 psf. If the soil bearing capacity is determined to be less than 2000 psf, the support piers shall not exceed 4 ft on center spacings. Note: End piers shall be placed no more than two (2) feet and no less than one (1) foot from the end of each I-beam.

C. The pier spacing under each longitudinal I-beam for all used Factory-Built homes (single wide or multi-section) having a Wind Zone II classifications shall be no greater than 6 ft. on center.

D. Piers for all used multi-section homes are to be placed under each I-beam not to exceed 6 ft. on center spacing. For used multi-section homes, piers are to be placed under the center marriage line no less than one (1) foot from each end, under ridge beam support columns, and under both sides of an opening at the marriage line that is greater than 12 ft in width. All marriage wall support piers shall be placed perpendicular to the mate line of the two sections of the home.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.8-1: Placement of Door and Window Support Piers**

For all new and used Factory-Built homes, **all** exterior entry doors shall have piers or a manufacturer's approved support device on each side of the opening. All doors and windows over 48 inches wide shall be properly blocked under each side of the opening (footings for these support piers may be 8"x 16" x 4" concrete pads or equivalent). If an obstruction (electrical, mechanical, plumbing or other device) is directly under one side of the opening, the blocks on that side may be offset a maximum of 6 inches in either direction of the obstruction. Factory installed outriggers and cross members may replace support piers directly below exterior door or window openings less than 48 inches in width, provided the floor rim joist has not been compromised or damaged.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.8-2: Placement of End Frame Support Piers**

Where practical for all new and used Factory-Built homes, the end frame (corner) support piers (including the marriage line end piers) must be placed no less than 1 ft. from the ends of each I-beam but shall not be placed more than 2 ft. from the end of each I-beam. When the location and spacing of wheels and axles, or other structural members of the home frames, or undercarriages prevent spacing of piers on 8 or 6 ft. centers, the spacing shall be as near the 8 or 6 ft. maximum spacing as practicable in the area of the obstruction.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.8-3: Placement of Piers Under Concentrated Loads**

Piers shall be placed under other concentrated loads such as porch posts, bay window overhangs, and masonry faced fireplaces or floor overhangs. Factory-Built Homes that exceed 16 ft., per floor, in width shall have perimeter piers under the sidewalls every 6 ft. and at each corner. The

data plate of the Factory-Built home must be reviewed by the installer/transporter to determine if additional perimeter pier installations are required.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.8-4: Placement of Perimeter Support Piers**

Perimeter piers, if required around the entire exterior walls of the home, shall be placed under the intersection of a floor rim joist and a transverse floor joist. If the structural integrity of the rim joist, at or near the locations of door and window locations has been compromised by water damage and/or by insects, it shall be required that a 4 inch x 4 inch treated wood brace be placed so that it spans a minimum of two (2) or more structurally sound floor joists that will accept placement of the perimeter piers along the length of the 4x4 inch brace (see Figure 12).

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

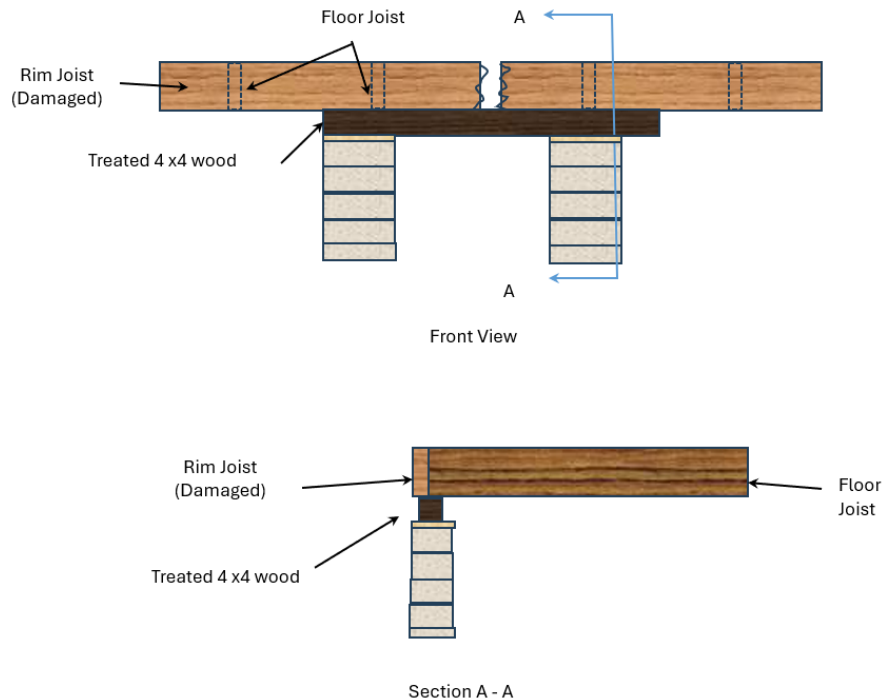


Figure 12. Bracing for Perimeter Piers Under a Damaged Rim Joist

#### **Rule 5.06.8-5: Piers for Homes Installed In Designated Flood Area**

For all Factory Built homes placed in sites that have a potential for flooding, special elevations and anchoring techniques may be required. Consult an engineer and the LAHJ (local building official, etc.) to make sure that the design and construction of the foundation system of the home conform to applicable federal, state, and local codes and regulations.

All piers and foundation support for Factory-Built homes installed in a designated flood prone area shall comply with the design requirements set forth in Appendix H of the publication, “Protecting Manufactured Homes from Floods and Other Hazards”, published by the Federal Emergency Management Agency (FEMA P-85, Second Edition/November 2009).

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.9: Installation Instructions for ABS Pads**

A. The purpose of this section is to emphasize that **the ground under the ABS pads must be leveled, evenly compacted, and cleared of all vegetation and debris before the placement of the pads and all pads are to be installed flat side down, ribbed side up.**

B. The maximum deflection in a single pad is 3/8 of an inch measured from the highest point to the lowest point of the top. If the ABS pad deflects more than 3/8” when installed with home’s dead load applied, it is an indication that a) the pier spacing is incorrect resulting in the improper weight distribution on the support pier and/or; b) the soil pad was not properly compacted resulting in the support pier settling due to the improper load bearing capacity of the soil.

C. Installation Instructions for ABS Pads.

1. All pads are to be installed flat side down, ribbed side up.
2. The ground under the pads should be level and smooth with all vegetation removed. Pads are not to be placed on natural grade unless otherwise permitted by the local building authority.
3. Pier and pad spacing will be determined by the Factory-Built home manufacturer's written set up instructions.
4. The open cells between the ribbings on the upper side of the pads may be filled with soil or sand after installation to prevent any accumulation of stagnant water in the pads.
5. ABS pads can be used in multi-stack orientations to create a larger pad area and provide for wider pier spacing as shown in Figure 13 (consult manufacturer’s listing for proper uses).
6. A pocket penetrometer may be used to determine the actual soil bearing value. If soil testing equipment is not available, an assumed soil bearing capacity value of 2,000 lbs./square foot (psf) may be used.

7. All pad sizes shown are nominal dimensions and may vary to 1/8 of an inch.
8. The maximum deflection in a single ABS pad is 3/8 of an inch measured from the highest point to the lowest point of the top face of the pad. (Please review Table VI and Figure 14). Deflections of the ABS pads with the home's dead load applied results from improper pier spacings, uneven soil or poorly compacted soil.

**TABLE VI – SIZE AND LOAD**

<b>PAD SIZE</b>	<b>PAD AREA</b>	<b>1000 LB. SOIL</b>	<b>2000 LB. SOIL</b>	<b>3000 LB. SOIL</b>
16" X 16"	256 sq. in.	1,780 lbs.	3,560 lbs.	5,333 lbs.
18.5" X 18.5"	342 sq. in.	2,375 lbs.	4,750 lbs.	7,125 lbs.
20" X 20"	400 sq. in.	2,750 lbs.	5,500 lbs.	8,250 lbs.

