



TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

The table of contents on page one contains links to the referenced page numbers in this Chapter.
Refer to the notes at the end of a Section to learn about the history of a rule as it was published in the *Arizona Administrative Register*.

This Chapter contains rules that were filed to be codified in the *Arizona Administrative Code* between the dates of July 1, 2021 through September 30, 2021

R4-34-204.	Installers	6	R4-34-703.	Drawings and Specifications	12
R4-34-502.	Recodified	9	R4-34-705.	Accessory Structures	13
R4-32-504.	Repealed	9	R4-34-802.	General Installation	14
R4-34-607.	Manufacturing Inspection and Certification	11	R4-34-805.	Accessory Structures	15
R4-34-701.	General	11			

Questions about these rules? Contact:

Office: Arizona Department of Housing
Office of Manufactured Housing
Address: 1110 W. Washington Street, Ste. 280
Phoenix, AZ 85007
Website: www.housing.az.gov
Name: Tara Brunetti, Assistant Deputy Director
Telephone: (602) 771-1000
Fax: (602) 771-1002
E-mail: tara.brunetti@azhousing.gov

The release of this Chapter in Supp. 21-3 replaces Supp. 21-1, 1-15 pages

Please note that the Chapter you are about to replace may have rules still in effect after the publication date of this supplement. Therefore, all superseded material should be retained in a separate binder and archived for future reference.

PREFACE

Under Arizona law, the Department of State, Office of the Secretary of State (Office), Administrative Rules Division, accepts state agency rule notice and other legal filings and is the publisher of Arizona rules. The Office of the Secretary of State does not interpret or enforce rules in the *Administrative Code*. Questions about rules should be directed to the state agency responsible for the promulgation of the rule.

Scott Cancelosi, Director
ADMINISTRATIVE RULES DIVISION

RULES

The definition for a rule is provided for under A.R.S. § 41-1001. “Rule’ means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency.”

THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* is where the official rules of the state of Arizona are published. The *Code* is the official codification of rules that govern state agencies, boards, and commissions.

The *Code* is separated by subject into Titles. Titles are divided into Chapters. A Chapter includes state agency rules. Rules in Chapters are divided into Articles, then Sections. The “R” stands for “rule” with a sequential numbering and lettering outline separated into subsections.

Rules are codified quarterly in the *Code*. Supplement release dates are printed on the footers of each Chapter.

First Quarter: January 1 - March 31

Second Quarter: April 1 - June 30

Third Quarter: July 1 - September 30

Fourth Quarter: October 1 - December 31

For example, the first supplement for the first quarter of 2021 is cited as Supp. 21-1. Supplements are traditionally released three to four weeks after the end of the quarter because filings are accepted until the last day of the quarter.

Please note: The Office publishes by Chapter, not by individual rule Section. Therefore there might be only a few Sections codified in each Chapter released in a supplement. This is why the Office lists only updated codified Sections on the previous page.

AUTHENTICATION OF PDF CODE CHAPTERS

The Office began to authenticate Chapters of the Code in Supp. 18-1 to comply with A.R.S. § 41-1012(B) and A.R.S. § 5302(1), (2)(d) through (e), and (3)(d) through (e).

A certification verifies the authenticity of each *Code* Chapter posted as it is released by the Office of the Secretary of State. The authenticated pdf of the *Code* includes an integrity mark with a certificate ID. Users should check the validity of the signature, especially if the pdf has been downloaded. If the digital signature is invalid it means the document’s content has been compromised.

HOW TO USE THE CODE

Rules may be in effect before a supplement is released by the Office. Therefore, the user should refer to issues of the *Arizona Administrative Register* for recent updates to rule Sections.

ARIZONA REVISED STATUTE REFERENCES

The Arizona Revised Statutes (A.R.S.) are available online at the Legislature’s website, www.azleg.gov. An agency’s authority note

to make rules is often included at the beginning of a Chapter. Other Arizona statutes may be referenced in rule under the A.R.S. acronym.

SESSION LAW REFERENCES

Arizona Session Law references in a Chapter can be found at the Secretary of State’s website, www.azsos.gov under Services-> Legislative Filings.

EXEMPTIONS FROM THE APA

It is not uncommon for an agency to be exempt from the steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act, also known as the APA (Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10). Other agencies may be given an exemption to certain provisions of the Act.

An agency’s exemption is written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters.

When an agency files an exempt rulemaking package with our Office it specifies the law exemption in what is called the preamble of rulemaking. The preamble is published in the *Register* online at www.azsos.gov/rules, click on the *Administrative Register* link.

Editor’s notes at the beginning of a Chapter provide information about rulemaking Sections made by exempt rulemaking. Exempt rulemaking notes are also included in the historical note at the end of a rulemaking Section.

The Office makes a distinction to certain exemptions because some rules are made without receiving input from stakeholders or the public. Other exemptions may require an agency to propose exempt rules at a public hearing.

EXEMPTIONS AND PAPER COLOR

At one time the office published exempt rules on either blue or green paper. Blue meant the authority of the exemption was given by the Legislature; green meant the authority was determined by a court order. In 2001 the Office discontinued publishing Chapters using these paper colors.

PERSONAL USE/COMMERCIAL USE

This Chapter is posted as a public courtesy online, and is for private use only. Those who wish to use the contents for resale or profit should contact the Office about Commercial Use fees. For information on commercial use fees review A.R.S. § 39-121.03 and 1 A.A.C. 1, R1-1-113.

Rhonda Paschal, rules managing editor, assisted with the editing of this Chapter.



Administrative Rules Division
The Arizona Secretary of State electronically publishes each A.A.C. Chapter with a digital certificate. The certificate-based signature displays the date and time the document was signed and can be validated in Adobe Acrobat Reader.

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

Authority: A.R.S. § 41-4010(A)(13)

Supp. 21-3

CHAPTER TABLE OF CONTENTS

ARTICLE 1. GENERAL

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

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

Table listing sections R4-34-101 through R4-34-107 with their respective topics like Definitions, Materials Incorporated by Reference, etc.

ARTICLE 2. LICENSING

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

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

Table listing sections R4-34-201 through R4-34-205 with their respective topics like General, Manufacturers, Retailers, etc.

ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT

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

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

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

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

Table listing sections R4-34-301 and R4-34-302 with their respective topics like Transaction Copies, Advertising.

Table listing sections R4-34-303 through R4-34-309 with their respective topics like Brokered Transactions, Repealed.

ARTICLE 4. SURETY BONDS

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

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

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

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

Table listing sections R4-34-401 through R4-34-404 with their respective topics like Surety Bond Forms, Cash Deposits, License Bond Amounts, Repealed.

ARTICLE 5. FEES

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

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

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

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

Table listing sections R4-34-501 through R4-34-506 with their respective topics like General, Recodified, Repealed, Plans and Supplements, Repealed.

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION

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

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

Table listing sections R4-34-601 through R4-34-610 and their status (Repealed, FBBs, Reconstruction of FBBs, etc.) with corresponding page numbers.

