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Sequence Number: 05-18-25
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File Date: 5/15/2025

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Department of Commerce and Insurance
Division:	Fire Prevention
Contact Person:	Cameron Bowers
Address:	500 James Robertson Parkway, Nashville, Tennessee
Zip:	37243
Phone:	(615) 532-9422
Email:	Cameron.Bowers@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway, Nashville, Tennessee 37243
Phone:	(615) 741-6500
Email:	Don.Coleman@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway
Address 2:	Conference Room 1-A
City:	Nashville, Tennessee
Zip:	37243
Hearing Date:	07/09/2025
Hearing Time:	1:00 p.m. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT

Additional Hearing Information:

N/A

Revision Type (check all that apply):

☒ Amendment
☒ New
☒ Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0780-02-04	New Manufactured Homes and Recreational Vehicles
Rule Number	Rule Title
0780-02-04-.01	Definitions
0780-02-04-.02	Licensing of Manufacturers
0780-02-04-.03	Licensing of Retailers
0780-02-04-.04	Licensing of Installers

0780-02-04-.05	Adoption by Reference of Standards
0780-02-04-.06	Fees for Enforcement of Federal Standards
0780-02-04-.07	Repealed
0780-02-04-.08	Inspections of Manufactured Homes
0780-02-04-.09	Responsibilities of Retailers
0780-02-04-.10	Removal of Decals
0780-02-04-.11	Red Tags
0780-02-04-.12	Acceptable Course Topics
0780-02-04-.13	Continuing Education
0780-02-04-.14	Installation Reports and Installation Permit Decals
0780-02-04-.15	Imminent Safety Hazard Violations
0780-02-04-.16	Consumer Complaints

Chapter Number	Chapter Title
0780-02-05	Installation of Manufactured Homes
Rule Number	Rule Title
0780-02-05-.01	Definitions
0780-02-05-.02	Repealed
0780-02-05-.03	Approval of Anchoring-Stabilizing Systems
0780-02-05-.04	Repealed
0780-02-05-.05	Reserved

Chapter Number	Chapter Title
0780-02-08	Used Factory-Manufactured Homes
Rule Number	Rule Title
0780-02-08-.01	Definitions
0780-02-08-.02	Standards
0780-02-08-.03	Retailer Responsibilities Generally
0780-02-08-.04	Class B Used Manufactured Homes
0780-02-08-.05	Removal of Decals
0780-02-08-.06	Red Tags
0780-02-08-.07	Inspection of Records
0780-02-08-.08	Repealed

RULES
OF
THE DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF FIRE PREVENTION

CHAPTER 0780-02-04
MANUFACTURED HOUSING
AMENDMENTS

Rule 0780-02-04 Table of Contents is amended so it reads as follows:

TABLE OF CONTENTS

0780-02-04-.01 Definitions

0780-02-04-.02 Licensing of Manufacturers

0780-02-04-.03 Licensing of Retailers

0780-02-04-.04 Licensing of Installers

0780-02-04-.05 Continuing Education

0780-02-04-.06 Acceptable Course Topics

0780-02-04-.07 Approval of Anchoring-Stabilizing Systems

0780-02-04-.08 Fees for Enforcement of Federal Standards

0780-02-04-.09 Inspections of Retail Lots

0780-02-04-.10 Responsibilities of Retailers

0780-02-04-.11 Used Manufactured Homes

0780-02-04-.12 Removal of Permit Decal or HUD Label

0780-02-04-.13 Red Tags

0780-02-04-.14 Installation Reports and Decals

0780-02-04-.15 Imminent Safety Hazard Violations

0780-02-04-.16 Consumer Complaints

Rule 0780-02-04-.01 Definitions is amended so it reads as follows:

0780-02-04-.01 DEFINITIONS.

For purposes of this chapter, unless context otherwise requires, the definitions of terms contained in the Uniform Standards Code for Manufactured Homes Act (T.C.A. Title 68, Chapter 126, Part 2) and the Tennessee Manufactured Home Installation Act (T.C.A. Title 68, Chapter 126, Part 4) shall be applicable. In addition, the following definitions are applicable to this chapter:

- (1) "HUD label" means the approved form of certification by the manufacturer that, under 24 C.F.R. § 3282.362(c)(2)(i), is permanently affixed to each transportable section of each manufactured home manufactured for sale to a purchaser in the United States. ("label" or "certification label" as defined by 24 C.F.R. § 3282.7).

- (2) "Used manufactured home" means any manufactured home which has been previously owned or occupied by a purchaser or consumer.

Authority: T.C.A. §§ 68-126-202, 68-126-204, 68-126-210, 68-126-402, and 68-126-405.

Chapter 0780-02-04-.02 Licensing of Manufacturers is amended so it reads as follows:

0780-02-04-.02 LICENSING OF MANUFACTURERS.

- (1) An applicant for a license as a manufacturer shall complete an application form prescribed by the commissioner and submit the same to the commissioner along with a nonrefundable application fee of one hundred dollars (\$100.00). The applicant shall also submit proof of a surety bond as prescribed in T.C.A. § 68-126-206.
- (2) A license as a manufacturer shall expire one (1) year after the date of issuance, unless renewed. The fee for renewal of a license as a manufacturer is one hundred dollars (\$100.00).
- (3) Any manufacturer who fails to renew a license prior to its expiration but before ninety days (90) days after expiration shall pay a late penalty of fifty dollars (\$50.00) in addition to the renewal fee. Licenses renewed during this ninety (90) day grace period shall be considered inactive from the date of expiration to the date of renewal.
- (4) Any person desiring to renew a license later than ninety (90) days after the date of expiration shall submit a new application and meet all other application requirements.
- (5) Proof of a surety bond, as prescribed in T.C.A. § 68-126-206, shall be submitted with each application for renewal.
- (6) Any manufacturer who conducts business in this State without proper licensure shall be assessed a civil penalty up to one thousand one hundred dollars (\$1,100.00) for each manufactured home manufactured prior to licensure or annual renewal.
- (7) All licensed manufacturers are required to keep the commissioner apprised of their current mailing address, email address, and phone number to be used for communications with the department by informing the department within thirty (30) calendar days of any change in the information previously provided to the commissioner.

Authority: T.C.A. §§ 68-126-204, 68-126-206, and 68-126-210.

Chapter 0780-02-04-.03 Licensing of Retailers is amended so it reads as follows:

0780-02-04-.03 LICENSING OF RETAILERS.

- (1) An applicant for a license as a retailer shall complete an application form prescribed by the commissioner and submit the same to the commissioner along with a nonrefundable application fee of forty dollars (\$40.00). The applicant shall also submit proof of a surety bond as prescribed in T.C.A. § 68-126-206.
- (2) An applicant for a license as a manufactured home retailer shall provide proof, at the time of application, of having completed a fifteen (15) hour course, approved by the commissioner, in the installation of manufactured homes.
- (3) An applicant for a license as a manufactured home retailer shall provide proof, at the time of application, of having passed an examination, approved by the commissioner, in the installation of manufactured homes.
- (4) A license as a retailer shall expire one (1) year after the date of issuance, unless renewed. The fee for renewal of a license as a retailer is forty dollars (\$40.00). At the time of renewal, the retailer shall provide the commissioner a list of certified employees who hold an active certification issued by the commissioner pursuant to T.C.A. § 68-126-206(a).

- (5) Any retailer who fails to renew a license prior to its expiration but before ninety (90) days after expiration shall pay a late penalty of fifty dollars (\$50.00) in addition to the renewal fee. Licenses renewed during this ninety (90) day grace period shall be considered inactive from the date of expiration to the date of renewal.
- (6) Any person desiring to renew a license later than ninety (90) days after the date of expiration shall submit a new application and meet all other application requirements.
- (7) Proof of a surety bond, as prescribed in T.C.A. § 68-126-206, shall be submitted with each application for renewal.
- (8) Any retailer who conducts business in this State without proper licensure shall be assessed a civil penalty up to one thousand one hundred dollars (\$1,100.00) for each manufactured home sold prior to licensure or annual renewal.
- (9) All licensed retailers are required to keep the commissioner apprised of their current mailing address, email address, and phone number to be used for communications with the department by informing the department within thirty (30) calendar days of any change in the information previously provided to the commissioner.

Authority: T.C.A. §§ 68-126-204, 68-126-206, and 68-126-210.

Chapter 0780-02-04-.04 Licensing of Installers is amended so it reads as follows:

0780-02-04-.04 LICENSING OF INSTALLERS.