- a. Any configuration of ABS pad sizes above may be used to replace a home manufacturer's recommended concrete pad.
- b. The maximum load at any intermediate solid value may be determined as the average of the next lower and next higher soil values given in the above table.
- c. Pad sizes shown are nominal dimensions and may vary up to 1/8 inch.
- d. Pad loads are the same when using single stack or double stack blocks.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

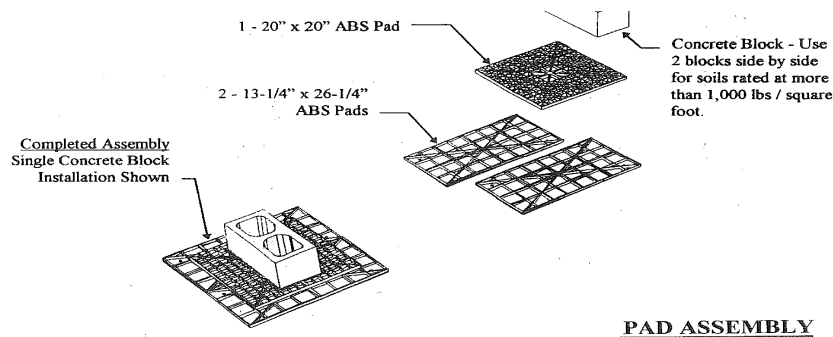


Figure 13. Example of an ABS multi-stack pad assembly for a 26"x 26" configuration.

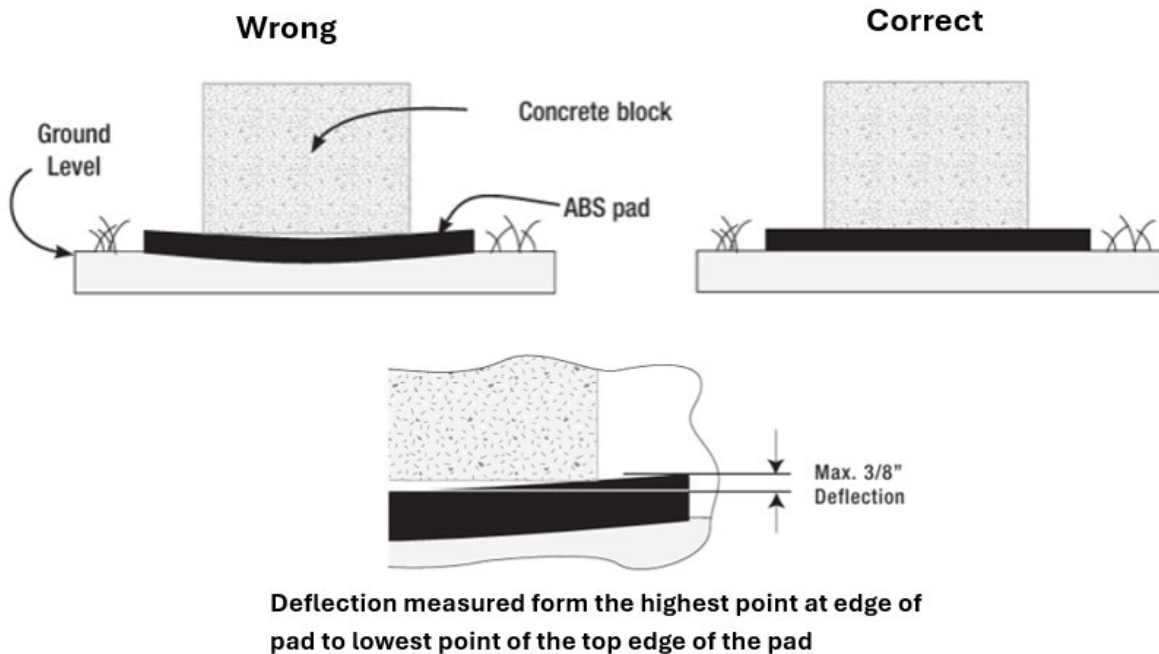


Figure 14. Maximum allowable deflection in a single ABS pad

**Rule 5.06.10: Anchors and Tie downs**

Factory-Built homes with provisions for installation of anchor and tie down systems, including instructions, in accordance with Federal Manufactured Home Construction & Safety Standards, Section 24 CFR 3280.306 and Federal Manufactured Home Installation Standards 24 CFR 3285.402 and shall be installed in accordance with the manufacturer's instructions. Factory-Built homes not provided with such installation instructions, or Factory-Built homes not provided with instructions for the zone (wind or non- wind) in which they are being installed shall comply with the following:

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

**Rule 5.06.10-1: Single-wide Factory-Built Homes**

A. The number of anchors with tie downs for used single wide (10 ft., 12 ft., 14 ft., or 16 ft.) Factory-Built homes shall comply with Tables VII, Table VIII and Table IX.

B. All used Factory-Built homes shall be tied down in accordance with Tables VII, Table VIII and Table IX unless the anchoring system is designed and approved by a registered professional engineer (as per manufacturer's installation instructions).

C. Single section Factory-Built homes shall have diagonal, vertical and longitudinal tie downs and anchors in accordance with Tables VII, Table VIII and Table IX unless the manufacturer's installation instructions are utilized.

**TABLE VII - MINIMUM NUMBER OF ANCHORS WITH TIEDOWNS (TIES)  
FOR WIND ZONE I<sup>1</sup>**

<b>Length of Factory-Built home, excluding draw bar (ft.)</b>	<b>Number of vertical ties on each side</b>	<b>Number of diagonal ties on each side<sup>2,5</sup></b>	<b>Singlewide Number of Longitudinal ties on each end<sup>2,4</sup></b>	<b>Doublewide Number of Longitudinal ties on, each end of each half<sup>2,4</sup></b>	<b>Doublewide Number of Marriage Line Anchor and Ties</b>	<b>Total required Anchors per home Singlewide<sup>5</sup></b>	<b>Total Required Anchors per Home; Doublewide<sup>5</sup></b>
0-40	0	4	1	1	2	10	14
41-60	0	6	1	1	3	14	19
61-84	0	8	1	1	4	18	24
(See Figure 15 A)							

**TABLE VIII - MINIMUM NUMBER OF ANCHORS WITH TIEDOWNS FOR WIND ZONE II<sup>1</sup>**

<b>Length of Factory-Built home, excluding draw bar (ft.)</b>	<b>Number of vertical ties on each side<sup>2,3</sup></b>	<b>Number of diagonal ties on each side<sup>2,3</sup></b>	<b>Singlewide Number of Longitudinal ties on each end<sup>2,4</sup></b>	<b>Doublewide Number of Longitudinal ties on each end of each half<sup>2,4</sup></b>	<b>Doublewide Number of Marriage Line Anchors and Ties</b>	<b>Total required anchors per home Singlewide</b>	<b>Total Required Anchors per Home; Doublewide</b>
0-40	5	5	2	2	2	16	22
41-60	7	7	2	2	3	20	27
61-84	9	9	2	2	4	24	32
(See Figure 15 B)							

**TABLE IX - MINIMUM NUMBER OF ANCHORS WITH TIEDOWNS FOR WIND ZONE III<sup>1</sup>**

<b>Length of Factory-Built home, excluding draw bar (ft.)</b>	<b>Number of vertical ties on each side<sup>2,3</sup></b>	<b>Number of diagonal ties on, each side<sup>4</sup></b>	<b>Singlewide Number of Longitudinal ties on each end<sup>2,4</sup></b>	<b>Doublewide Number of Longitudinal ties on each end of each half<sup>2,4</sup></b>	<b>Doublewide Number of Marriage Line Anchors and Ties</b>	<b>Total Required Anchors per Home Singlewide</b>	<b>Total Required Anchors per Home Doublewide</b>
0-40	6	6	3	3	2	18	26
41-60	8	8	3	3	3	22	31
61-84	10	10	3	3	4	26	36
(See Figure 15 C)							

<sup>1</sup> These tables are based on a minimum working load per tie down of 3,150 lbs. with a 50 % overload (4,725 lbs. total).

<sup>2</sup>The Federal Manufactured home construction and safety standards require all Factory-Built homes designed for and located in wind Zone II and III to have diagonal anchors and tie downs installed at each vertical tie location and longitudinal anchors and tie downs installed on each end of the home.

<sup>3</sup> Some older Wind Zone II and III Factory-Built homes may have a reduced number of vertical (over-the-top) tie down straps at the existing location. Installer must document, with photographs, the existing set-up before demobilizing home for transport and submit the photograph with the Property Locator/Certificate of Inspection. The home must be returned to the original set-up conditions at the secondary location.

<sup>4</sup>The Federal Manufactured Home Installation Standards 24 CFR 3285.402 (3) require all Factory-built homes, regardless of wind zone, to be stabilized in the longitudinal direction on each end of the home. The number of longitudinal anchors required in the above tables, is not dependent on pier height.