ARTICLE 7. PLAN APPROVALS

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

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

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

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

Table listing sections R4-34-701 through R4-34-707 and their descriptions (General, Compliance Assurance Manuals, Drawings and Specifications, etc.) with corresponding page numbers.

ARTICLE 8. PERMITS AND INSTALLATION

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

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

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

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

Table listing sections R4-34-801 through R4-34-805 and Exhibit 1 with their descriptions (Permits, General Installation, Repealed, etc.) and page numbers.

ARTICLE 9. REPEALED

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

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

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

Table listing Section R4-34-901 as Repealed with page number 15.

ARTICLE 10. ADMINISTRATIVE PROCEDURES

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

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

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

Table listing Section R4-34-1001 as Rehearing or Review with page number 15.

ARTICLE 11. RENUMBERED

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

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

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

Table listing Section R4-34-1101 as Renumbered with page number 15.

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

ARTICLE 1. GENERAL

R4-34-101. Definitions

The definitions in A.R.S. §§ 41-4001, and 41-4008 apply to this Chapter. Additionally, in this Chapter:

1. "Act" means the Manufactured Housing Improvement Act of 2000, which is Title VI of the American Homeownership and Economic Opportunity Act of 2000.
2. "Agency" means the seller or purchaser of a used home has given a licensed salesperson written legal authority to act on behalf of the seller or purchaser when dealing with a third party. The written legal authority is also binding on the salesperson's licensed and employing retailer.
3. "Agency disclosure" means a document that specifies the person a licensed salesperson or licensed retailer represents in a brokered transaction.
4. "Agent" means a licensed retailer authorized to act on behalf of a seller, purchaser, or both the seller and purchaser of a used home.
5. "Attached" means an accessory is fastened or affixed to a regulated structure in a manner that imposes a load on the structure.
6. "Branch location" means a satellite office, in addition to the principal office, where business may be transacted.
7. "Brokered transaction" means a transaction in which a licensed broker acts as an agent for the seller, purchaser, or both.
8. "Certificate" means an Arizona Insignia with which a licensee certifies all work performed complies with applicable law, including this Chapter, relating to modular manufacture and reconstruction, installation of modular, manufactured, and mobile homes, or rehabilitation work and construction.
9. "Co-brokered transaction" means a transaction in which the listing retailer and the selling retailer are not the same person.
10. "Consummation of sale, as defined at A.R.S. § 41-1001, includes filing an Affidavit of Affixture, if applicable.
11. "FBB" means factory-built building.
12. "Field installed" means components, equipment, and/or construction that is to be completed or installed at the site. Field installed does not include reconstruction.
13. "HVAC" means heating, ventilation, and air conditioning.
14. "Modular" means a type of FBB built in a factory and transported in three-dimensional sections to an installation site.
15. "New" means a unit not previously sold, bargained, exchanged, or given away to a purchaser.
16. "Panelized" means a type of commercial FBB built in a factory using closed construction, including partly or fully finished walls, floors, or roof panels, and transported in two-dimensional condition to an assembly site.
17. "Permanent foundation" means a system of support and perimeter enclosure, with or without crawl space, that is:
 - a. Constructed of durable materials;
 - b. Developed in accordance with the manufacturer's installation instructions or designed by an Arizona registered engineer;
 - c. Attached in a manner that effectively transfers all vertical and horizontal design loads that could be imposed on the structure by wind, snow, frost, seismic, or flood conditions, as applicable, to the underlying soil or rock; and
 - d. Designed to exclude unwanted elements and varmints, ensure sufficient ventilation, and provide adequate access to the building.
18. "Purchase contract in a brokered transaction" means a written agreement between a purchaser and seller of a used home that indicates the sales price and terms of the sale.
19. "Repair" means work performed on a manufactured home, mobile home, or FBB to restore the building to a habitable condition but does not impact the original structure, electrical, plumbing, HVAC, mechanical, use occupancy, or energy design.
20. "Retailer" means a broker or dealer as prescribed at A.R.S. § 41-4001(5) and (10).
21. "Site" means a parcel of land bounded by a property line or a designated portion of a public right-of-way.
22. "Site work" means soil preparation including soil analysis, grading, drainage, utility trenches, and foundation systems preparation, and field-installed work including terminal and connections, on-site utility connections, accessibility structures, egress paths, parking, lighting, landscaping, and similar work.
23. "Standards" means the materials referenced in R4-34-102.
24. "Supplement" means a submittal noting change of a floor plan design, system, component, or configuration, and is incorporated as part of an originally approved plan.
25. "Used home" means a previously titled manufactured home, mobile home, or FBB designed for use as a residential dwelling.

Historical Note

Former Section R4-34-101 renumbered to R4-34-102, new Section R4-34-101 adopted effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 13 A.A.R. 3582, effective December 1, 2007 (Supp. 07-4). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3).

R4-34-102. Materials Incorporated by Reference

The following materials are incorporated by reference, apply to this Chapter, include no later amendments or editions, and are available on the Board's website. If there is a conflict between the incorporated material and a statute or rule, the statute or rule controls.

1. International Building Code (IBC), 2018 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478 or iccsafe.org;
2. International Residential Code (IRC), 2018 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478 or iccsafe.org;
3. International Mechanical Code (IMC), 2018 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478 or iccsafe.org;
4. International Plumbing Code (IPC), 2018 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478 or iccsafe.org;
5. International Fuel Gas Code (IFGC), 2018 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478 or iccsafe.org;
6. International Energy Conservation Code (IECC), 2018 edition, available from the International Code Council,

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

4051 Flossmoor Road, Country Club Hills, IL 60478 or icesafe.org;

7. National Electrical Code (NEC), 2017 edition, available from the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169 or nfpa.org; and
8. Protecting Manufactured Homes from Floods and Other Hazards, publication 85, second edition, November 2009, available from the Federal Emergency Management Agency, 500 C. St. SW, Washington, D.C. 20472 or www.fema.gov.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective May 28, 1980 (Supp. 80-3). Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-102 renumbered to R4-34-103, new Section R4-34-102 renumbered from R4-34-101 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 3327, effective January 31, 2021 (Supp. 20-4).