- (1) An applicant for a license as an installer shall complete an application form prescribed by the commissioner and submit the same to the commissioner along with a nonrefundable application fee of twenty-five dollars (\$25.00). The applicant shall also submit proof of a surety bond as prescribed in T.C.A. § 68-126-404.
- (2) An applicant for a license as an installer shall provide proof, at the time of application, of having completed a fifteen (15) hour course, approved by the commissioner, in the installation of manufactured homes.
- (3) An applicant for a license as an installer shall provide proof, at the time of application, of having passed an examination, approved by the commissioner, in the installation of manufactured homes.
- (4) A license as an installer shall expire one (1) year after the date of issuance, unless renewed. The fee for renewal of a license as an installer is twenty-five dollars (\$25.00).
- (5) Any installer who fails to renew a license prior to its expiration but before ninety (90) days after its expiration shall pay a late penalty of fifty dollars (\$50.00) in addition to the renewal fee. Licenses renewed during this ninety (90) day grace period shall be considered inactive from the date of expiration to the date of renewal.
- (6) Any person desiring to renew a license later than ninety (90) days after the date of expiration shall submit a new application and meet all other application requirements.
- (7) Proof of a surety bond, as prescribed in T.C.A. § 68-126-404, shall be submitted with each application for renewal.
- (8) Any installer who conducts business in this State without proper licensure shall be assessed a civil penalty up to one thousand one hundred dollars (\$1,100.00) for each manufactured home set up prior to licensure or annual renewal.
- (9) All licensed installers are required to keep the commissioner apprised of their current mailing address, email address, and phone number to be used for communications with the department by informing the department within thirty (30) calendar days of any change in the information previously provided to the commissioner.

Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, 68-126-404, and 68-126-410.

Chapter 0780-02-04-.05 Adoption by Reference of Standards is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.05 CONTINUING EDUCATION.

- (1) As a prerequisite to renewing a license as a retailer or an installer, the licensee shall have obtained five (5) hours of continuing education credit during the twelve (12) month period immediately preceding the current expiration date.
- (2) A continuing education course must be approved by the commissioner before the licensee will be granted credit for the course.
- (3) The licensee shall provide verification to the commissioner of having obtained the continuing education credits required by this rule. Verification consists of a form from the course provider certifying attendance at the course and the number of continuing education hours obtained at the course.
- (4) The licensee shall submit to the commissioner the licensee's verification form after taking the course and prior to the expiration of his or her license. The licensee is responsible for ensuring timely submittal of the required verification.
- (5) In order to obtain approval to provide course instruction, the course provider shall submit to the commissioner materials including an outline of the course instruction, biography of the instructor, the methods and tools that will be utilized in the course, number of instruction hours provided, and the dates and times the course will be offered. If the course is to be offered virtually, the materials shall identify and provide access to the virtual platform to be used. A course provider seeking approval of a course pursuant to this paragraph shall submit the required documentation no later than thirty (30) days prior to the first offering of the course.
- (6) A licensee may apply on an individual basis for continuing education credit for a course which has not been approved in advance by the commissioner by submitting an agenda, the number of instructional hours provided, the dates and times the course was offered, verification of attendance by both the licensee and the course instructor, and any additional information requested by the commissioner as necessary for review of the course. A licensee seeking approval of a course pursuant to this paragraph shall submit the required documentation as soon as practicable after completion of the course; provided, that credit will not be granted later than thirty (30) days after the date of the course. No credit for the course will be awarded unless and until the course is approved by the commissioner or the commissioner's representative.
- (7) Continuing education credit will not be awarded for any course taken more than one (1) time every four (4) years.

Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, and 68-126-404.

Chapter 0780-02-04-.06 Fees for Enforcement of Federal Standards is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.06 ACCEPTABLE COURSE TOPICS.

- (1) Credit may be granted for either qualifying or continuing education courses which cover installation topics. Examples of acceptable course topics consist of information contained within, but not limited to, any of the following governing documents:
 - (a) 24 C.F.R. § 3280, Manufactured Home Construction and Safety Standards;
 - (b) 24 C.F.R. § 3282, Manufactured Home Procedural and Enforcement Regulations;
 - (c) 24 C.F.R. § 3284, Manufactured Housing Program Fee;
 - (d) 24 C.F.R. § 3285, Model Manufactured Home Installation Standards;

- (e) 24 C.F.R. § 3286, Manufactured Homes Installation Program;
 - (f) 24 C.F.R. § 3288, Manufactured Home Dispute Resolution Program;
 - (g) Tennessee Code Annotated §§ 68-126-101 *et seq.*, 68-126-201 *et seq.*, and 68-126-401 *et seq.*;
 - (h) Tennessee laws and rules governing manufactured homes and manufactured home installation; and
 - (i) ANSI 225.1, 1994 Edition, for the installation of used manufactured homes.
- (2) Each course offered for qualifying education shall provide at least fifteen (15) hours of training for participants.
 - (3) Each course offered for continuing education purposes only shall provide at least five (5) hours of instruction.

Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, and 68-126-404.

Chapter 0780-02-04-.07 Repealed is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.07 APPROVAL OF ANCHORING-STABILIZING SYSTEMS.

- (1) Any system (or component thereof) designed to be used in installations subject to the Tennessee Manufactured Home Installation Act must be approved for such use by the commissioner. To secure approval of a product, the manufacturer shall submit the following information:
 - (a) Detailed drawings (prepared by a registered professional engineer) of each type of anchor submitted for approval.
 - 1. Each drawing shall specify model identification, dimensions, types of welds or fastenings, construction materials, and method of securing straps.
 - (b) Test data (prepared and certified by a recognized independent testing laboratory) regarding the destructibility of each ground anchor model.
 - 1. The data shall demonstrate the capability of each model to withstand a force of not less than four thousand seven hundred twenty-five (4,725) pounds without failure, with straps or cable connected to the anchor head connecting device.
- (2) Each model must be field tested and certified for holding power by a recognized independent testing laboratory. The lab report shall show the following:
 - (a) Model tested as described by engineering drawings;
 - (b) Method of installation;
 - (c) Date of installation;
 - (d) Date of pull-out test;
 - (e) Soil profile description;
 - (f) Location of field test;
 - (g) Test equipment used;
 - (h) Pounds of force exerted and resultant vertical and horizontal movements (in inches) of anchor; and

- (i) Failure point of anchor. Failure occurs when the point of connection between the tie and anchor moves more than two (2) inches in the direction of the vertical tie or the anchor is displaced horizontally more than four (4) inches at the point where the tie attaches to the anchor when a load of four thousand seven hundred twenty-five (4,725) pounds or less is applied and the anchoring equipment is installed in accordance with the manufacturer's instructions.
- (3) Within sixty (60) days after receipt of a submission, the commissioner will inform the manufacturer by letter of the results of its review. If approval of a product is denied, such letter shall state the reason(s) for the denial.
- (4) Should any change in construction or material be made in a model, approval of that model is withdrawn. The revised model must be completely resubmitted for approval under this rule.

Authority: T.C.A. §§ 68-126-204, 68-126-210, 68-126-401, and 68-126-405.

Chapter 0780-02-04-.08 Inspections of Manufactured Homes is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.08 FEES FOR ENFORCEMENT OF FEDERAL STANDARDS.

- (1) The following schedule of fees is hereby established for the performance of Production Inspection Primary Inspection Agency (IPIA) services specified in the HUD manufactured home procedural and enforcement regulations:
 - (a) For plant approval pursuant to 24 C.F.R. § 3282.362(b), including preparation and issuance of a certification report, forty dollars (\$40.00) per inspector per hour, plus the reasonable and necessary expenses of each inspector assigned to the inspection team. The inspector shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.
 - (b) For production surveillance pursuant to 24 C.F.R. § 3282.362(c), thirty dollars (\$30.00) for each floor to which a HUD label is affixed and forty dollars (\$40.00) per inspector per hour, plus the reasonable and necessary expenses of each inspector assigned, for inspection services in excess of those required by the cited section. The inspector shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.

Authority: T.C.A. §§ 68-126-204 and 68-126-210.

Chapter 0780-02-04-.09 Responsibilities of Retailers is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.09 INSPECTIONS OF RETAIL LOTS.

All manufactured homes on which a HUD label is required are subject to inspection on retailers' lots for transit damage, HUD label tampering, retailer performance, and retailer alterations (see 24 C.F.R. § 3282-303(a) and (b)).

Authority: T.C.A. §§ 68-126-204 and 68-126-210.

Chapter 0780-02-04-.10 Removal of Decals is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.10 RESPONSIBILITIES OF RETAILERS.

Within five (5) days after receipt of any manufactured home not bearing a HUD label, the retailer shall notify the manufacturer and the commissioner in writing of the omission. Immediately upon receipt of such notification, the manufacturer shall provide evidence to the commissioner of the HUD label assigned to the unit at the time of manufacture.

Authority: T.C.A. §§ 68-126-202, 68-126-204, 68-126-210, and 68-126-405.

Chapter 0780-02-04-.11 Red Tags is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.11 USED MANUFACTURED HOMES.

- (1) When offering a used manufactured home for sale to a consumer located in the State of Tennessee, a retailer shall complete the Used Manufactured Home Form ("Form") prescribed by the commissioner and affix said Form to the applicable manufactured home.
- (2) At the time of sale of a used manufactured home, a retailer shall:
 - (a) Complete the "Consumer Information" section of the Form;
 - (b) Complete the "Retailer Signature" portion of the Form;
 - (c) Require the purchaser to complete the "Consumer Signature" portion of the Form;
 - (d) Provide the purchaser a copy of the completed Form; and
 - (e) Retain a copy of the completed Form with the permanent sales record of the manufactured home.

Authority: T.C.A. §§ 68-126-202, 68-126-210, and 68-126-405.

Chapter 0780-02-04-.12 Acceptable Course Topics is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.12 REMOVAL OF INSTALLATION PERMIT DECAL OR HUD LABEL.

No installation permit decal or HUD label, once affixed, shall be removed from any unit, or transferred from one unit to another.