<sup>5</sup>If the maximum support pier height exceeds 24 inches, an additional diagonal tie must be added, per side, for every additional 12 inches of pier height or any portion thereof for singlewide and doublewide **Wind Zone I homes only**

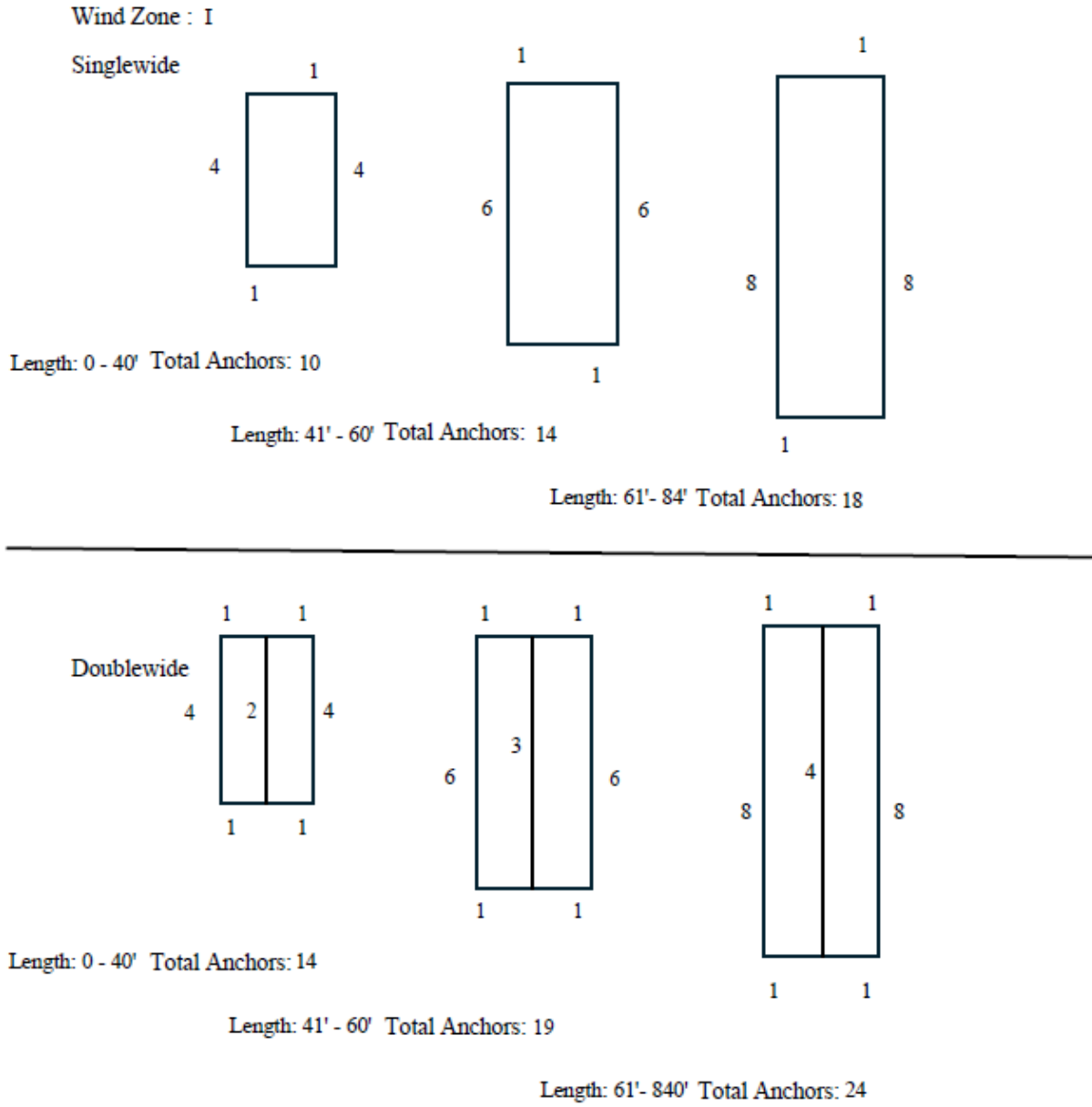


Figure 15 A. Number of Anchors Required for Varying Lengths of Homes for Wind Zone I

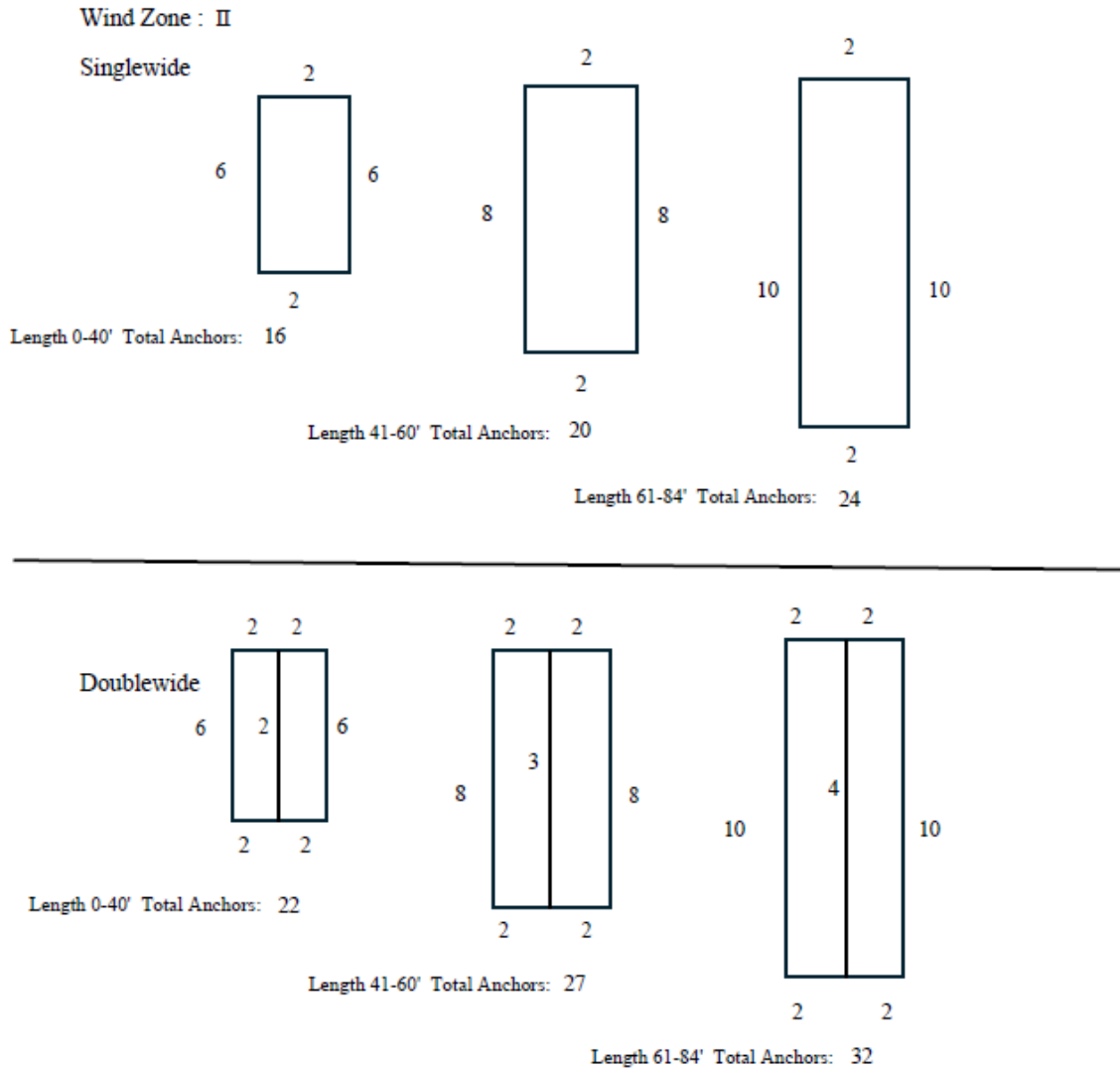


Figure 15 B. Number of Anchors Required for Varying Lengths of Homes for Wind Zone II.