R4-34-103. Exceptions

- A. The Board makes the following exceptions to the materials incorporated by reference in R4-34-102:
 1. International Building Code and International Residential Code. A water or gas connection may be a flexible connector if the flexible connector:
 - a. Is not more than 6 feet long,
 - b. Is of the rated size necessary to supply the total demand of the unit, and
 - c. Made of materials that comply with the International Plumbing Code and International Fuel Gas Code; and
 2. International Residential Code. Exclude Section R313, Automatic Fire Sprinkler Systems.
- B. Under A.R.S. § 41-4010(D), a local jurisdiction may petition the Board for an exception to a standard. If the Board grants a local jurisdiction an exception to a standard, the local jurisdiction shall be bound by any conditions in the exception order issued by the Board. The local jurisdiction shall ensure the petition for an exception:
 1. Specifies the standard sections affected;
 2. Justifies the requested exception with documented evidence of the local conditions that support the requested exception;
 3. Specifies the boundaries of the area affected by the local conditions;
 4. States why the exception is necessary to protect the health and safety of the public; and
 5. Provides an estimate of the economic impact the requested exception will have on the petitioning jurisdiction, other affected governmental entities, the public, unit owners, and licensees, and the facts upon which the estimate is based.
- C. An exception ordered by the Board applies only within the jurisdiction that petitioned for the exception.
- D. An exception order is effective on the date specified in the order, which will be at least 60 days after a Departmental Sub-

stantive Policy Statement has been issued to all licensed installers describing the exception, the area within which it applies, and any provisions applicable to its use.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective December 13, 1979 (Supp. 79-6). Amended subsection (A), paragraph (5) effective September 17, 1980 (Supp. 80-5). Amended effective October 20, 1981 (Supp. 81-5). Amended subsection (A), paragraph (2) effective August 29, 1983 (Supp. 83-4). Former Section R4-34-103 renumbered to R4-34-104, new Section R4-34-103 renumbered from R4-34-102 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-104. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsection (A) effective February 18, 1981 (Supp. 81-1). Amended subsection (A), paragraph (2) effective August 29, 1983 (Supp. 83-4). Amended subsection (A)(2)(d) effective July 18, 1984 (Supp. 84-4). Former Section R4-34-104 renumbered to R4-34-105, new Section R4-34-104 renumbered from R4-34-103 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Amended effective April 12, 1994 (Supp. 94-2). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Repealed by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-105. Repealed**Historical Note**

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

R4-34-106. Repealed**Historical Note**

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

R4-34-107. Repealed

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

Historical Note

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

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

ARTICLE 2. LICENSING**R4-34-201. General**

- A. Within five business days following receipt, the Department shall perform an administrative review of an application. If the Department determines the application is incomplete, the applicant will be provided an opportunity to complete the application. Within 14 business days following receipt of a completed application and after the applicant has passed any required license examination, the Department shall issue a conditional license.
- B. Corporate applicants shall submit a copy of their organizational documents, including articles of incorporation or organization, with all amendments, filed with the state, as applicable, and a certificate of good standing to transact business in this state.
- C. An exemption from any applicable examination requirement may be granted if a new license application identifies the same license classification and the same qualifying party listed on a previously held license, provided the previous license was in good standing before it expired.
- D. A licensee will be given notice that a conditional license is automatically effective as a permanent license to transact business within the scope of the license following review and approval by the Department of the licensee's criminal background analysis.
- E. Unless otherwise stated in the purchase contract, a retailer selling a mobile home, manufactured home, or FBB shall know the ordinances of the town, city, or county where the unit is to be installed regardless of whether the retailer is obligated to provide for the delivery or installation of the unit.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective May 9, 1980 (Supp. 80-3). Amended subsection (B) effective January 20, 1981. Amended subsection (B) effective February 18, 1981 (Supp. 81-1). Amended subsection (B) effective April 23, 1981 (Supp. 81-2). Amended effective October 20, 1981 (Supp. 81-5). Correction, subsection (B)(6)(a) 1979 Edition (Supp. 81-6). Former Section R4-34-201 renumbered and amended as Section R4-34-202, new Section R4-34-201 adopted effective September 15, 1982 (Supp. 82-5). Amended subsection (A), paragraph (2) effective August 11, 1986. Amended by adding subsection (F) effective August 25, 1986 (Supp. 86-4). Amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-202. Manufacturers

Manufacturers' license applications fall into one of the following license classes:

1. M-9A Manufacturer of FBBs manufactures or reconstructs FBBs;
2. M-9C Manufacturer of manufactured homes manufactures or reconstructs manufactured homes; and
3. M-9E Master Manufacturer performs work within the scope of classes M-9A and M-9C.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsections (A) and (C) effective February 18, 1981 (Supp. 81-1). Amended subsections (C) and (D) effective May 20, 1981 (Supp. 81-3). Amended subsections (B) and (D) effective October 20, 1981 (Supp. 81-5). Former Section R4-34-202 renumbered and amended as Section R4-34-203, former Section R4-34-201 renumbered and amended as Section R4-34-202 effective September 15, 1982 (Supp. 82-5). Amended subsections (B)(3), (B)(4)(b), and (B)(5)(a), by updating the Codes from 1979 Edition to 1982 Edition effective July 8, 1983 (Supp. 83-4). Amended by adding subsection (B)(6)(ii) effective February 14, 1984 (Supp. 84-1). Amended subsection (B)(6)(b) effective November 27, 1984 (Supp. 84-6). Amended effective April 4, 1986 (Supp. 86-2). Amended subsection (B) effective August 11, 1986 (Supp. 86-4). Amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Amended effective April 12, 1994 (Supp. 94-2). Amended effective November 1, 1995 (Supp. 95-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-203. Retailers

Retailers' license applications fall into one of the following license classes:

1. D-8 Retailer of manufactured homes or mobile homes:
 - a. Buys, sells, or exchanges new or used manufactured homes and used mobile homes;
 - b. May sell new or used accessory structures included in a sales agreement;
 - c. Acts as an agent for the sale or exchange of used manufactured homes or mobile homes including existing or new accessory structures included in a sales agreement;
 - d. Makes alterations to new manufactured homes before a sale to a purchaser; or
 - e. Contracts with licensed installers or contractors for the installation of manufactured homes, mobile homes, and existing or new accessory structures included in a sales agreement.
2. D-8B Broker of manufactured homes or mobile homes:
 - a. Acts as an agent for the sale or exchange of used manufactured homes or mobile homes that may include existing or new accessory structures included in a sales agreement;
 - b. Contracts with licensed installers or contractors for the installation of manufactured homes, mobile homes, and existing or new accessory structures included in a sales agreement.
3. D-10 Retailer of FBBs:
 - a. Buys, sells, or exchanges new or used FBBs;
 - b. Acts as an agent for the sale or exchange of new or used FBBs;

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

- c. Makes alterations to new FBBs before sale to a purchaser; or
 - d. Contracts with licensed installers or contractors holding an appropriate license issued by the Registrar of Contractors for the installation of FBBs including any existing or new accessory structures included in a sales agreement.
4. D-12 Master Retailer: Performs work within the scope of classes D-8, D-8B, and D-10.

Historical Note

Former Section R4-34-202 renumbered and amended as Section R4-34-203 effective September 15, 1982 (Supp. 82-5). Amended subsections (A)(1), (A)(2), and (A)(3) by updating the Codes from 1979 Edition to the 1982 Edition effective July 8, 1983 (Supp. 83-4). Amended subsection (A)(4) effective November 27, 1984 (Supp. 84-6). Amended by adding subsection (D) with Exhibits 1, 2, and 3 effective January 2, 1985 (Supp. 85-1). Amended subsection (D) effective April 4, 1986 (Supp. 86-2). Amended subsection (B) effective August 11, 1986 (Supp. 86-4). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3).