Authority: T.C.A. §§ 68-126-204 and 68-126-210.

Chapter 0780-02-04-.13 Continuing Education is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.13 RED TAGS.

- (1) No new or used manufactured home bearing a red tag because of violation(s) of any of the standards applicable to manufactured homes shall be moved, shipped, sold, or leased until the violation(s) is corrected and the red tag is removed by the commissioner.
- (2) Any unit moved, shipped, sold, or leased prior to the removal of the red tag shall:
 - (a) Be returned to the retailer's lot for reinspection by the commissioner; or
 - (b) May remain at the location to which the unit had been delivered; provided, the retailer shall pay a fee of forty dollars (\$40.00) per hour, including travel time to and from the location, plus all reasonable and necessary expenses incurred by the commissioner. The commissioner's designee that conducts the reinspection shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.
- (3) After the first reinspection, the retailer shall pay a fee of one hundred dollars (\$100.00) for each subsequent inspection on the same unit.

Authority: T.C.A. §§ 68-126-202, 68-126-204, and 68-126-210.

CHAPTER 0780-02-04
MANUFACTURED HOUSING

NEW RULES

Rule 0780-02-04-.14 Installation Reports and Installation Permit Decals is added to Chapter 0780-02-04 and shall read:

0780-02-04-.14 INSTALLATION REPORTS AND INSTALLATION PERMIT DECALS.

- (1) Installation reports required by T.C.A. § 68-126-406(e) shall be submitted to the commissioner for each manufactured home installed no later than seven (7) calendar days from the date of placement of the installation permit decal on the home. An installation permit decal shall not be placed on any home until the set-up of the home, as defined by T.C.A. § 68-126-402, is complete.
- (2) Placement of an installation permit decal in a manufactured home constitutes the licensee's certification that the home has been installed in accordance with T.C.A. § 68-126-403.
- (3) The commissioner, or commissioner's designee, may limit the number of decals a licensee may purchase during a given time frame after providing notice to the affected licensee(s) and county clerk(s).

Authority: T.C.A. §§ 68-126-210, 68-126-402, 68-126-405, and 68-126-406.

Rule 0780-02-04-.15 Imminent Safety Hazard Violations is added to Chapter 0780-02-04 and shall read:

0780-02-04-.15 IMMINENT SAFETY HAZARD VIOLATIONS.

When a manufactured home fails inspection due to an Imminent Safety Hazard ("ISH") violation, the licensee responsible for installation of the home shall, in addition to the requirements found in T.C.A. § 68-126-410(b)(2), correct any and all ISH violations as soon as possible, but no later than seventy-two (72) hours after notification of the violation, unless an alternate timeline has been approved by the commissioner.

Authority: T.C.A. §§ 68-126-210, 68-126-402, 68-126-405, and 68-126-410.

Rule 0780-02-04-.16 Consumer Complaints is added to Chapter 0780-02-04 and shall read:

0780-02-04-.16 CONSUMER COMPLAINTS.

- (1) Manufacturers, retailers, and installers shall comply with all requests for information made by the department regarding a consumer complaint.
- (2) Manufacturers, retailers, and installers shall respond to all communications from the department, including but not limited to submission of response forms and submission of evidence of repairs made, related to consumer complaints within the designated time frame. If a specific time frame is not provided, then a response shall be required no later than fourteen (14) calendar days from receipt of the correspondence.
- (3) Any licensee's failure to respond, failure to provide requested information, or failure to return required forms within the provided time frame shall be assessed a civil penalty up to five hundred dollars (\$500.00) for each instance of failure.

Authority: T.C.A. §§ 68-126-202, 68-126-205, 68-126-208, 68-126-210, and 68-126-212.

CHAPTER 0780-02-05
INSTALLATION OF MANUFACTURED HOMES
REPEALED

Chapter 0780-02-05 Installation of Manufactured Homes is amended by repealing the Chapter in its entirety.

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0780-02-05-.01 Repealed

0780-02-05-.02 Repealed

0780-02-05-.03 Repealed

0780-02-05-.04 Repealed

0780-02-05-.05 Repealed

Authority: T.C.A. §§ 68-126-405.

CHAPTER 0780-02-08
USED FACTORY-MANUFACTURED HOMES
REPEALED

Chapter 0780-02-08 Used Factory-Manufactured Homes is amended by repealing the Chapter in its entirety.

TABLE OF CONTENTS

0780-02-08-.01 Repealed

0780-02-08-.02 Repealed

0780-02-08-.03 Repealed

0780-02-08-.04 Repealed

0780-02-08-.05 Repealed

0780-02-08-.06 Repealed


0780-02-08-.07 Repealed

0780-02-08-.08 Repealed

Authority: T.C.A. §§ 68-126-210 and 68-126-405.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 05/15/2025


Signature: 

Name of Officer: Cameron Bowers

Title of Officer: Associate Counsel

Department of State Use Only

Filed with the Department of State on: 5/15/2025


Tre Hargett
Secretary of State

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May 15 2025, 1:58 pm

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Division of Publications

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Division of Publications
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Notice of Rulemaking Hearing - **REDLINE**

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Division:	Fire Prevention
Contact Person:	Cameron Bowers
Address:	500 James Robertson Parkway, Nashville, Tennessee
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0780-02-04-.05	Adoption by Reference of Standards
0780-02-04-.06	Fees for Enforcement of Federal Standards
0780-02-04-.07	Repealed
0780-02-04-.08	Inspections of Manufactured Homes
0780-02-04-.09	Responsibilities of Retailers
0780-02-04-.10	Removal of Decals
0780-02-04-.11	Red Tags
0780-02-04-.12	Acceptable Course Topics
0780-02-04-.13	Continuing Education
0780-02-04-.14	Installation Reports and Installation Permit Decals
0780-02-04-.15	Imminent Safety Hazard Violations
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Chapter Number	Chapter Title
0780-02-05	Installation of Manufactured Homes
Rule Number	Rule Title
0780-02-05-.01	Definitions
0780-02-05-.02	Repealed
0780-02-05-.03	Approval of Anchoring-Stabilizing Systems
0780-02-05-.04	Repealed
0780-02-05-.05	Reserved

Chapter Number	Chapter Title
0780-02-08	Used Factory-Manufactured Homes
Rule Number	Rule Title
0780-02-08-.01	Definitions
0780-02-08-.02	Standards
0780-02-08-.03	Retailer Responsibilities Generally
0780-02-08-.04	Class B Used Manufactured Homes
0780-02-08-.05	Removal of Decals
0780-02-08-.06	Red Tags
0780-02-08-.07	Inspection of Records
0780-02-08-.08	Repealed

RULES
OF
THE DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF FIRE PREVENTION

CHAPTER 0780-02-04
MANUFACTURED HOUSING
~~NEW MANUFACTURED HOMES AND RECREATIONAL VEHICLES~~
AMENDMENTS

Rule 0780-02-04 Table of Contents is amended so it reads as follows:

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0780-02-04-.01 Definitions

0780-02-04-.02 Licensing of Manufacturers

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0780-02-04-.05 Continuing Education ~~Adoption by Reference of Standards~~

0780-02-04-.06 Acceptable Course Topics ~~Fees for Enforcement of Federal Standards~~

0780-02-04-.07 Approval of Anchoring-Stabilizing Systems ~~Repealed~~

0780-02-04-.08 Fees for Enforcement of Federal Standards ~~Inspections of Manufactured Homes~~

0780-02-04-.09 Inspections of Retail Lots ~~Responsibilities of Retailers~~

0780-02-04-.10 Responsibilities of Retailers ~~Removal of Decals~~

0780-02-04-.11 Used Manufactured Homes ~~Red Tags~~

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0780-02-04-.13 Red Tags ~~Continuing Education~~

0780-02-04-.14 Installation Reports and Decals

0780-02-04-.15 Imminent Safety Hazard Violations

0780-02-04-.16 Consumer Complaints

Rule 0780-02-04-.01 Definitions is amended so it reads as follows:

0780-02-04-.01 DEFINITIONS.

For purposes of this chapter, unless ~~the~~ context otherwise requires, the definitions of terms contained in the Uniform Standards Code for Manufactured Homes ~~and Recreational Vehicles~~ Act (~~T.C.A. Tenn. Code Ann.~~ Title 68, Chapter 126, Part 2) and the Tennessee Manufactured Home Installation Act (T.C.A. Title 68, Chapter 126, Part 4) shall be applicable. In addition, the following definitions are applicable to this chapter:

- (1) "HUD label" means the approved form of certification by the manufacturer that, under 24 C.F.R. § 3282.362(c)(2)(i), is permanently affixed to each transportable section of each manufactured home manufactured for sale to a purchaser in the United States. ("label" or "certification label" as defined by 24 C.F.R. § 3282.7).