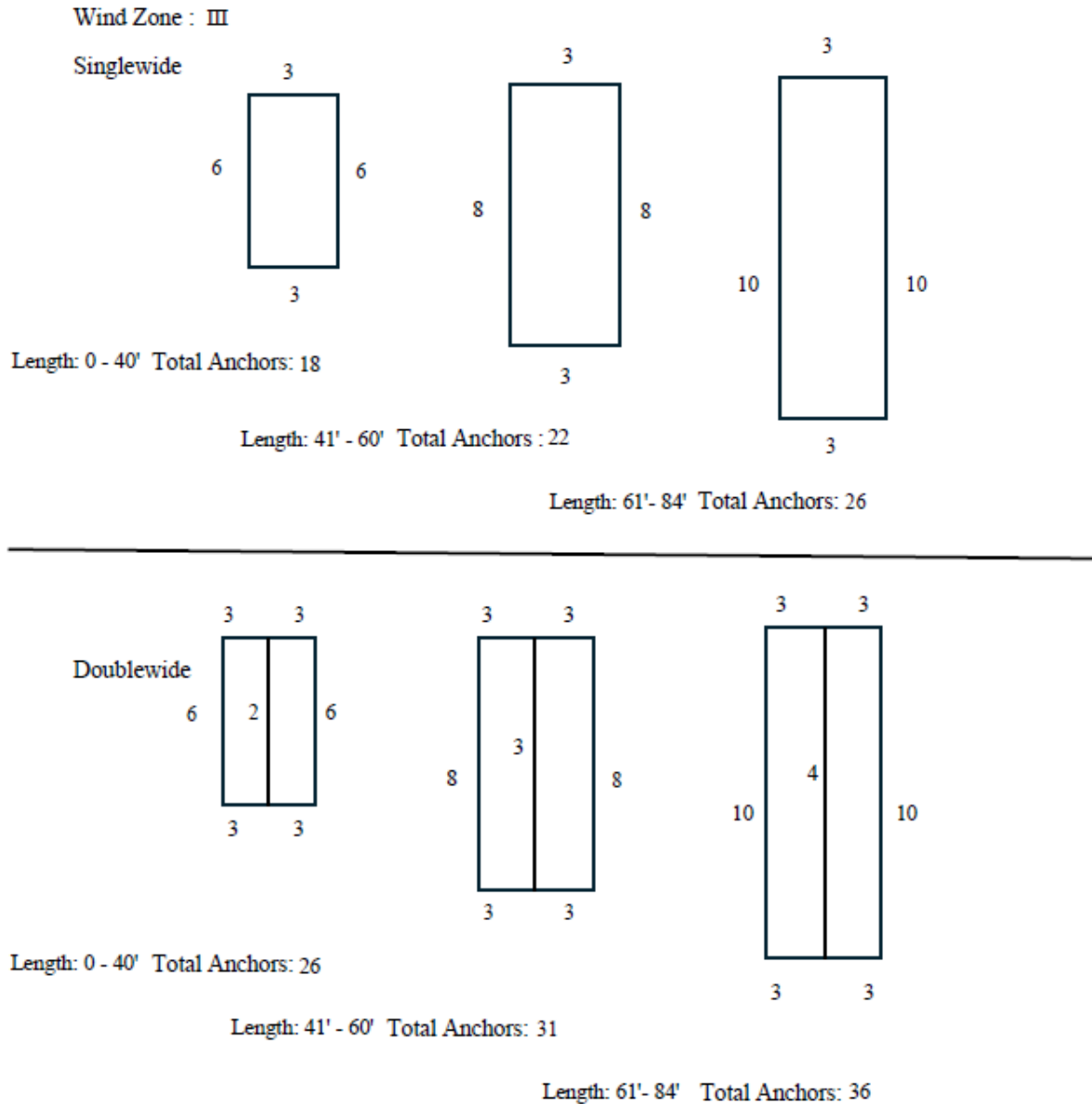


Figure 15 C. Number of Anchors Required for Varying Length of Homes for Wind Zone III.

Some manufactured homes may have brackets welded to the bottom of the frame I-beam similar to that shown in Figure 16. These brackets are factory installed longitudinal brackets and are required to have a tie down strap and anchor installed or the installation of manufacturer approved equivalent longitudinal stabilizing devices. If the home does not have factory installed longitudinal brackets, an alternative method for installing the required longitudinal anchor and tie down strap is shown in Figure 17.

Source: *Miss. Code Ann. §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024); 24 CFR Part 3285 Subpart E, (b) -- Anchorage Against Wind*

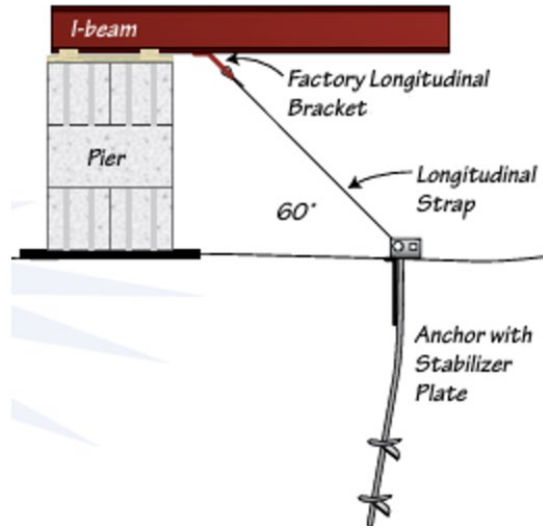


Figure 16. Longitudinal brackets factory installed on the frame I-beam.

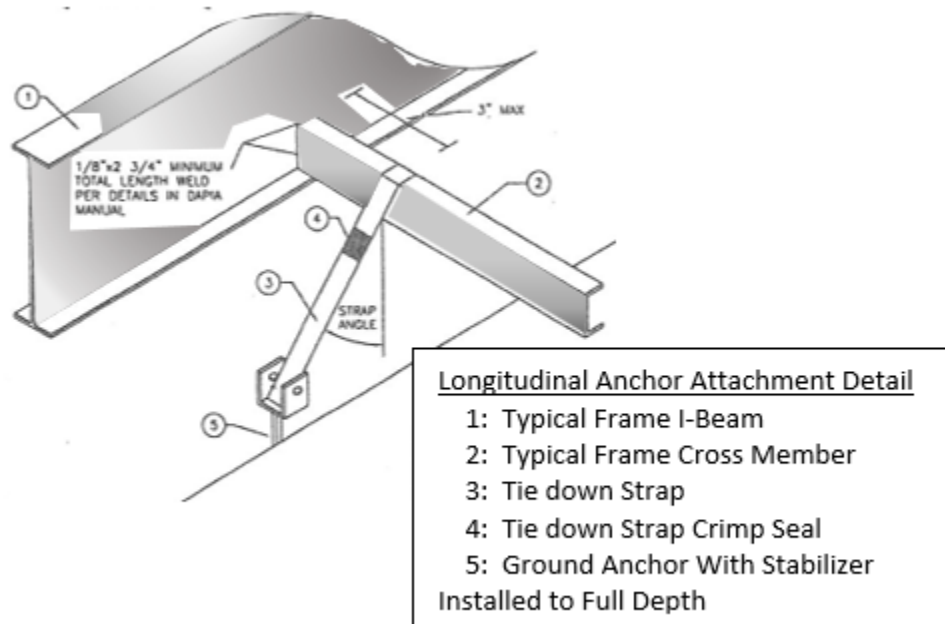


Figure 17. Alternative Longitudinal Anchor Installation

## **Rule 5.06.10-2: Multi-Sectional Factory-Built Homes**

A. All used multi-sectional Factory-Built homes shall have diagonal tie downs and anchors as required above for double-wide Factory-Built homes as listed in Tables VII, Table VIII and Table IX above.

B. The installation of anchors and diagonal tie downs will be required along the marriage line on all used multi-section Factory-Built homes unless the manufacturer's installation manual for the home is available and specifies that stabilizing devices (caps, plates, rods, etc.) are optional.

C. All new multi-sectional Factory-Built homes are to be secured at the marriage line with straps and anchors to the specifications in the manufacturer's installation manual or at the locations designated on the home. In addition to marriage line tie down straps specified by the manufacturer, marriage line anchors and tie down straps must be attached within two (2) feet of each end of each section of the Factory-Built home. If the manufacturer installed marriage line bracket has been modified or compromised, an industry approved replacement bracket shall be installed by the installer/transporter.

D. All used multi-section homes shall be lagged and sealed together in accordance with the manufacturer's installation instructions, if available. The maximum allowed gap at the marriage line along the length and at the ends of the home shall be one (1) inch or less in width. If no manufacturer's installation instructions are available, the instructions provided in this regulation (see Figure 18) shall be followed. For all new Factory-Built homes, the connections along the marriage line and any filler material used to reduce the gap must be in compliance with the manufacturers installation manual.

E. Holes in bottom board fabric from installation of lag screws at the marriage line must be properly patched with the bottom board fabric patches, mastic and staples.

