

Jim Long
Commissioner of Insurance
State Fire Marshal



MANUFACTURED BUILDING DIVISION

MEMORANDUM

DATE: December 29, 2004 (Updates January 27, 2004)

TO: Manufacturers, Retailers, Set-Up Contractors, Building Inspectors, and Other Interested Parties

FROM: C. Patrick Walker, P.E. -- Deputy Commissioner
Manufactured Building Division

RE: Permits for Manufactured Homes

We have received numerous complaints lately regarding permits and permit fees. In order to resolve this issue, it is necessary for the Department of Insurance to explain our official stand on this matter. Many times, manufactured homes are moved and set-up long before a building permit is ever obtained from the inspection department. Most of these times, the consumer has been told by the dealer or the set-up contractor to “go by the inspection department and get the building permit”. Usually in these instances the consumer has not been told that he or she is also responsible to pay for the cost of the permit. This is an unforeseen added expense for the consumer and is usually very upsetting. Most local inspection departments will not give the consumer the permit because they know the consumer is not actually going to set up their home. This usually delays the set-up of the home and puts the unsuspecting consumer right in the middle of a conflict between the building official and the contracting set-up party. Section 1.2.3 of the 2004 State of North Carolina Regulations for Manufactured Homes clearly states that “*A person, firm or corporation shall not install, construct, enlarge, alter, repair, locate, improve, convert or demolish any manufactured/mobile home in the applicable jurisdiction, or cause the same to be done, **without first obtaining a building permit from the Building Official***” (*emphasis added*). In North Carolina, there are only three parties that are legally able to set-up a manufactured home. They are the home owners themselves, dealers, and set-up contractors. Home owners do not normally set-up their homes and we therefore do not expect them to know the permitting requirements indicated in the Code. Dealers and set-up contractors, however, are professional organizations that are licensed by the Department of Insurance to set-up homes. We expect them to know the permitting requirements of the Code and to comply with those requirements. Your license name and number should be on the permit for every home that you contract to set-up. Since dealers and set-up contractors are licensed by the State to set-up manufactured homes, we consider permitting and all associated costs to be your direct responsibility unless specifically contracted otherwise in writing. Permitting is a major responsibility that cannot be casually passed on to the untrained and uninformed consumer. Some building inspection departments will allow a home owner to pick up a building permit if they can provide all of the necessary permit information. This information includes the name and license number of the dealer or set-up contractor that is going to set-up their home. We have no objection to this procedure provided the permit is obtained *prior to moving the home and the cost of the permit is not paid by the consumer unless agreed to under written contract*. We feel certain that consumer complaints and misunderstandings related to permits and permitting costs will be greatly reduced if the above listed procedures and responsibilities are followed.

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