R4-34-204. Installers

- A. Installers' license applications fall into one of the following license classes:
1. I-10C General installer of manufactured homes, mobile homes, or residential FBBs:
 - a. Installs manufactured homes, mobile homes, or residential FBBs on foundation systems;
 - b. Installs ground anchors and tie-downs for manufactured homes or mobile homes;
 - c. Connects water, sanitary waste, gas, and electrical systems of all amperages to the proper onsite utility terminals provided by others;
 - d. Installs HVAC and evaporative cooler systems, including electrical wiring, gas connections, and ductwork on manufactured homes, mobile homes, or residential FBBs. Provides roof jack to cooler ducts, installs exterior duct work, provides electrical service and controls to cooler from nearest supply source, provides water to the cooler from nearest fresh water source, and performs cooler repair work. An I-10C installer does not provide service, maintenance, repair, discharging, adding, or reclaiming refrigerants, or other work that requires certification;
 - e. Installs accessory structures attached to manufactured homes, mobile homes, or residential FBBs, including installation of prefabricated accessory structure units, on-site constructed accessory structures, concrete footings or slabs for accessory structures, and plumbing, electrical, and mechanical equipment;
 - f. Performs repair work, replaces or newly installs to existing mobile homes, manufactured homes, and residential FBBs items in subsections (A)(1)(a) through (e); and
 - g. May subcontract to a properly licensed entity for installation of a manufactured home, mobile home, or residential FBB or installation of an accessory structure in conjunction with installation of a home.
2. I-10D Installer of accessory structures attached to manufactured homes, mobile homes, or residential FBBs including installation of prefabricated accessory structure units, on-site constructed accessory structures, concrete footings or slabs for accessory structures, and plumbing, electrical, and mechanical equipment. An I-10 Installer may subcontract, as needed, to a properly licensed installer or contractor for installation of any accessory-structure item under this subsection.
3. I-10G Master installer of manufactured homes, mobile homes, or residential FBBs is permitted to perform the work described under subsection (A)(1). Additionally, an I-10G Master installer is permitted to perform all activities listed in subsection (A)(1) on a commercial FBB. An I-10G Master installer does not provide service, maintenance, repair, discharging, adding, or reclaiming refrigerants, or any other work requiring certification.
- B. Installer applicants. To be qualified for an installer I-10C, I-10D, or I-10G license, an applicant shall:
1. Have a minimum of three years practical or field management experience in the specific type of installation, a related construction field, or the equivalent, for which the applicant is applying. At least two of the three years' experience shall be within 10 years of the date of application. The applicant may substitute technical training in the specific type of installation, a related construction field, or the equivalent, from an accredited college or university or from a Department of Housing workshop for no more than one year of the three years' experience required in this subsection;
 2. Supply a written, notarized statement from each employer or other individual familiar with the applicant's employment or other work experience, which includes the name, address, and telephone number of the individual making the statement, the dates of the applicant's employment or other work experience, a description of the position the applicant held, and a signature indicating the signer vouches for the truthfulness of the statement as proof the applicant meets the experience requirement in subsection (B)(1); and
 3. Supply a certified copy of each official transcript or certificate, demonstrating successful completion of any technical training the applicant wishes the Department to consider as proof of meeting the experience requirement in subsection (B)(1).

Historical Note

Adopted effective November 27, 1984 (Supp. 84-6). Repealed effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 13 A.A.R. 3582, effective December 1, 2007 (Supp. 07-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Amended by final rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

R4-34-205. Repealed

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

Historical Note

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

ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT**R4-34-301. Transaction Copies**

A retailer shall maintain a record of all transaction documents. In every transaction:

1. The retailer shall provide the purchaser with a copy of all completed and signed documents;
2. If a purchaser is unrepresented, the listing retailer shall provide the purchaser with a copy of all completed and signed documents; and
3. If a transaction is co-brokered, the listing retailer shall provide a copy of the listing agreement to the selling retailer, and the selling retailer shall provide a copy of all completed and signed documents to the listing retailer.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended subsections (A) and (C) effective October 20, 1981 (Supp. 81-5). Amended by adding subsection (D) effective April 20, 1982 (Supp. 82-2). Former Section R4-34-301 renumbered to R4-34-701, new Section R4-34-301 renumbered from R4-34-701 and amended effective July 3, 1991 (Supp. 91-3). Amended effective September 3, 1992 (Supp. 92-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-302. Advertising

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

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective March 17, 1981 (Supp. 81-2).
Amended subsections (A) and (C) effective October 20, 1981 (Supp. 81-5). Former Section R4-34-302 renumbered to R4-34-702, new Section R4-34-302 renumbered from R4-34-702 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-303. Brokered Transactions

- A. A broker shall provide a copy of the agency disclosure to the party or parties the broker represents.
- B. A seller's retailer shall place all earnest money deposits received in connection with the sales transaction in the retailer's trust or escrow account in accordance with A.R.S. § 41-4030 except as provided in the exception provision.
- C. Upon consummation of a brokered transaction, the seller's broker shall provide the seller with a closing statement that includes an accounting of all expenses charged to the seller, all pro rations, and all credits.

- D. In a co-brokered transaction, the seller shall pay the commission shown on the listing agreement as the total commission.
- E. The seller's broker shall prepare an addendum to the listing agreement if any of the terms of the listing agreement change. The seller's signature is required for the addendum to be valid. The addendum to the listing agreement shall reflect the date the seller signs the addendum to the listing agreement.
- F. If the seller or broker elects to finance the unpaid balance reflected on the offer to purchase or purchase contract, the broker shall:
 1. Maintain evidence of the original portion of the purchase price being financed by the seller or broker, and
 2. Maintain evidence the title has been transferred into the name of the purchaser and the lienholder's position has been secured on the title.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective March 17, 1981 (Supp. 81-2).
Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-303 renumbered to R4-34-703, new Section R4-34-303 renumbered from R4-34-703 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

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

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective October 20, 1981 (Supp. 81-5).
Amended effective April 30, 1982 (Supp. 82-2). Former Section R4-34-304 renumbered to R4-34-704, new Section R4-34-304 renumbered from R4-34-704 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

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

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

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

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

R4-34-307. Repealed

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

Historical Note

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

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

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

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

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

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

- A.** Manufacturers, installers, and retailers (except those with a D-8B license classification), shall submit the applicable surety bond amount from the list in R4-34-403, with a form provided by the Office of Administration.
- B.** A rider to the bond is required for the following changes:
1. Location of the licensee's principal place of business,
 2. Business name,
 3. Branch address,
 4. License classification, or
 5. Bond amount.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsection (A) effective October 20, 1981 (Supp. 81-5). Amended subsection (B) effective April 30, 1982 (Supp. 82-2). Former Section R4-34-401 renumbered to R4-34-501, new Section R4-34-401 renumbered from R4-34-901 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Section R4-34-502 referenced in subsection (A) has been changed to agree with the recodification of R4-34-502 to R4-34-403 under A.R.S. 41-1011(C) in Supp. 21-3.