- (2) "Used manufactured home" means any manufactured home which has been previously owned or occupied by a purchaser or consumer. "Installer" means any person engaged in the installation of a stabilizing system or a support system for a manufactured home. After January 1, 2004, "installer" means any person engaged in the set-up of a manufactured home.
- (3) ~~"Park trailer" means a vehicular unit that meets all of the following criteria:~~
- ~~(a) Built on a single chassis, mounted on wheels;~~
 - ~~(b) Designed to provide seasonal or temporary living quarters which may be connected to utilities necessary for operation of installed fixtures and appliances;~~
 - ~~(c) Of such construction as to permit setup by persons without special skills using only hand tools which may include lifting, pulling and supporting devices;~~
 - ~~(d) A gross trailer area not to exceed four hundred (400) square feet when in the setup mode.~~
- (4) ~~Effective January 1, 2004, "retailer" means any person engaged in the sale, leasing, or distribution of new or used manufactured homes primarily to persons who in good faith purchase or lease a manufactured home for purposes other than resale ("dealer" as defined by 24 C.F.R. § 3282.7) or any person engaged in the sale and distribution of manufactured homes or recreational vehicles for resale. ("distributor" as defined by 24 C.F.R. § 3282.7). "Retailer" does not include any financial institution or mortgage company that sells new or used manufactured homes.~~

Authority: T.C.A. §§ 68-126-202, 68-126-204, ~~and 68-126-210,~~ 68-126-402, and 68-126-405.

Chapter 0780-02-04-.02 Licensing of Manufacturers is amended so it reads as follows:

0780-02-04-.02 LICENSING OF MANUFACTURERS.

- (1) An applicant for a license as a manufacturer shall complete an application form prescribed by the commissioner and submit the same to the commissioner along with a nonrefundable application fee of one hundred dollars (\$100.00). The applicant shall also submit proof of a surety bond as prescribed in T.C.A. § 68-126-206. ~~a surety bond in the amount of fifty thousand dollars (\$50,000.00), executed by the applicant as principal and issued by a surety company qualified to do business in the State of Tennessee.~~
- (2) A license as a manufacturer shall expire one (1) year after the date of issuance, unless renewed. The fee for renewal of a license as a manufacturer is one hundred dollars (\$100.00). ~~Any person desiring to renew a license later than ninety (90) days after the expiration of the license shall submit a new application and meet all other application requirements.~~
- (3) Any manufacturer who fails to renew a license prior to its expiration but before ninety days (90) days after ~~its~~ expiration shall pay a late penalty of fifty dollars (\$50.00) in addition to the renewal fee. Licenses renewed during this ninety (90) day grace period shall be considered inactive from the date of expiration to the date of renewal.
- (4) Any person desiring to renew a license later than ninety (90) days after the date of expiration shall submit a new application and meet all other application requirements.
- (5) Proof of a surety bond, as prescribed in T.C.A. § 68-126-206, shall be submitted with each application for renewal.
- (6)(4) Any manufacturer who conducts ~~commences~~ business in this State without ~~prior to obtaining~~ proper licensure shall be assessed a civil penalty up to of one thousand one five hundred dollars (\$1,1500.00) for each manufactured home manufactured prior to licensure or annual renewal. ~~sold prior to licensure. This paragraph does not apply to any manufacturer who does not manufacture manufactured homes.~~
- (7) All licensed manufacturers are required to keep the commissioner apprised of their current mailing address, email address, and phone number to be used for communications with the department by

informing the department within thirty (30) calendar days of any change in the information previously provided to the commissioner.

Authority: T.C.A. §§ 68-126-204, 68-126-206, and 68-126-210.

Chapter 0780-02-04-.03 Licensing of Retailers is amended so it reads as follows:

0780-02-04-.03 LICENSING OF RETAILERS.

- (1) An applicant for a license as a retailer shall complete an application form prescribed by the commissioner and submit the same to the commissioner along with a nonrefundable application fee of forty dollars (\$40.00). The applicant shall also submit proof of a surety bond as prescribed in T.C.A. § 68-126-206. ~~a surety bond in the amount of twenty-five thousand dollars (\$25,000.00), executed by the applicant as principal and issued by a surety company qualified to do business in the State of Tennessee.~~
- (2) ~~An Effective July 1, 2003, an~~ applicant for a license as a manufactured home retailer shall provide proof, at the time of application, of having completed a fifteen (15) hour course, approved by the commissioner, in the installation of manufactured homes. ~~This paragraph does not apply to any retailer who does not sell manufactured homes.~~
- (3) ~~An Effective July 1, 2003, an~~ applicant for a license as a manufactured home retailer shall provide proof, at the time of application, of having passed an examination, approved by the commissioner, in the installation of manufactured homes. ~~This paragraph does not apply to any retailer who does not sell manufactured homes.~~
- (4) A license as a retailer shall expire one (1) year after the date of issuance, unless renewed. The fee for renewal of a license as a retailer is forty dollars (\$40.00). At the time of renewal, the retailer shall provide the commissioner a list of certified employees who hold an active certification issued by the commissioner pursuant to T.C.A. § 68-126-206(a). ~~Any person desiring to renew a license later than ninety (90) days after the date of its expiration shall submit a new application and meet all other application requirements.~~
- (5) Any retailer who fails to renew a license prior to its expiration but before ninety (90) days after expiration shall pay a late penalty of fifty dollars (\$50.00) in addition to the renewal fee. Licenses renewed during this ninety (90) day grace period shall be considered inactive from the date of expiration to the date of renewal. ~~Effective January 1, 2004, and as a prerequisite to renewal of a license for 2004 as a manufactured home retailer, the retailer shall provide proof of having completed a fifteen (15) hour course, approved by the commissioner, in the installation of manufactured homes and of having passed an examination, approved by the commissioner, in the installation of manufactured homes. This paragraph does not apply to any retailer who does not sell manufactured homes.~~
- (6) Any person desiring to renew a license later than ninety (90) days after the date of expiration shall submit a new application and meet all other application requirements. ~~Any retailer who fails to renew a license prior to its expiration but before ninety (90) days after its expiration shall pay a late penalty of fifty dollars (\$50.00) in addition to the renewal fee.~~
- (7) Proof of a surety bond, as prescribed in T.C.A. § 68-126-206, shall be submitted with each application for renewal.
- (8)(7) Any retailer who conducts ~~commences~~ business in this State without ~~prior to obtaining~~ proper licensure shall be assessed a civil penalty up to ~~of~~ one thousand one hundred dollars (\$1,100.00) for each manufactured home sold prior to licensure or annual renewal. ~~This paragraph does not apply to any retailer who does not sell manufactured homes.~~
- (9) All licensed retailers are required to keep the commissioner apprised of their current mailing address, email address, and phone number to be used for communications with the department by informing the department within thirty (30) calendar days of any change in the information previously provided to the commissioner.

Authority: T.C.A. §§ 68-126-204, 68-126-206, and 68-126-210.

Chapter 0780-02-04-.04 Licensing of Installers is amended so it reads as follows:

0780-02-04-.04 LICENSING OF INSTALLERS.

- (1) ~~An Effective July 1, 2003, an~~ applicant for a license as an installer shall complete an application form prescribed by the commissioner and submit the same to the commissioner along with a nonrefundable application fee of twenty-five dollars (\$25.00). The applicant shall also submit proof of a surety bond as prescribed in T.C.A. § 68-126-404. ~~a surety bond in the amount of ten thousand dollars (\$10,000.00); executed by the applicant as principal and issued by a surety company qualified to do business in the State of Tennessee.~~
- (2) ~~An Effective July 1, 2003, an~~ applicant for a license as an installer shall provide proof, at the time of application, of having completed a fifteen (15) hour course, approved by the commissioner, in the installation of manufactured homes.
- (3) ~~An Effective July 1, 2003, an~~ applicant for a license as an installer shall provide proof, at the time of application, of having passed an examination, approved by the commissioner, in the installation of manufactured homes.
- (4) A license as an installer shall expire one (1) year after the date of issuance, unless renewed. The fee for renewal of a license as an installer is twenty-five dollars (\$25.00). ~~Any person desiring to renew a license later than ninety (90) days after the date of its expiration shall submit a new application and meet all other application requirements.~~
- ~~(5) Effective January 1, 2004, and as a prerequisite to renewal of a license for 2004 as an installer, the installer shall provide proof of having completed a fifteen (15) hour course, approved by the commissioner, in the installation of manufactured homes and of having passed an examination, approved by the commissioner, in the installation of manufactured homes.~~
- ~~(5)(6)~~ Any installer who fails to renew a license prior to its expiration but before ninety (90) days after its expiration shall pay a late penalty of fifty dollars (\$50.00) in addition to the renewal fee. Licenses renewed during this ninety (90) day grace period shall be considered inactive from the date of expiration to the date of renewal.
- ~~(6)~~ Any person desiring to renew a license later than ninety (90) days after the date of expiration shall submit a new application and meet all other application requirements.
- ~~(7)~~ Proof of a surety bond, as prescribed in T.C.A. § 68-126-404, shall be submitted with each application for renewal.
- ~~(8)(7)~~ Any installer who conducts ~~commences~~ business in this State without ~~prior to obtaining~~ proper licensure shall be assessed a civil penalty up to of one thousand one hundred dollars (\$1,100.00) for each manufactured home set up prior to licensure or annual renewal.
- ~~(9)~~ All licensed installers are required to keep the commissioner apprised of their current mailing address, email address, and phone number to be used for communications with the department by informing the department within thirty (30) calendar days of any change in the information previously provided to the commissioner.

Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, 68-126-404, and 68-126-410.

Chapter 0780-02-04-.05 Adoption by Reference of Standards is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.05 CONTINUING EDUCATION.