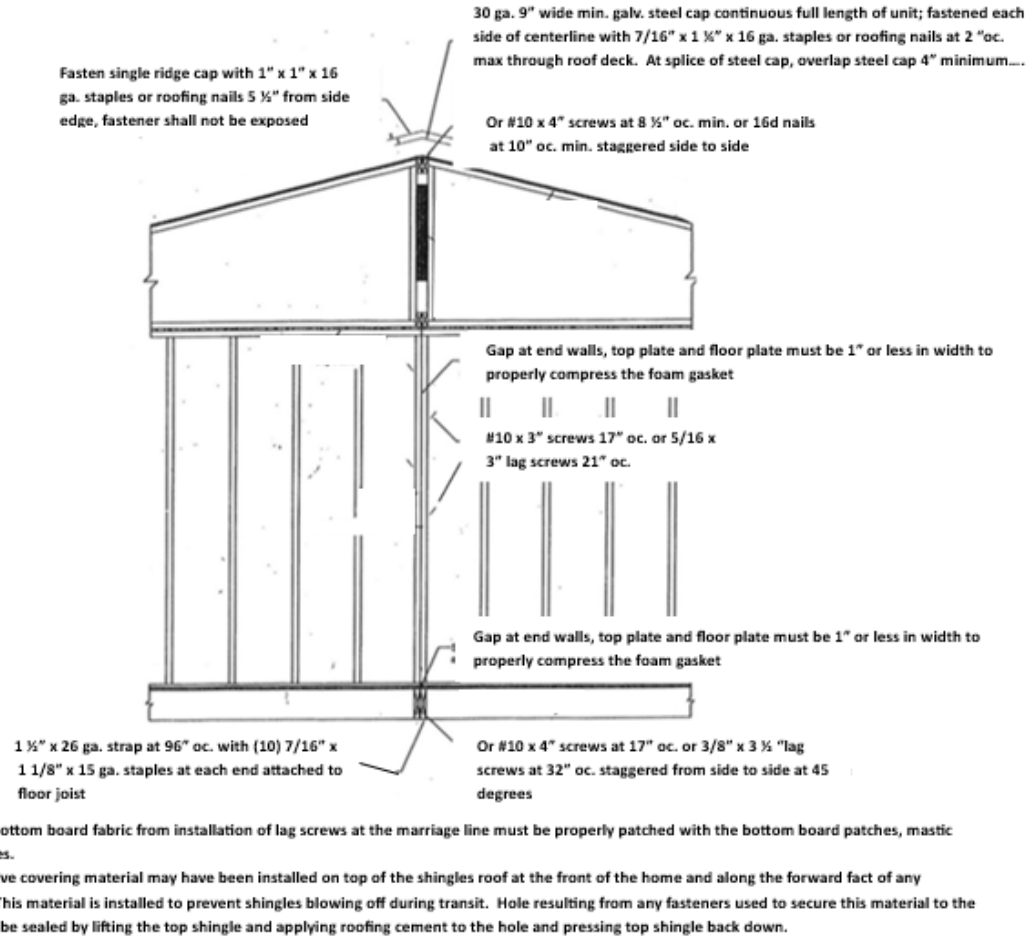


Figure 18. Multi-section Factory-Built Home Fastening and Sealing

F. All new multi-section homes that have been constructed with a tag unit are to be installed according to the manufacturer's installation instructions. The HUD label on this unit is required to be recorded on the Property Locator/Certificate of Installation.

G. If a used multi-section homes has a tag unit, the required support pier spacings and anchor locations for the unit are shown in Figure 19a and Figure 19b. The HUD label on this unit is required to be recorded on the Property Locator/Certificate of Installation.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

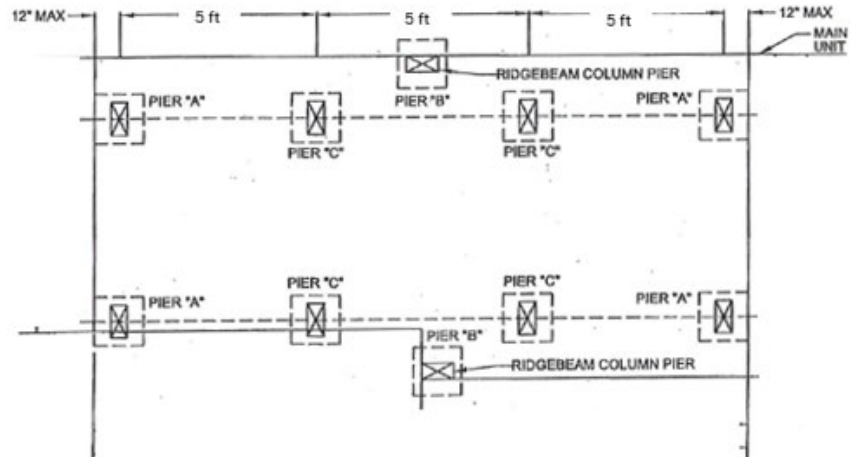


Figure 19a. Typical Support Pier Placement and Spacing for a Tag Unit.

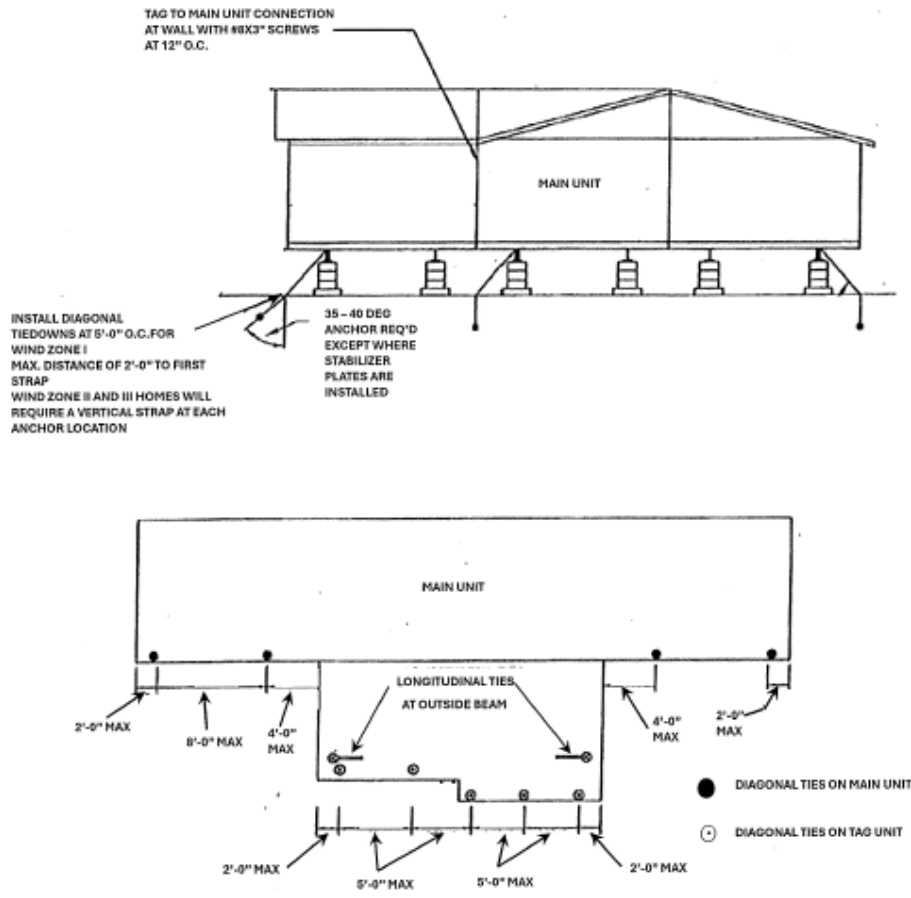


Figure 19b. Typical Anchor Locations and Spacings for a Tag Unit.

### Rule 5.06.10-3: Proprietary Ground (Pan) Foundation Stabilizing Systems

A proprietary ground foundation stabilizing systems (herein referred to as pan foundation systems) are designed to provide an alternative to conventional ground anchors and straps for stabilizing the Factory-Built home against wind loads. These systems can eliminate the need for most anchors in a Wind Zone I area and eliminate the need for diagonal frame ties and stabilizing plates on vertical anchors in Wind Zone II and III areas. The base of the system (pan) is a flat metal plate or concave metal pan set with the top surface of the plate/pan at or slightly below the level of the concrete slab or dirt foundation, respectively.

The pan foundation systems can provide resistance against lateral and longitudinal wind loads with the addition of metal tubes called “transverse” and “longitudinal” bars, respectively. A generalized installation of a pan foundation system is shown in Figure 20.



Figure 20. Typical installation of a Ground (Pan) Foundation System

Pan foundation systems are required to be installed, according to the instructions provided by the manufacturer of each individual system. The systems are designed to operate in conjunction with each other and must be placed as evenly as possible from the end of the support beams and on opposing corners. Pier height and roof pitch limit the use of these systems in certain applications.