R4-34-402. Cash Deposits

- A.** Unless exempt under R4-34-401, an applicant or licensee posting cash in lieu of a commercial surety bond shall pay by:
1. Cash. A cash deposit is not transferable and shall be made in the name of the applicant or licensee as the name appears on the license application or issued license; or
 2. Certified or cashier's check or bank or postal money order made payable to the Arizona State Treasurer.
- B.** Upon receipt of an order from a court of competent jurisdiction directing payment of funds on deposit, the Director shall make payment as directed and suspend the license under A.R.S. § 41-4029. To reinstate the license, the licensee shall return the cash deposit to the required balance or file a commercial surety bond for the full amount, and pay all applicable reinstatement fees.

- C.** A cash deposit may be withdrawn by the applicant, licensee, or someone having authority to act on behalf of the applicant or licensee, under the following circumstances:
1. A license is not issued to the applicant;
 2. The license has been terminated, expired, revoked, or voluntary canceled for at least two years, and there are no outstanding claims; and
 3. Two years after the licensee files a commercial surety bond that replaces the cash deposit if there are no outstanding claims.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Former Section R4-34-402 renumbered to R4-34-502, new Section R4-34-402 renumbered from R4-34-902 effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-403. License Bond Amounts

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

License Class	Bond Amount
M-9A	\$10,000
M-9C	\$65,000
M-9E	\$100,000
D-8	\$25,000
D-10	\$25,000
D-12	\$25,000
I-10C	\$2,500
I-10D	\$1,000
I-10G	\$5,000

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

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-403 renumbered to R4-34-503, new Section R4-34-403 renumbered from R4-34-903 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4). New Section R4-34-403 renumbered from R4-34-502 by recodification, at 27 A.A.R. 1440, with an immediate effective date of August 4, 2021 (Supp. 21-3).

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

R4-34-904 adopted effective January 31, 1979 (Supp. 79-1). Amended subsections (A) and (B) effective October 20, 1981 (Supp. 81-5). Editor's correction, subsection (B)(2) (Supp. 85-2). Former Section R4-34-904 renumbered to R4-34-404 and amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999 (Supp. 99-4).

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

- A.** The Board shall establish a fee schedule before May 15 for the coming fiscal year.

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

- B. The Director shall notify all licensees of the established fee schedule before June 1 of each year and post the fee schedule on the Department's website.
- C. Licensees shall pay fees for the following services:
1. Manufacturer license,
 2. Retailer license,
 3. Installer license,
 4. Salesperson license,
 5. Inspection and technical service,
 6. Plans and supplements,
 7. Installation permits and insignias, and
 8. Administrative functions.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended M-9B, M-9C, and M-9E effective October 20, 1981 (Supp. 81-5). Amended by adding M-9F effective April 30, 1982 (Supp. 82-2). Former Section R4-34-501 renumbered to R4-34-801, new Section R4-34-501 renumbered from R4-34-401 and amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-502. Recodified**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1). Amended D-8, D-8A, D-9, D-12 and added D-8B effective October 20, 1981 (Supp. 81-5). Amended D-8 effective January 31, 1983 (Supp. 83-1). Former Section R4-34-502 renumbered to R4-34-802, new Section R4-34-502 renumbered from R4-34-402 and amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Section R4-34-502 renumbered to R4-34-403 by recodification, at 27 A.A.R. 1440, with an immediate effective date of August 4, 2021 (Supp. 21-3).

R4-34-503. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1). Amended I-10D effective August 21, 1981 (Supp. 81-4). Amended effective October 20, 1981 (Supp. 81-5). Correction, I-10G (Supp. 81-6). Former Section R4-34-503 renumbered to R4-34-803, new Section R4-34-503 renumbered from R4-34-403 and amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Repealed by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-32-504. Repealed**Historical Note**

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Repealed by final rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

R4-34-505. Plans and Supplements

If a licensee submits a plan or supplement that is not complete and correct, the Department shall provide written notice the plan or supplement is not acceptable and provide 60 days from the date on the notice for the licensee to submit a complete and correct plan or supplement. If the licensee fails to submit a complete and correct plan or supplement within the time provided, the Department shall return the submitted plan or supplement and treat the submittal fee paid as forfeited. To resubmit a plan or supplement, the licensee shall pay a new submittal fee.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-506. Repealed**Historical Note**

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Repealed by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION**R4-34-601. Repealed****Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsection (C) effective October 20, 1981 (Supp. 81-5). Amended by adding M-9F effective April 30, 1982 (Supp. 82-2). Amended subsection (C) effective June 18, 1982 (Supp. 82-3). Amended effective July 3, 1991 (Supp. 91-3). Amended effective December 14, 1994 (Supp. 94-4). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Repealed by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

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

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

R4-34-603. FBBs

- A. A manufacturer shall construct an FBB according to the applicable standards in R4-34-102 and:
1. Provide a complete set of drawings and specifications to the Department under R4-34-703(B);

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

2. Affix a permanent serial or identification number to each module or panel during the first stage of manufacturing. If an FBB has multiple sections, the manufacturer shall ensure each module or panel is separately identified. The serial or identification number location and application method shall be shown in the plans required under R4-34-703; and
 3. Affix a Modular Manufacturer's Certificate to each completed module of each modular building where indicated in the plan required under R4-34-703(B)(5). A Modular Manufacturer's Certificate is not required for a panelized building.
- B.** The Department may require a manufacturer of an FBB that is produced and shipped before plan approval to remove the FBB from this state and remove the Modular Manufacturer's Certificate based on the Department's assessment of the following factors:
1. Probable harm to public safety and welfare,
 2. Previous violations of a similar nature, and
 3. Manufacturer's failure to comply with plan submittal and requirements.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3).

R4-34-604. Repealed**Historical Note**

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective June 13, 1980 (Supp. 80-3). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Repealed by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-605. Reconstruction of FBBs

A manufacturer shall ensure reconstruction of an FBB is consistent with applicable standards prescribed in R4-34-102 and:

1. Existing construction, systems (electrical, plumbing, HVAC, energy, etc.), and components are structurally and otherwise sound and compliant with standards governing at the time of manufacture;
2. New construction, systems, and components comply with applicable standards in R4-34-102;
3. A permanent serial or identification number is affixed to each reconstructed FBB as required under R4-34-603(A);
4. An Arizona Reconstruction Certificate is affixed to each module;
5. The reconstructed FBB complies with R4-34-102.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective April 21, 1982 (Supp. 82-2). Amended effective July 3, 1991 (Supp. 91-3). Section

repealed by final rulemaking at 6 A.A.R. 47, effective

December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-606. Rehabilitation of Mobile Homes