- (1) As a prerequisite to renewing a license as a retailer or an installer, the licensee shall have obtained five (5) hours of continuing education credit during the twelve (12) month period immediately preceding the current expiration date.

- (2) A continuing education course must be approved by the commissioner before the licensee will be granted credit for the course.
- (3) The licensee shall provide verification to the commissioner of having obtained the continuing education credits required by this rule. Verification consists of a form from the course provider certifying attendance at the course and the number of continuing education hours obtained at the course.
- (4) The licensee shall submit to the commissioner the licensee's verification form after taking the course and prior to the expiration of his or her license. The licensee is responsible for ensuring timely submittal of the required verification.
- (5) In order to obtain approval to provide course instruction, the course provider shall submit to the commissioner materials including an outline of the course instruction, biography of the instructor, the methods and tools that will be utilized in the course, number of instruction hours provided, and the dates and times the course will be offered. If the course is to be offered virtually, the materials shall identify and provide access to the virtual platform to be used. A course provider seeking approval of a course pursuant to this paragraph shall submit the required documentation no later than thirty (30) days prior to the first offering of the course.
- (6) A licensee may apply on an individual basis for continuing education credit for a course which has not been approved in advance by the commissioner by submitting an agenda, the number of instructional hours provided, the dates and times the course was offered, verification of attendance by both the licensee and the course instructor, and any additional information requested by the commissioner as necessary for review of the course. A licensee seeking approval of a course pursuant to this paragraph shall submit the required documentation as soon as practicable after completion of the course; provided, that credit will not be granted later than thirty (30) days after the date of the course. No credit for the course will be awarded unless and until the course is approved by the commissioner or the commissioner's representative.
- (7) Continuing education credit will not be awarded for any course taken more than one (1) time every four (4) years.

Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, and 68-126-404.

~~0780-02-04-.05 ADOPTION BY REFERENCE OF STANDARDS.~~

- ~~(1) All manufactured homes (but not park trailers), shall be constructed in accordance with the standards established by the United States Department of Housing and Urban Development (HUD) pursuant to the National Manufactured Home Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.). All multi-family homes designed and manufactured with more than one (1) living unit must be constructed in accordance with the Tennessee Modular Building Act (Tenn. Code Ann. Title 68, Chapter 126, Part 3).~~
- ~~(2) All items within the gross floor area of new and used manufactured homes, including porches, not covered by the Federal Manufactured Housing Safety Standards shall comply with the 2000 edition of the International Residential Code for One and Two Family Dwellings.~~
- ~~(3) Site built items shall comply with local codes or the 2000 edition of the International Residential Code for One and Two Family Dwellings.~~
- ~~(4) Any park trailer that enters the first stage of production after July 1, 2003 shall be constructed in accordance with the Standard for Park Trailers, 1998 edition, ANSI A119.5; however, the definition of "park trailer" shall be that set out in rule 0780-2-4-.01.~~
- ~~(5) Any recreational vehicle that enters the first stage of production after July 1, 2003 shall be constructed in accordance with the ANSI A119.2 NFPA 1192 Standard on Recreational Vehicles, 2002 edition, published by the National Fire Protection Association, Inc., Batterymarch Park, Quincy, Massachusetts 02269; however, the definition of "recreational vehicle" shall be that set out in Tenn. Code Ann. § 68-126-202.~~

~~Authority: T.C.A. §§ 68-126-202, 68-126-204, and 68-126-210.~~

Chapter 0780-02-04-.06 Fees for Enforcement of Federal Standards is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.06 ACCEPTABLE COURSE TOPICS.

- (1) Credit may be granted for either qualifying or continuing education courses which cover installation topics. Examples of acceptable course topics consist of information contained within, but not limited to, any of the following governing documents:
 - (a) 24 C.F.R. § 3280, Manufactured Home Construction and Safety Standards;
 - (b) 24 C.F.R. § 3282, Manufactured Home Procedural and Enforcement Regulations;
 - (c) 24 C.F.R. § 3284, Manufactured Housing Program Fee;
 - (d) 24 C.F.R. § 3285, Model Manufactured Home Installation Standards;
 - (e) 24 C.F.R. § 3286, Manufactured Homes Installation Program;
 - (f) 24 C.F.R. § 3288, Manufactured Home Dispute Resolution Program;
 - (g) Tennessee Code Annotated §§ 68-126-101 *et seq.*, 68-126-201 *et seq.*, and 68-126-401 *et seq.*;
 - (h) Tennessee laws and rules governing manufactured homes and manufactured home installation; and
 - (i) ANSI 225.1, 1994 Edition, for the installation of used manufactured homes.
- (2) Each course offered for qualifying education shall provide at least fifteen (15) hours of training for participants.
- (3) Each course offered for continuing education purposes only shall provide at least five (5) hours of instruction.

Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, and 68-126-404.

~~0780-02-04-.06 FEES FOR ENFORCEMENT OF FEDERAL STANDARDS.~~

- ~~(1) The following schedule of fees is hereby established for the performance of Primary Inspection Agency (PIA) services specified in the HUD manufactured home procedural and enforcement regulations:~~
 - ~~(a) For plant approval pursuant to 24 C.F.R. § 3282.362(b), including preparation and issuance of a certification report, forty dollars (\$40.00) per inspector per hour, plus the reasonable and necessary expenses of each inspector assigned to the inspection team. The inspector shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.~~
 - ~~(b) For production surveillance pursuant to 24 C.F.R. § 3282.362(c), thirty dollars (\$30.00) for each floor to which a HUD label is affixed and forty dollars (\$40.00) per inspector per hour, plus the reasonable and necessary expenses of each inspector assigned, for inspection services in excess of those required by the cited section. The inspector shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-210.~~

Chapter 0780-02-04-.07 Repealed is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.07 APPROVAL OF ANCHORING-STABILIZING SYSTEMS.

- (1) Any system (or component thereof) designed to be used in installations subject to the Tennessee Manufactured Home Installation Act must be approved for such use by the commissioner. To secure approval of a product, the manufacturer shall submit the following information:
 - (a) Detailed drawings (prepared by a registered professional engineer) of each type of anchor submitted for approval.
 1. Each drawing shall specify model identification, dimensions, types of welds or fastenings, construction materials, and method of securing straps.
 - (b) Test data (prepared and certified by a recognized independent testing laboratory) regarding the destructibility of each ground anchor model.
 1. The data shall demonstrate the capability of each model to withstand a force of not less than four thousand seven hundred twenty-five (4,725) pounds without failure, with straps or cable connected to the anchor head connecting device.
- (2) Each model must be field tested and certified for holding power by a recognized independent testing laboratory. The lab report shall show the following:
 - (a) Model tested as described by engineering drawings;
 - (b) Method of installation;
 - (c) Date of installation;
 - (d) Date of pull-out test;
 - (e) Soil profile description;
 - (f) Location of field test;
 - (g) Test equipment used;
 - (h) Pounds of force exerted and resultant vertical and horizontal movements (in inches) of anchor; and
 - (i) Failure point of anchor. Failure occurs when the point of connection between the tie and anchor moves more than two (2) inches in the direction of the vertical tie or the anchor is displaced horizontally more than four (4) inches at the point where the tie attaches to the anchor when a load of four thousand seven hundred twenty-five (4,725) pounds or less is applied and the anchoring equipment is installed in accordance with the manufacturer's instructions.
- (3) Within sixty (60) days after receipt of a submission, the commissioner will inform the manufacturer by letter of the results of its review. If approval of a product is denied, such letter shall state the reason(s) for the denial.
- (4) Should any change in construction or material be made in a model, approval of that model is withdrawn. The revised model must be completely resubmitted for approval under this rule.

Authority: T.C.A. §§ 68-126-204, 68-126-210, 68-126-401, and 68-126-405.

~~0780-02-04-.07 REPEALED.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-405.~~

Chapter 0780-02-04-.08 Inspections of Manufactured Homes is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.08 FEES FOR ENFORCEMENT OF FEDERAL STANDARDS.

(1) The following schedule of fees is hereby established for the performance of Production Inspection Primary Inspection Agency (IPIA) services specified in the HUD manufactured home procedural and enforcement regulations:

(a) For plant approval pursuant to 24 C.F.R. § 3282.362(b), including preparation and issuance of a certification report, forty dollars (\$40.00) per inspector per hour, plus the reasonable and necessary expenses of each inspector assigned to the inspection team. The inspector shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.

(b) For production surveillance pursuant to 24 C.F.R. § 3282.362(c), thirty dollars (\$30.00) for each floor to which a HUD label is affixed and forty dollars (\$40.00) per inspector per hour, plus the reasonable and necessary expenses of each inspector assigned, for inspection services in excess of those required by the cited section. The inspector shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.

Authority: T.C.A. §§ 68-126-204 and 68-126-210.

~~0780-02-04-.08 INSPECTIONS OF MANUFACTURED HOMES.~~

~~(1) All manufactured homes on which a HUD label is required are subject to inspection on retailers' lots within the State of Tennessee for transit damage, HUD label tampering, retailer performance and retailer alterations (see 24 C.F.R. § 3282.303(a) and (b)).~~

~~(2) All recreational vehicles and park trailers on which a certification decal is required are subject to inspection on retailers' lots within the State of Tennessee for transit damage, certification decal tampering, retailer performance and retailer alterations.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-210.~~

Chapter 0780-02-04-.09 Responsibilities of Retailers is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.09 INSPECTIONS OF RETAIL LOTS.