In Wind Zone I areas, effective November 3, 2025, the installation of the pan system will be required to meet the following guidelines for vertical anchor installation (see Table X-A):

**TABLE X-A**  
**VERTICAL ANCHORING REQUIREMENTS FOR WIND ZONE I HOMES**

		<b>4:12 Roof Pitch</b>		<b>5:12 Roof Pitch</b>		<b>6:12/7:12 Roof Pitch</b>	
Home Section Size	Home Width	Home Length	Anchors per Side	Home Length	Anchors per Side	Home Length	Anchors per Side
Singlewide	12'	Up to 63'	3	Up to 55'	4	Up to 45'	4
	140" +	64' – 90'	4	56' – 74'	5	46' – 62'	5
				75' – 90'	6	63' – 73'	6
						79' – 90'	7
	14' – 18'	Up to 73'	3	Up to 58'	4	Up to 47'	4
	156" to 210"	74' to 90'	4	59' -78'	5	48'-64'	5
				79' – 90'	6	65'-81'	6
					82'-90'	7	
Doublewide	20'	Up to 90'	2	up to 90'	3	up to 90'	4
	(2) 118"		2				
						Up to 85'	3
	24' – 32'	Up to 90'	2	up to 90'	2	up to 90'	4
	(2) 140" to (2) 186"		2				
Triple-wide	36' – 48'		2		2		2
	(3) 140" to (3) 186"	up to 90'	2	up to 90'	2	up to 90'	2

In Wind Zone I areas, the transverse bar and one (1) longitudinal bar are required on each pan foundation system. For Wind Zone II and Wind Zone III areas, the transverse bar and two (2) longitudinal bars are required on each system. Factory Built Homes exceeding seventy-six (76) feet in length may require the addition of a third pan foundation system (see Figure 21). The pan foundation system manufacturers' installation instructions should be referred to for proper placement of any additional systems and required anchors and tie downs.

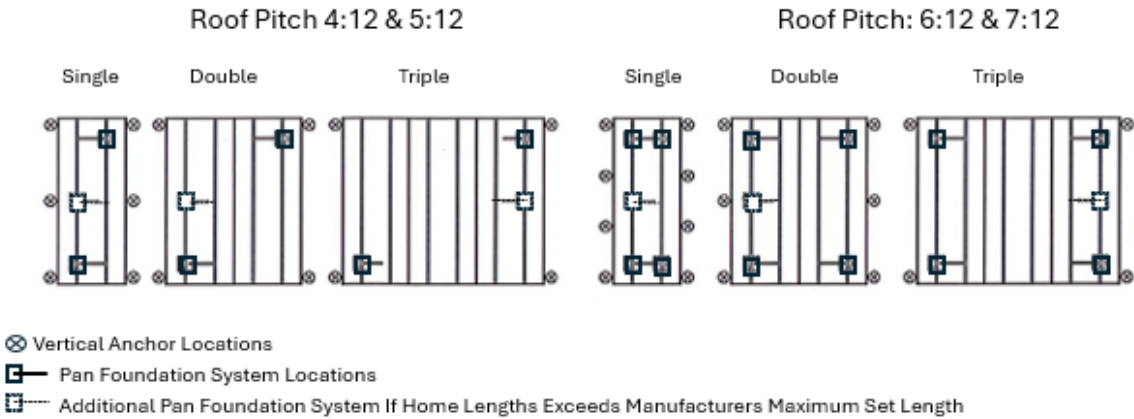


Figure 21. Anchor and Pan Foundation System Installation Locations for Varying Roof Pitch

Table X-B and Table X-C provide the information for the use of pan foundations systems on new and used homes in Wind Zone I, Wind Zone II and Wind Zone III areas. It is required that the name of the manufacturer of the pan-type foundation system be indicated on the Property Locator/Certificate of Installation form. In addition, the vertical anchor requirements (Table X-A) will be required to be implemented into the set-up of the home.

**TABLE X-B<sup>1</sup>**  
**MINIMUM NUMBER OF PAN SYSTEMS, STABILIZING BAR AND ANCHOR REQUIREMENTS FOR WIND ZONE I<sup>1</sup> HOMES**

Length of Factory-Built home, excluding draw bar (ft.)	Number of Pan Systems (each section) <sup>2</sup>	Number of Transverse Bars (each Pan)	Number of Longitudinal Bars (each pan) <sup>3</sup>	Number of Anchors Required Singlewide, Doublewide, Triple wide
0-40	2	1	1	See Table X-A
41-60	2	1	1	“
61-76	2	1	1	“
80 +	3	1	1	“

**TABLE X-C<sup>1</sup>**  
**MINIMUM NUMBER OF PAN SYSTEMS, STABILIZING BAR AND ANCHOR**  
**REQUIREMENTS FOR WIND ZONE II<sup>1</sup> AND WIND ZONE III HOMES<sup>1</sup>**

<b>Length of Factory-Built home, excluding draw bar (ft.)</b>	<b>Number of Pan Systems (each section)<sup>2</sup></b>	<b>Number of Transverse Bars (each pan)</b>	<b>Number of Longitudinal Bars (each pan)<sup>3</sup></b>	<b>Number of Anchors Required Singlewide, Doublewide, Triple<sup>4</sup></b>
0-40	2	1	2	See Table X-A
41-60	2	1	2	“
61-76	2	1	2	“
80 +	3	1	2	“

<sup>1</sup>Pan foundation systems must not be used when any single support pier height exceeds 48 inches.

<sup>2</sup> A minimum of two (2) pan foundation systems are required under a home and are to be placed under the main frame member at a distance no farther from the end of the home than ¼ the length of the home. If a third pan foundation system is required by the manufacturer of the system, it must be placed halfway between the two (2) pan foundation systems and may be installed on either section (front or rear half) of the home.

<sup>3</sup> All pan foundation systems shall have the proper number of longitudinal bars per the Wind Zone designation of the home.

<sup>4</sup> Anchoring requirements for Wind Zone II and Wind Zone III Factory Built homes shall comply with the anchor manufacturer’s installation instructions for the pan foundation system that is installed.

Prior to the selection and use of the pan foundation system, it is the responsibility of the installer/transporter to check with the LAHJ to determine if any restrictions have been placed on the use of these types of foundation systems.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.10-4: Anchor Tie Down Spacing and Sizes**

The following specifications are the minimum standards for all tie down spacing and sizes.

- A. Wherever feasible, over-the-top tie down straps shall be attached to the anchor head tie down strap tensioning bolts at the anchor located directly beneath them.
- B. All vertical side wall and shear wall tie down brackets existing on the home must be properly strapped and anchored. Any vertical side wall brackets not used for installing anchors and straps for the proper installation of the home must have manufacturers documentation that excludes these brackets from use.
- C. Vertical side wall brackets which are not required to have anchor and strap installed are not to be folded up or compromised in any manner.
- D. Figure 22 shows the use of a radius clip (made from a short piece of frame strap) to protect the strap loop that passes through the slot in the side wall bracket. Figure 23 shows an alternate method (looped) for installing the anchor straps to a vertical side wall bracket. The open end of the strap (as shown in Figure 23) must not exceed six (6) inches in length. Any length of the open end of the strap exceeding the 6 inches will require the installation of a crimp seal on the open-end strap crimped to the vertical tie down strap.

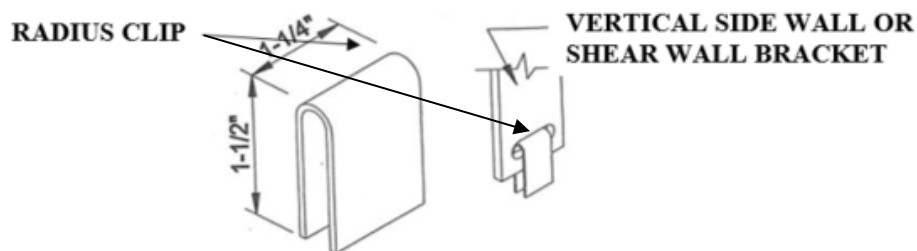


Figure 22. Use of a radius clip inside vertical sidewall and shear wall bracket slots.

