

780 CMR Chapter 110
Regulation 3
MANUFACTURED AND MOBILE HOMES
(Note: 780 CMR 110.R3 is unique to Massachusetts)

PART I—GENERAL

R3.1 ADMINISTRATION

110.R3.1 Title. The Board of Building Regulations and Standards (BBRS) adopts the rules and regulations for *manufactured buildings, manufactured building components* and *manufactured homes* contained herein as 780 CMR 110.R3.

110.R3.1.2 Scope.

1. 780 CMR110.R3 shall govern the design, manufacture, handling, storage, transportation and installation of *manufactured buildings, and manufactured building components* intended for installation in this State and/or manufactured in this State for shipment to any other state in which such *building, building components, or manufactured homes* and the *labels* thereon are accepted.
2. The Federal Manufactured Home Construction and Safety Standards promulgated by the Department of Housing and Urban Development (HUD) govern the design, manufacture, handling, storage and transportation of *manufactured homes* for installation in this state.
3. Subject to local zoning ordinances and by-laws, *manufactured buildings, manufactured building components or manufactured homes, product* may be sold for, delivered to, or installed on, building sites located in any jurisdiction of this State if such *buildings, building components or manufactured homes, products* have been approved and certified pursuant to the applicable *Codes* and 780 CMR110.R3.

110.R3.1.3 Administration and Enforcement. The BBRS through its designee the *Office*, shall administer and enforce the state requirements of 780 CMR 110.R3 and *building officials* shall administer and enforce the local requirements of 780 CMR 110.R3. The *State Enforcement Agencies* and the *Local Enforcement Agencies* shall have the responsibility for evaluating *manufactured building systems* and performing inspections of *manufactured buildings, manufactured building components, and product* to enforce compliance with 780 CMR110.R3 and the applicable *codes*. The *State Enforcement Agencies* and the *Local Enforcement Agencies* shall deem acceptable *product, manufactured buildings, manufactured building components, building systems* and compliance assurance programs *labeled and certified* by *inspection agencies approved* by the *Office* and those *manufactured homes* certified as in conformance with the Federal standards by the application of the applicable required HUD label.

Where an uncertified *manufactured building* was constructed under a manufactured building program of another state and approved under such program, a *third-party inspection agency (TPIA)* shall prepare a report based on review of the plans/drawings and specifications and inspection of the *building* to assure that said plans/drawings and specifications meet the requirements of 780 CMR 13.00 and submit such to the *Office* for review and *approval*.

When the occupancy classification of a relocated *manufactured building* is proposed to be changed, a TPIA shall inspect the *building*, including any disassembly necessary, to determine whether compliance may be achieved for a change of occupancy classification in accordance with the requirements of Chapter 10 of 780 CMR 34.00: *Existing Buildings*. If factory plans are available, then disassembly is not required to the extent that the factory plans can be reasonably verified to reflect the actual construction.

110.R3.1.4 Authorization of Third-party Inspections. The *Office* may authorize *TPIAs* , to perform all or part of the inspections and certification of *product, manufactured buildings and manufactured building*

components, building systems and quality assurance manual, including to attach the labels thereto. The BBRS may suspend or revoke such authorization for cause.

110.R3.1.5 Approvals and Compliance. *State Enforcement Agencies may approve building systems and quality assurance manuals which comply with the codes, standards, specifications, requirements provided in 780 CMR 110.R3.*

110.R3.1.6 Time of Manufacture. *For purposes of 780 CMR 110.R3, product, manufactured building, manufactured building component, or manufactured home is deemed to be manufactured at such time as the label as herein described is duly issued by the TPIA and the label is attached to it by the TPIA in accordance with the approved compliance assurance program. No product shall be manufactured prior to the Office issuing the BBRS plan identification number.*

110.R3.2 Definitions. *Unless otherwise expressly stated in 780 CMR the following terms shall, for the purpose of 780 CMR 110.R3, have the meaning indicated herein:*

APPROVAL. *An authorization issued by the Office as designee to the BBRS based upon on a TPIA validation.*

BUILDING SYSTEM. *Plans, specifications and documentation for a system of manufactured buildings or for a type or a system of product, manufactured building components, which may include structural, electrical, mechanical, plumbing and fire protection systems and other systems affecting health and safety, including variations which are submitted as part of the building system.*

CERTIFICATION. *Any manufactured building, manufactured building component, modular home, or manufactured home which meets the provisions of 780 CMR 110.R3, the applicable Codes,; and which has been labeled accordingly.*

CODE. *References to the Code may include 780 CMR or Specialized Codes if specified and as defined in 780 CMR 1.00.*

CSL. *A construction supervisor license issued to a construction supervisor as defined in 780 CMR 110.R5.1.2.*

INSTALLATION. *The process of affixing or assembling and affixing a manufactured building, manufactured building component or manufactured home on the building site, and connecting it to utilities, and/or to an existing building. Installation may also mean the connecting of two or more manufactured housing units designed and approved to be so connected for use as a dwelling.*

INSTALLER. *An individual who, on the basis of training and experience, has been certified by a specific manufacturer as competent to supervise the placement and connection required to install the product of that manufacturer and possesses a Manufactured Buildings Installer Certificate(MBIC). Said certification by the manufacturer shall be in writing; additionally, the certified installer shall possess picture identification in the form of a driver's license or other picture identification acceptable to the building official. The installer of record for the building permit shall report to the CSL and shall be responsible for any other responsibilities designated in 780 CMR.*