- A.** A rehabilitation permit shall be obtained from the Department before any modification of a mobile home.
- B.** The following requirements shall be met for a mobile home to be issued a certificate of compliance:
1. A smoke detector shall be installed in each sleeping room and outside each separate sleeping area in the immediate vicinity of the sleeping rooms. Each smoke detector shall be installed in accordance with its manufacturer's instructions;
 2. The walls, ceilings, and doors of each gas-fired furnace and water-heater compartment shall be lined with gypsum board that is a minimum of 5/16 inches except a door to the compartment that opens to the exterior of the mobile home and is of all metal construction. All exterior compartments shall seal to the interior of the mobile home;
 3. Each room designated expressly for sleeping purposes shall have at least one outside egress window or an approved exit device. The window or exit shall have a minimum clear width dimension of 22 inches, a minimum clear opening of five square feet, and the bottom of the exit is not more than 36 inches above the floor;
 4. The electrical system is tested for continuity to ensure metallic parts are properly bonded, tested for operation to demonstrate all equipment is connected and in working order, and given a polarity check to determine connections are proper. The electrical system shall have proper overcurrent protection for the required amperage load. If aluminum conductors are used, all receptacles and switches rated 20 amperes or less and directly connected to the aluminum conductors shall be marked CO/ALR. Conductors of dissimilar metals (Copper/Aluminum/or Copper Clad Aluminum) shall be connected in accordance with the National Electrical Code referenced at R4-36-102. Ground Fault Circuit Interrupter protection shall be provided in compliance with the National Electrical Code referenced in R4-36-102; and
 5. Gas piping shall be tested with methods incorporated at R4-36-102. All gas furnaces and water heaters shall be installed in compliance with materials incorporated at R4-36-102. If a rehabilitated mobile home is to be relocated following rehabilitation, the gas tests required under this subsection may be performed and inspected at the time of installation at the new location.
- C.** The rehabilitated mobile home shall be inspected by the Department to ascertain compliance with subsection (B).
- D.** The Department shall issue a certification of compliance for each rehabilitated mobile home in compliance with subsection (B), and affix an insignia of approval to the exterior wall nearest the point of entrance of the electrical service.
- E.** If the Department determines a rehabilitated mobile home does not comply with subsection (B), the Department shall serve a correction notice and require the person served to make corrections within the time specified in the notice. The Department shall determine the time for correction based on the severity of the hazard or violation and the time reasonably needed to make the correction. The Department shall allow at least 30 days for correction unless an imminent safety hazard

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

is found or the correction has been unreasonably delayed, in which case, the Department shall serve an Order to Vacate to the person occupying the rehabilitated mobile home.

- F. The Department shall serve an Order to Vacate on a person occupying a non-rehabilitated mobile home within five days after an inspection of the non-rehabilitated mobile home finds an imminent safety hazard.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective August 13, 1980 (Supp. 80-4). Amended effective October 20, 1981 (Supp. 81-5). Amended effective January 31, 1986 (Supp. 86-1). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3).

R4-34-607. Manufacturing Inspection and Certification

- A. The Department shall conduct manufactured home plant certification under applicable HUD requirements.
- B. Before issuing Certificates, the Department shall certify that a manufacturing facility of FBBs is capable of manufacturing the FBBs to the specifications in the approved drawings and procedures in the approved compliance assurance manual required under R4-34-702.
- C. A manufacturer of FBBs and reconstructed FBBs shall certify compliance with approved plans by affixing a Modular Manufacturer Certificate or Reconstruction Certificate, as appropriate, to each FBB before delivery to a retailer.
- D. Records and reporting: By the 15th of each month:
1. A manufacturer of manufactured homes shall establish and maintain records and submit to the Department reports required under applicable HUD requirements; and
 2. An FBB manufacturer shall report to the Department affixing Arizona Modular and Reconstruction Certificates during the previous month.
- E. The Department may decertify a manufacturing facility if:
1. A serious defect exists in more than one FBB;
 2. An inspector identifies three or more failures to comply with specifications in the approved plans, standards, or compliance assurance manual;
 3. An in-state licensee fails to produce approved units for more than six consecutive months; or
 4. An out-of-state licensee fails to file quarterly inspection reports for six consecutive months.
- F. Before resuming production, a decertified manufacturing facility shall be recertified by the Department. When the manufacturer successfully completes the recertification process, the Department shall issue Certificates or Labels to the manufacturer.
- G. The Department may conduct regular inspections of retailer lots to ensure compliance with approved plans, standards, and A.R.S. § 41-4048.

Historical Note

Adopted effective June 23, 1980 (Supp. 80-3). Amended effective October 20, 1981 (Supp. 81-5). Amended effective July 3, 1991 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5,

2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Amended by final rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

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

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

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

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

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

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

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

- A. Before construction of an FBB, a manufacturer shall submit to the office:
1. The compliance assurance manual required by R4-34-702, and
 2. The drawings and specifications required by R4-34-703.
- B. Before performing one of the following, a person shall obtain plan approval:
1. Under R4-34-704(A) for an alteration,
 2. Under R4-34-704(B) for a reconstruction,
 3. Under R4-34-705 to install an attached accessory structure, and
 4. Under R4-34-706 to install an FBB.
- C. Within 20 business days after receiving a plan submitted under subsection (B), the Department shall perform an administrative review of the plan submittal and if incomplete, require the licensee to provide a complete plan submittal. Within 20 business days after receiving a complete plan submittal, the Department shall approve or disapprove the plan submittal.
- D. A person that submits a plan under subsection (B) shall ensure the plan conforms to the following standards:
1. Each page is at least 8 1/2 X 11 inches and printed to the scale referenced on the drawing;
 2. The font is at least eight point;
 3. The cover page includes an index and provides a 3 X 5 inch blank space near the title block;
 4. The plan and all details and calculations are sealed by an Arizona registered engineer; and
 5. The plan is consistent with all applicable standards referenced at R4-34-102.

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective December 13, 1979 (Supp. 79-6). Amended by adding subsection (K) effective July 8, 1981 (Supp. 81-4). Amended subsections (A), (G), and (K), and added subsection (L) effective October 20, 1981 (Supp. 81-5). Correction, subsection (G)(3) (Supp. 81-6). Amended subsection (C) effective January 31, 1983 (Supp. 83-1). Amended subsection (B) effective May 23, 1983 (Supp. 83-3). Amended effective April 5, 1985 (Supp. 85-2). Former Section R4-34-701 renumbered to R4-34-301, new Section R4-34-701 renumbered from R4-34-301 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Amended by final rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

R4-34-702. Compliance Assurance Manuals

A manufacturer of FBBs shall prepare a compliance assurance manual that has all of the following:

