

## Manufactured Building

Wayne Goodwin | Commissioner of Insurance

Tim Bradley | Assistant State Fire Marshal

### MEMORANDUM

DATE: July 25, 2012 (Updates July 14, 2009 memo)

TO: North Carolina Approved Third Party Agencies

FROM: Alan D. Greene, P.E.  
Chief Building Code Consultant  
Manufactured Building Division

SUBJECT: NC General Contractor's License and Modular Surety Bonds

NC G.S. §143-139.1 provides in part:

*The Building Code Council may also adopt rules to insure that any person that is not licensed, in accordance with G.S. 87-1, and that undertakes to erect a North Carolina labeled manufactured modular building, meets the manufacturer's installation instructions and applicable provisions of the State Building Code. Any such person, before securing a permit to erect a modular building, shall provide the code enforcement official proof that he has in force for each modular building to be erected a \$5,000 surety bond insuring compliance with the regulations of the State Building Code governing installation of modular buildings.*

The question has arisen that, if an entity such as a modular manufacturer or dealer has a valid, current NC General Contractor's License, and hires independent setup contractors to install their modular homes, is it necessary that the setup contractor also obtain a \$5,000 surety bond? The answer is "no", *provided*

- 1) there is a documented contractual agreement between the holder of the NC General Contractor's License and the setup contractor for the particular home and site in question, and
- 2) the NC General Contractor's License number is recorded on the permit to install the home.

This will place ultimate responsibility for the setup with the holder of the NC General Contractor's License.

cc: Joseph H. Sadler, Jr., P.E. -- Deputy Director  
C. Patrick Walker, P.E. -- Technical Services Manager  
Michael J. Hamm, P.E. -- Building Code Consultant  
P. Shane Phelps -- Building Code Consultant