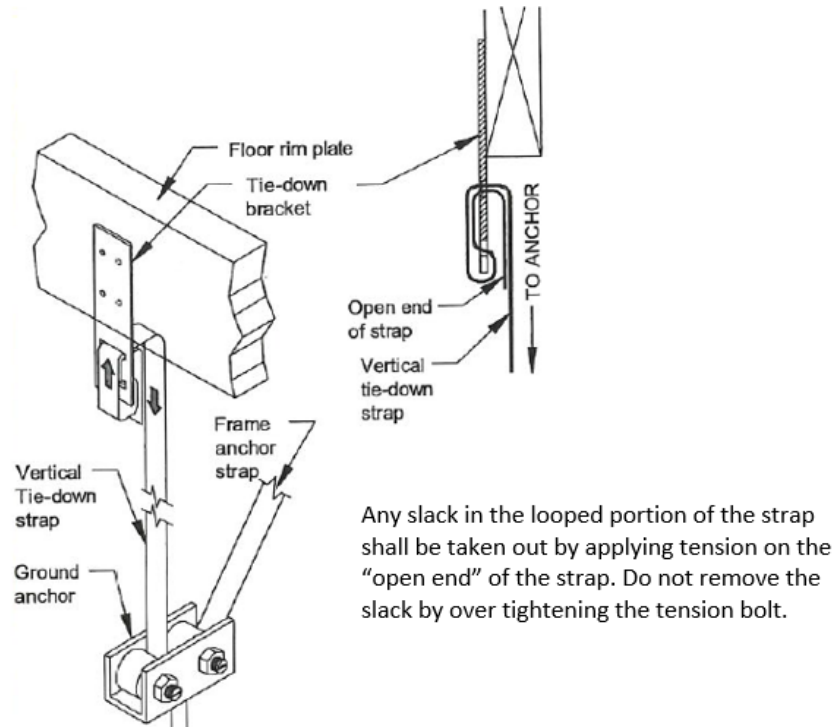


Figure 23. Alternate (looped) method for installing anchor straps in vertical sidewall brackets.

E. On all new factory-built homes, any other method of attaching tie down straps to the wall bracket (looped) will require approval by the manufacturer and will require documentation submitted to the Division with the Property Locator/Certificate of Installation prior to the inspection.

F. All tie down straps, cables and devices must be tested and approved by the manufacturer of the materials. All tie down straps shall be fastened to ground anchors and drawn tight with slotted tensioning bolts or other such tensioning devices listed with the ground anchor. Tie down straps must not be over-tightened.

G. All tie down straps and devices must be attached to the Factory-Built home in accordance with the manufacturer's instructions for the specific types of straps and devices. All tie-down straps and devices must be tested and approved. Straps must be type I, finished B, grade 1 steel strapping, 1 1/4" wide and 0.035" thick conforming with Federal Specifications strapping steel and seals FS QQ-S-781H-1974.

H. Tie down straps shall not be kinked, bent or otherwise abnormally stressed when installed at an angle to the frame I-beam. Straps must not be in contact with the support piers.

I. If the angle between the frame strap to the outer I-beam and the ground is greater than 45 degrees, a “Cross Strapping” method must be used as shown in Figure 24A and 24B. It requires an additional anchor tensioning bolt connected to a frame strap attached to the opposite outer frame I-beam for Wind Zone I installations (note dotted line in Figure 24A). Connect the strap to the top inside location on the opposite frame I-beam and wrap the strap completely around the I-beam. Position the strap directly over the lapped strap and in line with the anchor head. With the anchor and stabilizer device properly installed in the ground, insert the strap into the second slotted tensioning bolt in the anchor head, turning the bolt a minimum of 4-5 turns to remove slack from the frame strap. The first frame strap to the outer I-beam is to remain in place to provide additional tie down strength. If one of the tensioning bolts is connected to a vertical sidewall strap, typical for Wind Zone II or III installations (note dotted lines in Figure 24B), remove the strap from the near I-beam and install a longer strap to the opposing I beam.

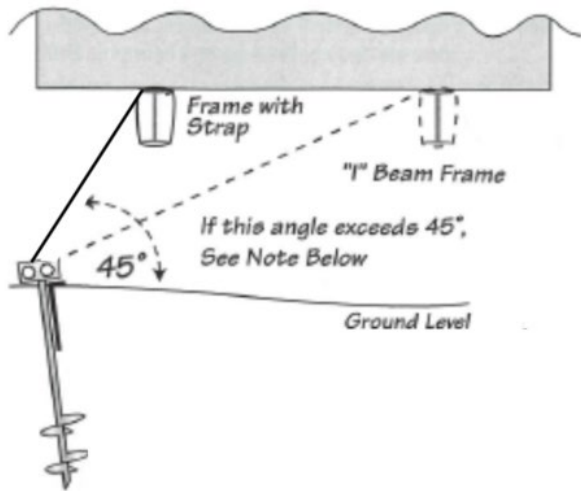


Figure 24A. “Cross Strapping” Wind Zone I

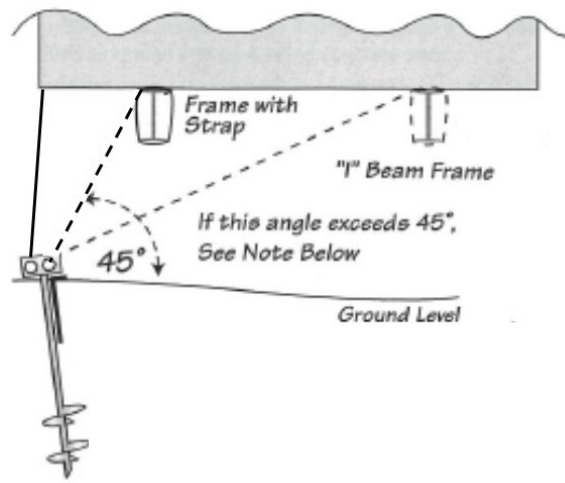


Figure 24 B. “Cross Strapping” Wind Zone II and Wind Zone III Installation

J. All tie down straps must be properly attached to the frame I-beam and the anchor head according to the manufacturer’s installation instruction and must be properly tensioned. Figures 25 and 26 illustrate the correct strap installation methods for use with double slot strap buckles and/or clips, respectively. According to manufacturer specifications, the winding of the strap on the anchor head bolt must contain a minimum of four to five complete turns.

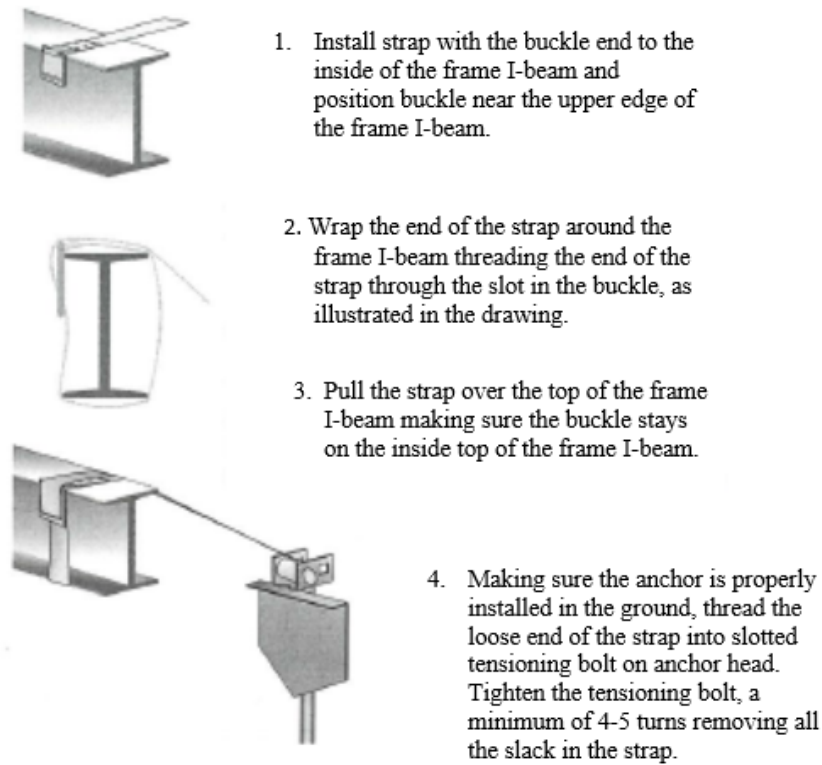


Figure 25. Installing Frame Tie Strap Using a Double Slot Strap Buckle

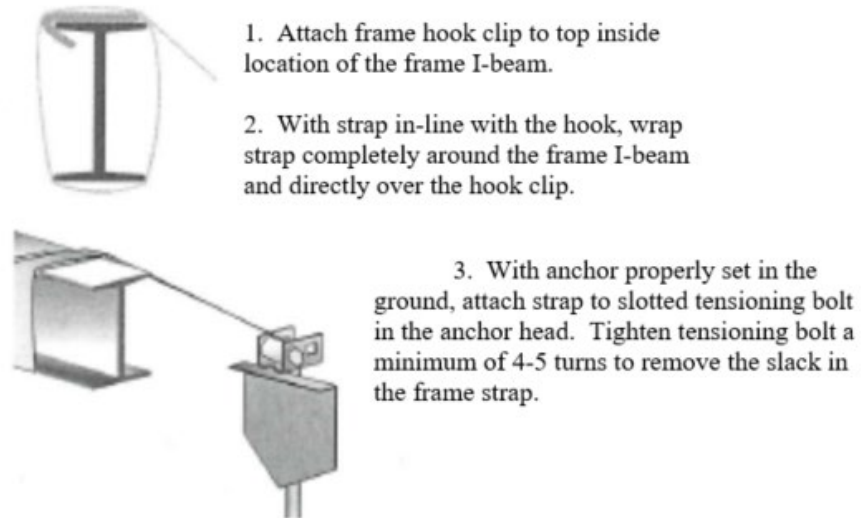


Figure 26. Installing Frame Tie Strap Using a Hook Clip

K. Splices in the anchor straps must be installed in accordance with the manufacturer's instructions for straps and devices. If manufacturer instructions for splicing anchor straps are not available, the following instructions will apply. The ends of the straps must overlap to a minimum of six (6) inches and a maximum of twelve (12) inches. Two (2) crimp seals must be installed in the overlap of the strap ends and each crimp seal must be double crimped, as shown in Figure 27.