All manufactured homes on which a HUD label is required are subject to inspection on retailers' lots for transit damage, HUD label tampering, retailer performance, and retailer alterations (see 24 C.F.R. § 3282-303(a) and (b)).

Authority: T.C.A. §§ 68-126-204 and 68-126-210.

~~0780-02-04-.09 RESPONSIBILITIES OF RETAILERS.~~

~~(1) The retailer shall inspect each park trailer or recreational vehicle received from the manufacturer to determine whether the required Tennessee certification label is properly affixed. If not, the retailer shall, within five (5) days after receipt of the unit, notify the manufacturer and the commissioner in writing of the omission. Immediately upon receipt of such notification, the manufacturer shall purchase a certification decal from the commissioner and install it on the unit on the retailer's lot.~~

~~(2) Within five (5) days after receipt of any manufactured home not bearing a HUD label, the retailer shall notify the manufacturer and the commissioner in writing of the omission. Immediately upon receipt of such notification, the manufacturer shall provide evidence to the commissioner of the HUD label assigned to the unit at the time of manufacture. This paragraph shall not apply to any retailer who does not sell manufactured homes.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-210.~~

Chapter 0780-02-04-.10 Removal of Decals is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.10 RESPONSIBILITIES OF RETAILERS.

Within five (5) days after receipt of any manufactured home not bearing a HUD label, the retailer shall notify the manufacturer and the commissioner in writing of the omission. Immediately upon receipt of such notification, the manufacturer shall provide evidence to the commissioner of the HUD label assigned to the unit at the time of manufacture.

Authority: T.C.A. §§ 68-126-202, 68-126-204, 68-126-210, and 68-126-405.

~~0780-02-04-.10 REMOVAL OF DECALS.~~

~~No decal or label, once affixed, shall be removed from a unit or transferred from one unit to another.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-210.~~

Chapter 0780-02-04-.11 Red Tags is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.11 USED MANUFACTURED HOMES.

- (1) When offering a used manufactured home for sale to a consumer located in the State of Tennessee, a retailer shall complete the Used Manufactured Home Form ("Form") prescribed by the commissioner and affix said Form to the applicable manufactured home.
- (2) At the time of sale of a used manufactured home, a retailer shall:
 - (a) Complete the "Consumer Information" section of the Form;
 - (b) Complete the "Retailer Signature" portion of the Form;
 - (c) Require the purchaser to complete the "Consumer Signature" portion of the Form;
 - (d) Provide the purchaser a copy of the completed Form; and
 - (e) Retain a copy of the completed Form with the permanent sales record of the manufactured home.

Authority: T.C.A. §§ 68-126-202, 68-126-210, and 68-126-405.

~~0780-02-04-.11 RED TAGS.~~

- ~~(1) The provisions of this rule shall apply only to manufactured homes.~~
- ~~(2) No unit bearing a red tag because of violation(s) of any of the standards prescribed in this chapter shall be moved, shipped, sold or leased until the violation(s) is corrected and the tag is removed by the State manufactured housing inspector.~~
- ~~(3) Any unit moved, shipped, sold or leased prior to the removal of the red tag shall:~~
 - ~~(a) be returned to the retailer's lot for reinspection by the State; or~~
 - ~~(b) may remain at the location to which the unit had been delivered; provided, the retailer shall pay a fee of forty dollars (\$40.00) per hour, including travel time to and from the retailer's lot, plus all reasonable and necessary expenses incurred by the State manufactured housing inspector for reinspection. The inspector shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.~~
- ~~(4) There is no charge for the first reinspection; the retailer shall pay a fee of fifty dollars (\$50.00) for each subsequent inspection on the same unit.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-210.~~

Chapter 0780-02-04-.12 Acceptable Course Topics is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.12 REMOVAL OF INSTALLATION PERMIT DECAL OR HUD LABEL.

No installation permit decal or HUD label, once affixed, shall be removed from any unit, or transferred from one unit to another.

Authority: T.C.A. §§ 68-126-204 and 68-126-210.

~~0780-02-04-.12 ACCEPTABLE COURSE TOPICS.~~

~~(1) Credit may be granted for either qualifying or continuing education courses which cover installation topics. At a minimum, each course shall provide at least one (1) hour of instruction in soil capacity appropriate to the grand division(s) of Tennessee in which the retailer or installer engages in business. Examples of acceptable course topics are the following:~~

~~(a) Acceptance of the unit, including, but not limited to:~~

- ~~1. Checking labeling of the unit;~~
- ~~2. Data plate information;~~
- ~~3. Transportation damage;~~
- ~~4. Installation manual.~~

~~(b) Planning and site preparation, including, but not limited to:~~

- ~~1. Drainage and grading;~~
- ~~2. Soil bearing capacity;~~
- ~~3. Vapor barriers;~~
- ~~4. Vegetation;~~
- ~~5. Ventilation;~~
- ~~6. FEMA flood zones.~~

~~(c) Foundation installation, including, but not limited to:~~

- ~~1. Proper location of footings and piers;~~
- ~~2. Proper construction of footings and piers.~~

~~(d) Anchor installation, including, but not limited to:~~

- ~~1. Anchor locations;~~
- ~~2. Anchor embedment;~~
- ~~3. Securing of straps.~~

~~(e) Connection of multi-wide units, including, but not limited to:~~

- ~~1. Connection of roof elements;~~
- ~~2. Connection at floors;~~

~~3.—Connection at walls.~~

~~(f)—Plumbing installation, including, but not limited to:~~

~~1.—Potable water sources and supply lines;~~

~~2.—Supply pressure shut-offs;~~

~~3.—Heat tape installation;~~

~~4.—Piping protection;~~

~~5.—Waste line size, material and support;~~

~~6.—Distribution piping test;~~

~~7.—Drain waste vent (DWV) testing;~~

~~8.—Fixture testing.~~

~~(g)—Mechanical installation, including, but not limited to:~~

~~1.—Flue and spark arrester installation;~~

~~2.—Heat producing appliances;~~

~~3.—Dryer vent installation;~~

~~4.—Fuel supply piping tests;~~

~~5.—Duct installation and insulation;~~

~~6.—Exterior appliance installation (air conditioning).~~

~~(h)—Electrical installation, including, but not limited to:~~

~~1.—Service entrance connection and location;~~

~~2.—Grounding;~~

~~3.—Electrical crossover connection;~~

~~4.—Fixture installation;~~

~~5.—Electrical testing.~~

~~(i)—Exterior finish and thermal installation, including, but not limited to:~~

~~1.—Site-installed insulation;~~

~~2.—Siding application;~~

~~3.—Roofing application.~~

~~(j)—Ancillary installations, including, but not limited to:~~

~~1.—Structurally independent additions and alterations;~~

~~2.—Bottom board repairs;~~

~~3.—Skirting installations;~~

~~4.—Basement installations.~~

~~(k)—Tennessee laws and rules governing manufactured homes and manufactured home installation.~~

~~(2)—Each course shall provide fifteen (15) hours of training for participants.~~

~~(3)—A course offered for continuing education purposes only shall consist of no fewer than five (5) hours of instruction. Each course offered for continuing education shall include instruction in any three (3) different subjects referenced in this rule.~~

~~Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, and 68-126-404.~~

Chapter 0780-02-04-.13 Continuing Education is amended by deleting the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0780-02-04-.13 RED TAGS.

(1) No new or used manufactured home bearing a red tag because of violation(s) of any of the standards applicable to manufactured homes shall be moved, shipped, sold, or leased until the violation(s) is corrected and the red tag is removed by the commissioner.

(2) Any unit moved, shipped, sold, or leased prior to the removal of the red tag shall:

(a) Be returned to the retailer's lot for reinspection by the commissioner; or

(b) May remain at the location to which the unit had been delivered; provided, the retailer shall pay a fee of forty dollars (\$40.00) per hour, including travel time to and from the location, plus all reasonable and necessary expenses incurred by the commissioner. The commissioner's designee that conducts the reinspection shall be reimbursed for reasonable travel expenses in accordance with the state travel regulations promulgated by the commissioner of finance and administration.

(3) After the first reinspection, the retailer shall pay a fee of one hundred dollars (\$100.00) for each subsequent inspection on the same unit.

Authority: T.C.A. §§ 68-126-202, 68-126-204, and 68-126-210.