1. An 8 1/2 X 11 inch format with page numbers and revision traceability;
2. The manufacturer's name and address of the factory to which the manual applies;
3. A table of contents that identifies key elements in the quality and compliance control process;
4. An organizational chart that shows titles and functions of all positions responsible for any aspect of quality and compliance control;
5. A description of the design-document control process and procedures for ensuring the current approved design package or building plans are available to production, quality, and compliance personnel;
6. A description of procedures for handling materials, including treatment and disposal of rejected materials, in compliance with standards;
7. A description of the FBB-identification system including a unique identifier, such as a serial or identification number, that is permanently affixed to each module or panel of the FBB at the beginning of manufacturing and where the unique identifier is located on the FBB;
8. A drawing showing the layout of the factory and location of the work area for each step in the manufacturing sequence with a description of the scope of work performed at each work area, including off-line processes;
9. An inspection checklist, keyed to the drawing required in subsection (8), that identifies the inspections and tests to be performed at each step in the manufacturing sequence and title of the position responsible for ensuring inspections and tests are performed;
10. A list that includes step-by-step procedures for ensuring all required tests are performed, the equipment needed to perform each test, and procedures for maintaining test equipment;
11. A description of procedures for maintaining control of certificates, installing certificates on FBBs, and making the monthly report of certificates and title of the position responsible for ensuring these tasks are performed;

12. A description of the procedures for storing completed FBBs at the facility including the manner in which stored FBBs are protected from the elements and other sources of potential damage; and
13. A description of procedures for ensuring building documents are retained and title of the position responsible for ensuring document retention.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended effective May 9, 1980 (Supp. 80-3). Amended subsections (B), (C), (D) effective October 20, 1981 (Supp. 81-5). Amended by adding subsection (E) effective January 20, 1982 (Supp. 82-1). Amended by adding subsection (C), paragraph (3) and subsection (D), paragraph (3) effective April 30, 1982 (Supp. 82-2). Amended effective April 5, 1985 (Supp. 85-2). Former Section R4-34-702 renumbered to R4-34-302, new Section R4-34-702 renumbered from R4-34-302 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3).

R4-34-703. Drawings and Specifications

A manufacturer of FBBs shall submit to the Department plans that comply with the applicable standards in R4-34-102. The manufacturer shall ensure the plans provide or have the following information or format attributes:

1. Dimensioned drawings and details identifying process descriptions, component specification lists, shop drawings, and other documents that specify and identify each component, process, assembly operation, and manufacturing step. Include electrical, plumbing, gas, and HVAC systems;
2. A traceable identification for each closed panel component listed;
3. Design analysis calculations for all loads and systems;
4. The location and process for stamping the permanent serial or identification number on the FBB;
5. The location of the Modular Manufacturer Certificate; and
6. Dimensional plans and details identifying all components and construction to be field installed.

Historical Note

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

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Amended by final rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

R4-34-704. Reconstruction Plans

- A.** A manufacturer shall comply with the standards in R4-34-102 when preparing a reconstruction plan.
- B.** A manufacturer preparing a reconstruction plan shall ensure the plan contains the following:
1. A depiction of the configuration before reconstruction;
 2. The serial or identification number of the unit;
 3. Dimensioned drawings and details identifying all components and specification lists affected by the reconstruction. Electrical, plumbing, gas, and HVAC systems, as applicable, shall be addressed; and
 4. Design-analysis calculations for all loads and systems affected by the reconstruction.
- C.** A manufacturer shall include with a reconstruction plan a certification statement regarding existing components, construction, and systems indicating they are structurally sound, functional, and do not pose a life safety threat.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsection (F) effective August 28, 1980 (Supp. 80-4). Amended effective October 20, 1981 (Supp. 81-5). Amended effective April 5, 1985 (Supp. 85-2). Former Section R4-34-704 renumbered to R4-34-304, new Section R4-34-704 renumbered from R4-34-304 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3).

R4-34-705. Accessory Structures

- A.** For manufactured homes, mobile homes, and FBBs, a properly licensed entity or person shall comply with R4-34-102 and applicable HUD requirements when preparing attached accessory structure plans. The plans shall include the following:
1. Dimensioned drawings and details identifying all applicable components and specification lists. Electrical, plumbing, gas, and HVAC systems, as applicable, shall be addressed;
 2. Design-analysis calculations for all loads and systems; and
 3. Method of attachment to the manufactured home, mobile home, or FBB.
- B.** The Department may approve a design that does not comply with subsection (A) based on a demonstration by an Arizona registered engineer that the design meets standards at least equivalent to those in subsection (A).

- C.** A properly licensed entity or person shall submit plans, which are sealed by an Arizona registered engineer, for all attached accessory structures except skirting systems that have manufacturer installation instructions and HVAC systems.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Amended by final rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

R4-34-706. FBB Installation

A properly licensed entity or person shall include the following in installation plans submitted to the Department:

1. A site plan that includes the location of the building and all utility lines;
2. A foundation plan that includes:
 - a. A description of the soil class and the soil bearing pressure;
 - b. A description of footings and other foundation supports designed to meet the minimum bearing pressure at the depth required;
 - c. A complete set of drawings indicating dimensions and details of the foundation footing and anchoring; and a complete list of materials with a cross-identification of how materials will be used, in the appropriate view; and
 - d. Calculations, prepared by an Arizona registered engineer, for all load conditions including wind loads for horizontal loads, uplift loads, and overturning; and horizontal and torsional earthquake effects on foundations.
3. Electrical drawings, including the isometric one-line diagram required by R4-34-102, that contain the following information:
 - a. Size and type of conductors, conduit materials for feeder wires, length of feeders, and all amperage;
 - b. Dimensions of gutterways and raceways;
 - c. Complete details of panelboards, switchboards, distribution centers with calculated loads, and fault current calculations; and
 - d. All grounding and bonding connections.
4. Plumbing drawings, including one-line diagrams required by R4-34-102 that contain the following information:
 - a. Location of sewer tap, water meter, and gas meter;
 - b. Size, length, and all materials for sewer, water, and gas lines;
 - c. Location of all cleanouts and grade of sewer line; and
 - d. Fixture unit calculations for plumbing and gas fixtures.
5. Fastening and closure details for connection of multiple modules or panels.
6. Dimensional plans and details for all components and construction to be field installed.

Historical Note

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

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3).

R4-34-707. Designated Flood-prone Area Installation

Before installing a manufactured home, mobile home, or FBB in a designated flood-prone area, an installer shall submit and obtain Department approval of an installation plan that includes the following:

1. A site plan showing the location of the manufactured home, mobile home, or FBB;
2. A copy of the designated flood-use permit or flood design conditions issued by the local enforcement agency showing the flood zone type and regulatory and base flood elevations;
3. A site-specific foundation plan that is prepared by an Arizona registered engineer and includes:
 - a. A complete set of drawings indicating dimensions and details of the foundation system and anchoring to prevent floatation, collapse, or lateral movement of the structure;
 - b. A complete list of materials cross identified to the drawings in subsection (3)(a) showing how the materials will be used;
 - c. An indication of how to place to the structure to ensure the bottom frame of the structure is at or above the regulatory flood elevation;
 - d. An indication of where to place external utilities and equipment to ensure they are at or above the regulatory flood elevation;
 - e. If the structure has an enclosed foundation, an indication of where to place flood vents or other openings; and
 - f. All calculations used to determine all load conditions; and
4. Written approval of the information in subsections (1) through (3) from the local flood-district administrator having authority.