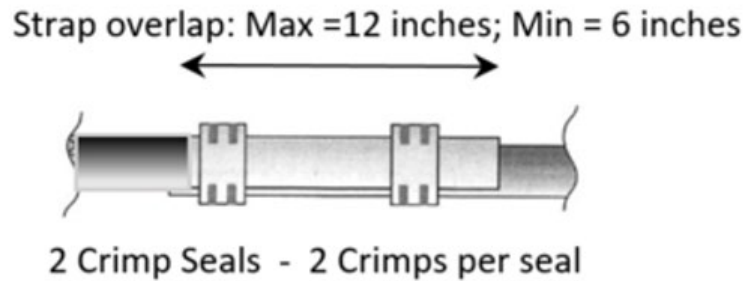


Figure 27. Tie Down Strap Splice Details

L. Tie down strap materials shall be capable of resisting an allowable working load of 3,150 lbs. with no more than 2% elongation and shall withstand a 50% overload [4,725 lbs. total]. Tie downs exposed to weathering shall be resistant to weathering deterioration at least equivalent to that provided by a coating of zinc on steel of not less than 0.30 oz. per square foot of surface coated. Type I, Class B, Grade I, steel strapping 1 1/4 inches wide and 0.035 inch thick, conforming to Federal Specifications QQ S 781 F, is judged to conform to this section.

M. Materials used for tie down straps must terminate with D-rings bolts, or other fastening devices, which will not cause distortion of the band or reduce its breaking strength of 4,725 lb. Please note that tie down straps should be double wrapped (double looped) at top of the I-beam, returning to the anchor from this position, not from the bottom of the I-beam.

N. Connection of the cable frame tie to the I-beam (or other shape) main structural frame member should be by a 5/8-inch drop forged closed eye bolted through a hole drilled in the center of the I-beam web. A washer, or equivalent, shall be used so that the beam is sufficiently reinforced around the hole. If steel strap ties are used, care should be exercised to ensure that minimum bending radius is adhered to so that the breaking strength of the strap is not reduced.

O. Frame ties shall connect the anchor and the steel I-beam (or other shape) main structural frame member which run lengthwise under the Factory-Built home. Frame ties shall never be connected to any of the steel outrigger beams which fasten to and intersect the main I beam at right angles.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.06.11: Anchors**

Devices used to anchor Factory Built homes shall meet the requirements listed in the following Rules.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.11-1: Soil Classification of Anchors**

All ground anchors must be installed in the soil types for which they are tested and approved. It should be noted that soil types may vary across a home installation site. Prior to installing any ground anchor, it is the responsibility of the installer/transporter to determine the soil class at the installation site and to ensure that the proper class of anchor is installed for the existing type of soil. The acceptable method for the determination of the soil classification is by a soil test probe (see Figure 5). The soil classifications shown in Table I are the accepted standards of this Regulation and are to be used for the purpose of determining the design loads, specifications and holding power of anchors and tie down devices for installation of all Factory-Built homes in the State of Mississippi.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.11-2: Determining the Soil Class of Anchors**

The use of a soil test probe shall be required in the determination of the soil classification at the installation site for the proper soil class anchor that can be used. A minimum of 6 readings (one at each of the four corners of the home, within two feet of the corners, one at the front center of the home and one at the rear center of the home) shall be required in order to properly choose the anchoring device required for the home. Results of the soil test probe may be averaged and used to determine anchor types based on the anchor manufacturer's installation and/or user manual requirements. However, **all** of the soil test probe torque values and the depth readings obtained at the installation site, including the computed average reading, shall be recorded on the Property Locator/Certificate of Installation to confirm the determined soil class for anchor selection.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.11-3: Preferred Soil Class Anchor**

If no soil test probe measurements have been obtained for the determination of the soil classification at the installation site, it is preferred that a soil class type C-4 rated anchor shall be used. C-4 rated anchors shall have a minimum auger diameter of 6 inches and shall be installed to their full depth. When the condition of the soil (including ground density, composition, moisture content and compaction) will not allow the C-4 rated anchors to be

installed to their full depth, the C-4 rated anchor that could not be installed shall be left in place.

A soil test probe shall be employed to obtain readings to determine the appropriate soil class anchor installed adjacent to the failed C-4 anchor. All ground anchors used shall be capable of withstanding 4,750 lbs. of pull (in a vertical or diagonal direction) without failure.

In difficult soil conditions, the anchor manufacturers shall be contacted for a recommendation of an alternate type of soil class anchor (approved by the manufactured housing industry) to be used.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

#### **Rule 5.06.11-4: Proper Installation of Ground Anchors and Tie Down Straps**

A. Ground anchors and tie down straps shall be aligned close to the location of the support piers, but not in the center of the pier, as that will interfere with frame ties.

B. All anchors shall be installed in a vertical position or with the anchor rod in direct alignment with the force of the loading.

C. Anchors to reinforced concrete slabs must be strength comparable to that presented above. If a Factory-Built home is to be placed on a monolithic concrete slab, the ground anchors may be replaced with anchor bolts imbedded in the concrete slab. The location of the anchor bolt in relation to the longitudinal support I-beam will be the same as the ground anchors.

D. Other anchors which can withstand 4,750 lbs. of pull without failure may be approved by the Factory-Built Home Division of the State Fire Marshal's Office as equivalent to above specifications.

E. All ground anchors installed in a vertical position having frame tie connections shall have approved stabilizer plates, stabilizer caps, concrete collar, or other approved stabilizer devices installed to resist horizontal movement. The stabilizer device must be installed according to the manufacturer instructions, and the top of the device must be flush with the surface of the soil. If a concrete cap is used it must be a minimum of 10" in diameter and 18" deep. Exception: Stabilizer plates are not required with coral anchors or at centerline or marriage line locations.

F. Anchors must be installed to full depth with the bottom of the anchor head within one (1) inch of the soil's surface.

G. The "Standard Method of Test for Manufactured Home Anchors, Parts A and B" is described in the Federal Manufactured Home Construction and Safety Standards, 24 CFR Section 3280.401.

H. Previously installed anchors, extracted from the initial installation site, shall not be used in the installation of the Factory – Built home at a new location.

I. The use of any alternate systems of anchoring, not approved by HUD, may be used if the installer provides proof that the manufacturer of the home has provided written approval of the use of such systems and that the written approval is provided with the submittal of the Property Locator/Certificate of Inspection Form.

J. All ground anchors, tie down devices, and ground foundation systems must be installed according to the manufacturer’s installation instructions for their respective ground anchors, tie down devices and ground stabilization devices.

K. Rock anchors can only be used in solid rock.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.07: Official Notices and Bulletins**

All manufacturers, retailers, developers, installers/transporters shall maintain any and all official notes and/or bulletins issued by the Factory-Built Home Division for three (3) years from the date of issuance. If so, required by this Factory-Built Home Division, all manufacturers, retailers, developers and installers/transporters shall display official notices and bulletins in plain view for the public. Exception: Any official notices and bulletins marked as permanent records or **DO NOT DESTROY**.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5.08: Severability**

If any section or portion of a section of this Regulation or the application thereof is held by a court to be invalid, such invalidity shall not affect any other provision of that section or application of the Regulation which can be given effect without the invalid provision of application, and to this end the provisions of the Regulation are declared to be severable.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024).

### **Rule 5-09: Effective Date**

The amended version of this regulation shall supersede prior versions and shall become effective on July 1, 2026.

Source: *Miss. Code Ann.* §§ 75-49-1, et seq.; 75-49-11 (Supp. 2024)