~~0780-02-04-.13 CONTINUING EDUCATION.~~

~~(1)—This rule shall not apply to any retailer who does not sell manufactured homes.~~

~~(2)—Beginning January 1, 2004 and as a prerequisite to renewing a license as a retailer or an installer, the licensee shall have obtained five (5) hours of continuing education credit during the preceding twelve (12)-month period.~~

~~(3)—A continuing education course must be approved by the commissioner before the licensee will be granted credit for the course.~~

~~(4)—The licensee shall provide verification to the commissioner of having obtained the continuing education credits required by this rule. Verification consists of a form certifying attendance at the course, the subjects covered and the number of continuing education hours obtained at the course.~~

~~(5)—The licensee shall submit to the commissioner the licensee's verification form after taking the course and prior to the expiration of his or her license. The licensee is responsible for ensuring timely submittal of the required verification.~~

~~(6)—In order to obtain approval to provide course instruction, the course provider shall submit to the commissioner materials including an outline of the course instruction, biography of the instructor, the methods and tools that will be utilized in the course, number of instruction hours provided and the dates and times the course will be offered. A course provider seeking approval of a course pursuant to this~~

~~paragraph shall submit the required documentation no later than thirty (30) days prior to the first offering of the course.~~

~~(7) A licensee may apply on an individual basis for continuing education credit for a course which has not been approved in advance by the commissioner by submitting an agenda, the number of instructional hours provided, the dates and times the course was offered, verification of attendance by both the licensee and the course instructor and any additional information requested by the commissioner as necessary for review of the course. A licensee seeking approval of a course pursuant to this paragraph shall submit the required documentation as soon as practicable after completion of the course; provided, that credit will not be granted later than thirty (30) days after the licensee takes the course. No credit for the course will be awarded unless and until the course is approved by the commissioner or his or her authorized representative.~~

~~(8) Continuing education credit will not be awarded for any course taken more than one (1) time every four (4) years.~~

~~Authority: T.C.A. §§ 68-126-204, 68-126-206, 68-126-210, and 68-126-404.~~

CHAPTER 0780-02-04
MANUFACTURED HOUSING
~~NEW MANUFACTURED HOMES AND RECREATIONAL VEHICLES~~
NEW RULES

Rule 0780-02-04-.14 Installation Reports and Installation Permit Decals is added to Chapter 0780-02-04 and shall read:

0780-02-04-.14 INSTALLATION REPORTS AND INSTALLATION PERMIT DECALS.

- (1) Installation reports required by T.C.A. § 68-126-406(e) shall be submitted to the commissioner for each manufactured home installed no later than seven (7) calendar days from the date of placement of the installation permit decal on the home. An installation permit decal shall not be placed on any home until the set-up of the home, as defined by T.C.A. § 68-126-402, is complete.
- (2) Placement of an installation permit decal in a manufactured home constitutes the licensee's certification that the home has been installed in accordance with T.C.A. § 68-126-403.
- (3) The commissioner, or commissioner's designee, may limit the number of decals a licensee may purchase during a given time frame after providing notice to the affected licensee(s) and county clerk(s).

Authority: T.C.A. §§ 68-126-210, 68-126-402, 68-126-405, and 68-126-406.

Rule 0780-02-04-.15 Imminent Safety Hazard Violations is added to Chapter 0780-02-04 and shall read:

0780-02-04-.15 IMMINENT SAFETY HAZARD VIOLATIONS.

When a manufactured home fails inspection due to an Imminent Safety Hazard ("ISH") violation, the licensee responsible for installation of the home shall, in addition to the requirements found in T.C.A. § 68-126-410(b)(2), correct any and all ISH violations as soon as possible, but no later than seventy-two (72) hours after notification of the violation, unless an alternate timeline has been approved by the commissioner.

Authority: T.C.A. §§ 68-126-210, 68-126-402, 68-126-405, and 68-126-410.

Rule 0780-02-04-.16 Consumer Complaints is added to Chapter 0780-02-04 and shall read:

0780-02-04-.16 CONSUMER COMPLAINTS.

- (1) Manufacturers, retailers, and installers shall comply with all requests for information made by the department regarding a consumer complaint.

- (2) Manufacturers, retailers, and installers shall respond to all communications from the department, including but not limited to submission of response forms and submission of evidence of repairs made, related to consumer complaints within the designated time frame. If a specific time frame is not provided, then a response shall be required no later than fourteen (14) calendar days from receipt of the correspondence.
- (3) Any licensee's failure to respond, failure to provide requested information, or failure to return required forms within the provided time frame shall be assessed a civil penalty up to five hundred dollars (\$500.00) for each instance of failure.

Authority: T.C.A. §§ 68-126-202, 68-126-205, 68-126-208, 68-126-210, and 68-126-212.

CHAPTER 0780-02-05
INSTALLATION OF MANUFACTURED HOMES
REPEALED

Chapter 0780-02-05 Installation of Manufactured Homes is amended by repealing the Chapter in its entirety.

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0780-02-05-.01 Repealed Definitions

0780-02-05-.02 Repealed

0780-02-05-.03 Repealed Approval of Anchoring-Stabilizing Systems

0780-02-05-.04 Repealed

0780-02-05-.05 Repealed Reserved

Authority: T.C.A. § 68-126-405.

~~0780-02-05-.01 DEFINITIONS.~~

~~For the purpose of this chapter unless the context otherwise requires, the definitions of terms contained in Tenn. Code Ann. § 68-126-402 shall be applicable.~~

~~Authority: T.C.A. §§ 68-126-204, 68-126-402, and 68-126-405.~~

~~0780-02-05-.02 REPEALED.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-405.~~

~~0780-02-05-.03 APPROVAL OF ANCHORING-STABILIZING SYSTEMS.~~

~~(1) Any system (or component thereof) designed to be used in installations subject to the Tennessee Manufactured Home Anchoring Act (to be known after January 1, 2004 as the Tennessee Manufactured Home Installation Act) must be approved for such use by the commissioner. To secure approval of a product, the manufacturer shall submit the following information:~~

~~(a) Detailed drawings (prepared by a registered professional engineer) of each type of anchor submitted for approval.~~

~~1. Each drawing shall specify model identification, dimensions, types of welds or fastenings, construction materials, and method of securing straps.~~

~~(b) Test data (prepared and certified by a recognized independent testing laboratory) regarding the destructibility of each ground anchor model.~~

- ~~1. The date shall demonstrate the capability of each model to withstand a force of not less than four thousand seven hundred twenty-five (4,725) pounds without failure, with straps or cable connected to the anchor head connecting device.~~
- ~~(2) Each model must be field tested and certified for holding power by a recognized independent testing laboratory. The lab report shall show the following:
 - ~~(a) Model tested as described by engineering drawings;~~
 - ~~(b) Method of installation;~~
 - ~~(c) Date of installation;~~
 - ~~(d) Date of pull-out test;~~
 - ~~(e) Soil profile description;~~
 - ~~(f) Location of field test;~~
 - ~~(g) Test equipment used;~~
 - ~~(h) Pounds of force exerted and resultant vertical and horizontal movements (in inches) of anchor; and~~
 - ~~(i) Failure point of anchor. Failure shall be considered to have occurred when the point of connection between the tie and anchor moves more than two (2) inches at four thousand seven hundred twenty-five (4,725) pounds in the direction of the vertical tie when the anchoring equipment is installed in accordance with the manufacturer's instructions. Those ground anchors which are designed to be installed not that the loads on the anchor are other than direct withdrawal shall be designated and installed to resist an applied load of four thousand seven hundred twenty-five (4,725) pounds at forty-five (45) degrees from horizontal without displacing the anchor more than four (4) inches horizontally at the point where the tie attaches to the anchor.~~~~
- ~~(3) Within sixty (60) days after receipt of a submission, the commissioner will inform the manufacturer by letter of the results of its review. If approval of a product is denied, such letter shall state the reason(s) for the denial.~~
- ~~(4) Should any change in construction or material be made in a model, approval of that model is withdrawn. The revised model must be completely resubmitted for approval under this rule.~~

~~Authority: T.C.A. §§ 68-126-204, 68-126-401, and 68-126-405.~~

~~0780-02-05-.04 REPEALED.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-405.~~

~~0780-02-05-.05 RESERVED.~~

~~Authority: T.C.A. §§ 68-126-204, 68-126-403, and 68-126-405.~~

CHAPTER 0780-02-08 USED FACTORY-MANUFACTURED HOMES REPEALED

Chapter 0780-02-08 Used Factory-Manufactured Homes is amended by repealing the Chapter in its entirety.

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0780-02-08-.01 [Repealed Definitions](#)

0780-02-08-.02 ~~Repealed~~ Standards

0780-02-08-.03 ~~Repealed~~ Retailer Responsibilities Generally

0780-02-08-.04 ~~Repealed~~ Class B Used Manufactured Homes

0780-02-08-.05 ~~Repealed~~ Removal of Decals

0780-02-08-.06 ~~Repealed~~ Red Tags

0780-02-08-.07 ~~Repealed~~ Inspection of Records

0780-02-08-.08 Repealed

Authority: T.C.A. §§ 68-126-210 and 68-126-405.

~~0780-02-08-.01 DEFINITIONS.~~

~~(1) For purposes of this chapter, unless the context otherwise requires:~~

- ~~(a) The definitions of terms contained in Tenn. Code Ann. Title 68, chapter 36, part 2 are applicable.~~
- ~~(b) "Used manufactured home" means any manufactured home which has been previously owned or occupied by a purchaser or consumer.~~
- ~~(c) "Class A used manufactured home" means a used manufactured home which complies with the safety standards set forth in this chapter.~~
- ~~(d) "Class B used manufactured home" means a used manufactured home which:~~
 - ~~1. has been inspected by the retailer and does not comply with the safety standards set forth in this chapter; or~~
 - ~~2. has not been inspected by the retailer for compliance with the safety standards set forth in this chapter.~~

Authority: T.C.A. §§68-126-202, 68-126-210, and 68-126-405.