Historical Note

New Section made by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

ARTICLE 8. PERMITS AND INSTALLATION**R4-34-801. Permits**

- A. A properly licensed entity or person shall obtain a permit for the installation of a manufactured home, mobile home, FBB, or attached accessory structure, or rehabilitation of a mobile home.
- B. The Department shall issue or deny a permit within seven business days after the application is received. If a permit is denied, corrections to the application shall be submitted to the Department within 20 business days after the denial.
- C. A properly licensed entity or person shall obtain all required permits, such as zoning, flood plain, and installation, from the Department or local jurisdiction before beginning any site work except the assessment required under R4-34-802(E). All permits shall be posted in a conspicuous location onsite. The properly licensed entity or person who contracts to perform the installation and a licensed installer who subcontracts to perform the installation shall verify that all required permits have been obtained from the Department and local jurisdiction before beginning the installation.
- D. A local jurisdiction that has entered into agreement with the Department may issue installation permits and conduct inspections.

- E. The Department or a local jurisdiction participating in the installation inspection program shall charge the permit fee expressly authorized under A.R.S. § 41-4010(A)(4). The fee charged by the local jurisdiction shall not exceed the amount established by the Board.
- F. Every permit, except a special-use permit, expires six months after the permit is issued. The Department may extend the permit for good cause if a written request is made to the Department before the permit expires and the fee established by the Board under A.R.S. § 41-4010(A)(4) is paid again.
- G. A licensee or consumer shall obtain a certificate of occupancy from the Department before occupying a manufactured home, mobile home, or FBB.
- H. The permit holder, owner, contractor, or designated responsible party identified on the permit shall request all required inspections.
- I. At the time of a scheduled inspection, the permit holder, owner, contractor, or designated responsible party identified on the permit shall ensure all work to be inspected is accessible (opened) and no work is performed beyond the point indicated for each successive inspection without first obtaining approval from the Department.
- J. The permit holder, owner, contractor, or designated responsible party identified on the permit shall ensure approved plans and all applicable manuals are available onsite.
- K. A special-use permit for an FBB used for an event of 45 days or less shall be obtained from the Department. The special-use permit expires 45 days from the date of issuance. The holder of a special-use permit shall remove the FBB from the site when the permit expires.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1).
Amended effective October 20, 1981 (Supp. 81-5). Former Section R4-34-801 repealed, new Section R4-34-801 renumbered from R4-34-501 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Due to an error when codifying R4-34-801 in Supp. 20-3, subsection R4-34-801(G) was not published. This subsection was identified as “no change” at 26 A.A.R. 1509. Subsection (G) has been published as last amended at 24 A.A.R. 1499 (Supp. 21-1).

R4-34-802. General Installation

- A. A properly licensed entity shall complete and affix an Arizona Installation Certificate to a manufactured home, mobile home, or FBB at the end of the unit opposite the hitch and adjacent to the manufacturer certificate or HUD label. The properly licensed entity shall affix the Arizona Installation Certificate before calling the Department for an inspection.
- B. A properly licensed entity shall make a report by the 15th of each month regarding compliance with subsection (A).
- C. Before beginning an installation, a properly licensed entity shall check with the local jurisdiction regarding frost-line requirements governing permanent foundations or utilities.
- D. A properly licensed entity shall install all new manufactured homes, used manufactured homes, and mobile homes according to the applicable materials referenced in R4-34-102, HUD requirements, and manufacturer requirements.

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

- E. Before installing a unit, a properly licensed entity shall perform or contract with a qualified party to assess the site and soil, ensure required permits are obtained, and make site preparations necessary to ensure the site is compatible with the manufactured home, mobile home, or FBB to be installed. The entity that actually prepares the site has primary responsibility for the work performed. The entity that contracts to have the site preparation done, if different, has secondary responsibility for the work performed.
- F. Installation of a manufactured home, mobile home, or FBB shall be performed only by a properly licensed entity.

Historical Note

Adopted effective January 31, 1979 (Supp. 79-1). Amended subsections (A), (D), (F), and (L) effective October 20, 1981 (Supp. 81-5). Former Section R4-34-802 repealed, new Section R4-34-802 renumbered from R4-34-502 and amended effective July 3, 1991 (Supp. 91-1). Section repealed by final rulemaking at 6 A.A.R. 47, effective December 8, 1999; new Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Amended by final rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

R4-34-803. Repealed**Historical Note**

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Repealed by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-804. Repealed**Historical Note**

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Repealed by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

R4-34-805. Accessory Structures

An installer or contractor shall install, assemble, or construct each accessory structure in compliance with applicable standards referenced in R4-34-102, HUD requirements, and manufacturer requirements.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 11 A.A.R. 464, effective March 5, 2005 (Supp. 05-1). Amended by final rulemaking at 14 A.A.R. 286, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 18 A.A.R. 944, effective June 4, 2012 (Supp. 12-2). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2). Amended by final rulemaking at 26 A.A.R. 1509, effective September 6, 2020 (Supp. 20-3). Amended by final

rulemaking at 27 A.A.R. 1324, effective October 3, 2021 (Supp. 21-3).

Exhibit 1. Repealed**Historical Note**

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

ARTICLE 9. REPEALED**R4-34-901. Repealed****Historical Note**

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

ARTICLE 10. ADMINISTRATIVE PROCEDURES**R4-34-1001. Rehearing or Review**

- A. A party may amend a motion for rehearing or review filed under A.R.S. § 41-4038 at any time before it is ruled on by the Director. The opposing party may file a response within 15 days after the date the motion or amended motion is filed. The Director may require the parties to file written briefs explaining the issues raised in the motion and provide for oral argument.
- B. The Director may affirm or modify the decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons in A.R.S. § 41-4038(D). An order modifying the decision or granting a rehearing shall specify with particularity the grounds on which the modification or rehearing is granted, and any rehearing shall cover only those matters.
- C. When a motion for rehearing or review is based upon affidavits, the affidavits shall be served with the motion. An opposing party or the Attorney General may, within 10 days after service, serve opposing affidavits.
- D. Not later than 15 days after the date of the decision, the Director may grant a rehearing or review on the Director's own initiative for any reason for which the Director might have granted relief on the motion of a party. The Director may grant a motion for rehearing or review, timely served, for a reason not stated in the motion.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 145, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 24 A.A.R. 1499, effective June 30, 2018 (Supp. 18-2).

ARTICLE 11. RENUMBERED**R4-34-1101. Renumbered****Historical Note**

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

CHAPTER 34. BOARD OF MANUFACTURED HOUSING

expired. Former Section R8-2-41 repealed, new Section R4-34-1101 adopted as a permanent rule with editorial corrections effective November 16, 1988 (Supp. 88-4).

Section R4-34-1101 repealed, new Section adopted effective July 20, 1990 (Supp. 90-3). Section R4-34-1101 renumbered to R4-36-201 (Supp. 95-4).