~~0780-02-08-.02 STANDARDS.~~

~~(1) A "Class A used manufactured home" must comply with the following safety standards:~~

- ~~(a) Smoke Detectors.~~
 - ~~1. General. At least one (1) smoke detector, investigated and listed in accordance with Tenn. Code Ann. §68-102-148, shall be installed to protect each separate bedroom area.~~
 - ~~2. Location. A smoke detector shall be installed in the hallway or space communicating with each bedroom area between the living area and the first bedroom area. When located in a hallway, the detector shall be between the return air intake and the living area. Used manufactured homes having bedroom areas separated by common use areas, such as kitchen, dining room, living room, or family room (but not a bathroom or utility room), shall have at least one (1) detector protecting each bedroom area.~~
 - ~~3. Installation. Each smoke detector shall be installed in accordance with its listing.~~
 - ~~4. Testing. The smoke detector shall be tested for operation at the time of sale or set up. The retailer shall provide testing and maintenance instructions for the use, unless the smoke detector was installed before the retailer obtained the used manufactured home.~~
- ~~(b) Electrical.~~

- ~~1. Distribution Panels. Distribution panels shall be installed in compliance with the approved listing, complete with required breakers or fuses, with all unused openings covered with blank covers approved and listed for the purpose. Connections shall be checked for tightness. Panels shall be readily accessible.~~
- ~~2. Electrical System. The electrical system (switches, receptacles, fixtures, etc.) shall be properly installed, wired, and supported, and shall be in a safe, usable condition. Aluminum conductors shall be checked to assure tight connections. Grounds shall be checked for tightness and location.~~
- ~~3. Testing. The used manufactured home shall be subjected to:
 - ~~(i) An electrical continuity test to assure that all metallic parts are properly bonded;~~
 - ~~(ii) An electrical operational test to demonstrate that all fixtures and equipment, except water heater, ranges, air conditioners, and electric furnaces, are connected and in working order; and~~
 - ~~(iii) An electrical polarity check to determine that connections have been properly made.~~~~

~~(c) Plumbing.~~

- ~~1. Fixtures.
 - ~~(i) All plumbing fixtures shall be protected with approved workable "P" traps.~~
 - ~~(ii) All plumbing fixtures shall be in workable condition and properly vented through the roof.~~
 - ~~(iii) An anti-siphon trap vent device or mechanical vent may be used to vent single fixtures except commodes.~~~~
- ~~2. Water Supply. Water piping shall not be bent or kinked so as to retard or obstruct the flow of the water supply.~~
- ~~3. Water Heater Safety Device. The water heater shall be equipped with an approved listed relief valve to provide temperature and pressure relief.~~

~~(d) Heat-Producing Equipment.~~

- ~~1. Heating System.
 - ~~(i) Equipment. Heating equipment (furnace, wall heaters, thermostats, etc.) shall be in safe and operable conditions. All ducts shall be in usable conditions (not collapsed), with all joints, furnace connections, etc., mechanically secure and sealed (exterior and interior).~~
 - ~~(ii) Vents. All gas water heater and furnace venting systems shall be in safe and operable conditions. No vents will terminate within roof, wall, or floor cavity.~~~~

~~(e) General.~~

- ~~1. Exhaust vents in bathrooms and at the range shall be operable.~~
- ~~2. Exterior doors (including sliding glass) shall be operable.~~
- ~~3. Insulation missing from exposed areas shall be replaced. All holes in the bottom board shall be securely sealed.~~

Authority: T.C.A. §§68-126-202, 68-126-210, and 68-126-405.

~~0780-02-08-.03 RETAILER RESPONSIBILITIES GENERALLY.~~

- ~~(1) Before offering a used manufactured home for sale to a consumer located in the State of Tennessee, the retailer shall:~~
- ~~(a) If the retailer has inspected the home for compliance with the safety standards established in rule 0780-2-8-.02—~~
- ~~1. Disclose the type and condition of the home by completing the appropriate "safety standards checklist" (see attached forms); and~~
 - ~~2. Fasten the completed checklist with tape or adhesive to the door of the refrigerator or the face of the overhead cabinet door closest to the kitchen sink.~~
- ~~(b) If the retailer has not inspected the home for compliance with the safety standards established in rule 0780-2-8-.02—~~
- ~~1. Acknowledge the lack of inspection by checking the following statement which appears in boldface type on the "Class B" safety standards checklist: "THIS HOME HAS NOT BEEN INSPECTED BY THE RETAILER AND MAY NOT COMPLY WITH THE USED MANUFACTURED HOME SAFETY STANDARDS SET FORTH IN CHAPTER 0780-2-8 OF THE RULES AND REGULATIONS OF THE STATE OF TENNESSEE. THIS HOME MAY NOT BE SAFE FOR OCCUPANCY IN ITS PRESENT CONDITION; AND THE SELLER DOES NOT RECOMMEND IT FOR OCCUPANCY."~~
 - ~~2. Fasten such checklist with tape or adhesive to the door of the refrigerator or the face of the overhead cabinet door closest to the kitchen sink.~~
- ~~(2) The retailer may, in lieu of inspecting the electrical and heating systems of a used manufactured home, request an electrical and heating inspection by a state electrical inspector pursuant to Tenn. Code Ann. §68-102-147. Approval by such an inspector will be accepted as compliance with those portions of the safety standards established herein which pertain to electrical and heating systems.~~
- ~~(3) The retailer need not reinspect the electrical and heating system of a used manufactured home bearing an electrical and heating inspection decal (evidencing compliance with Tenn. Code Ann. §68-102-147), unless the retailer knows or has reason to know that such system has been modified or altered since the date of the most recent approval by an authorized electrical inspector.~~
- ~~(4) The retailer shall retain a copy of each safety standards checklist affixed to a used manufactured home with the permanent sales record of the unit.~~

~~Authority: T.C.A. §§68-126-202, 68-126-210, and 68-126-405.~~

~~0780-02-08-.04 CLASS B USED MANUFACTURED HOMES.~~

- ~~(1) Prior to the sale of a Class B used manufactured home to a consumer, the retailer shall:~~
- ~~(a) Require the consumer to sign a statement, to which an exact copy of the checklist fastened on the home is attached including:~~
- ~~1. The retailer's name and address;~~
 - ~~2. The date of sale;~~
 - ~~3. The following wording in boldface type (whichever is appropriate): "THE UNDERSIGNED UNDERSTANDS THAT THIS HOME DOES NOT COMPLY WITH THE USED MANUFACTURED HOME SAFETY STANDARDS SET FORTH IN CHAPTER 0780-2-8 OF THE RULES AND REGULATIONS OF THE STATE OF TENNESSEE." OR "THE UNDERSIGNED UNDERSTANDS THAT THIS HOME HAS NOT BEEN INSPECTED BY THE REATILER; THAT IT MAY NOT BE SAFE FOR OCCUPANCY IN ITS PRESENT~~

~~CONDITION; AND THAT THE RETAILER DOES NOT RECOMMEND IT FOR OCCUPANCY."~~

~~4. The consumer's signature.~~

~~(b) Give a copy of the statement and attached checklist to the consumer; and~~

~~(c) Retain a copy of the statement with the permanent sales record of the unit.~~

~~(2) If, prior to delivery of a used manufactured home designated as "Class B" to a consumer, a retailer corrects or causes to be corrected any noncompliances with the safety standards established in rule 0780-2-8-.02, the retailer shall:~~

~~(a) Remove the safety standards checklist from the home;~~

~~(b) Fill out a new checklist to reflect the present type and condition of the home;~~

~~(c) Fasten the new checklist to the home in the same location; and~~

~~(d) Maintain a record of all corrective action taken.~~

~~Authority: T.C.A. §§68-126-202, 68-126-210, and 68-126-405.~~

~~0780-02-08-.05 REMOVAL OF DECALS.~~

~~No certification decal issued pursuant to Tenn. Code Ann. §68-126-207, or electrical and heating inspection decal issued pursuant to TENN. CODE ANN. §68-102-147, shall be removed from a unit or transferred from one unit to another.~~

~~Authority: T.C.A. §§68-126-204 and 68-126-210.~~

~~0780-02-08-.06 RED TAGS.~~

~~A state-manufactured home inspector will place a "red tag" form approved by the Commissioner on any designated "Class A used manufactured home" found not to be in compliance with the safety standards prescribed in this chapter. No retailer shall deliver a unit bearing a red tag to a consumer until the violation(s) is corrected and the red tag is removed by the inspector.~~

~~Authority: T.C.A. §§68-126-202, 68-126-204, 68-126-210, and 68-126-405.~~

~~0780-02-08-.07 INSPECTION OF RECORDS.~~

~~Each retailer shall, upon request of a person duly designated by the commissioner, permit such person to inspect appropriate books, papers, records and documents relevant to determining whether such retailer has acted or is acting in accordance with this chapter.~~

~~Authority: T.C.A. §§68-126-202, 68-126-204, 68-126-208, 68-126-210, and 68-126-405.~~

~~0780-02-08-.08 REPEALED.~~

~~Authority: T.C.A. §§ 68-126-204 and 68-126-405.~~

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: _____

Signature: _____

Name of Officer: Cameron Bowers

Title of Officer: Associate Counsel

Department of State Use Only

Filed with the Department of State on: _____

Tre Hargett
Secretary of State