LABEL. *An approved device or seal evidencing certification in accordance with the applicable Codes and Rules and Regulations promulgated pursuant thereto.*

LOCAL ENFORCEMENT AGENCY. *A department or agency in a municipality charged with the enforcement of 780 CMR and appropriate specialized codes which include, but are not limited to, 248 CMR (the State Plumbing and Gas Fitting code) and 527 CMR 12.00 (the State Electrical Code).*

MANUFACTURED BUILDING. *Any manufactured building which has concealed elements, such as electrical, mechanical, plumbing, fire protection, insulation, and other systems affecting health and safety, and which is manufactured or assembled in accordance with 780 CMR and pertinent regulations, in manufacturing facilities, on or off the building site. Also, any manufactured building as defined above which does not have concealed elements, but which has been approved by the BBRS at the request of the*

manufacturer. “*Manufactured building*” does not mean “*manufactured home*,” which is further defined herein.

MANUFACTURED BUILDINGS CERTIFICATE (MBC): A certification that is granted to the holder of a *Construction Supervisor License (CSL)* after the successful completion of a manufactured buildings course offered by the BBRS. Each certificate shall have an expiration date. A *CSL* must hold a valid Manufactured Buildings Certificate (MBC).

MANUFACTURED BUILDING COMPONENT. Any manufactured subsystem, manufactured subassembly, or other system designed for use in or as part of a structure having concealed elements such as electrical, mechanical, plumbing and fire protection systems and other systems affecting health and safety.

MANUFACTURED HOMES (Housing). As defined in 24 CFR, Part 3280.2; a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. Calculations used to determine the number of square feet in a structure will be based on the structure’s exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. (See 24 CFR, Part 3280.2 for a more detailed description of manufactured homes as defined by the Department of Housing and Urban Development.)

MANUFACTURED BUILDINGS INSTALLER CERTIFICATE (MBIC): This certificate is granted to a person after successful completion of an MBIC course offered by the BBRS. Each MBIC shall have an expiration date and a candidate for an MBIC must possess certification from a manufacturer licensed by the BBRS.

MODULAR HOME: A manufactured building utilized as a one or two family dwelling but does not include a *manufactured home*.

OFFICE. The Office of Public Safety and Inspections.

PRODUCT. A *manufactured building, manufactured building component, modular home* or relocatable building.

QUALITY ASSURANCE MANUAL. The manual as outlined in 780 CMR 110.R3.10 which contains the quality assurance process specific to a manufacturer and *approved* by a *TPIA*.

RECERTIFIED MANUFACTURED BUILDING. Any *manufactured building* as herein defined that was previously designed and constructed to conform with requirements of a particular use group or groups for use at a site and that subsequently is to be relocated to a different site. Such buildings, also known as relocatable units, shall be inspected by the responsible *third-party inspection agency* and recertified in accordance with 780 CMR as applicable to ensure compliance with the new use group or groups if such use group or groups has changed or to requirements of the original use group or groups if not changed prior to being set at the new location.

SPECIALIZED CODES. Refers to the specialized codes that are defined in 780 CMR 1.00.

STATE ADMINISTRATIVE AGENCIES. Reference to this term may include the relevant boards, commissions, departments or agencies referred to in 780 CMR 110.R3 including the BBRS, Massachusetts Board of Fire Prevention Regulations, Massachusetts Board of State Examiners of Electricians, and the Massachusetts Board of State Examiners of Plumbers and Gas Fitters.

STATE ENFORCEMENT AGENCIES. Reference to this term may include the relevant boards, commissions, departments or agencies referred to in 780 CMR 110.R3 including the Office of Public

Safety and Inspections, Massachusetts Board of State Examiners of Plumbers and Gas Fitters, and the Massachusetts Board of State Examiners of Electricians.

SIGNIFICANTLY DAMAGED. A significantly damaged *product* or *building component* is damaged to the point that it does not meet the requirements of the Code or the standards of 780 CMR 110.R3 and cannot be repaired and made to comply within 14 calendar days of written notice to the manufacturer.

SUFFICIENTLY DAMAGED. A sufficiently damaged product or building component is damaged to the point that it does not meet the requirements of the Code or the standards of 780 CMR 110.R3 in the discretion of the State Enforcement Agencies or the TPIA.

THIRD PARTY INSPECTION AGENCY (TPIA). Independent agency, sometimes referred to as “third-party agency,” or a “TPIA,” retained by the manufacturer and registered by the BBRS to perform inspections, evaluations and certifications of *building systems*, compliance assurance programs, *product*, *manufactured buildings*, and *manufactured building components*.

110.R3.3 COMPLIANCE ASSURANCE PROGRAMS

110.R3.3.1 Approval. In order to obtain approval for *product manufactured buildings* or *manufactured building components* a manufacturer shall submit their compliance assurance program for evaluation to a TPIA and the *Office* for approval in accordance with 780 CMR 110.R3. Every compliance assurance program must include a *Quality Assurance Manual* as set forth in 780 CMR 110.R3.10.

110.R3.3.2 Suitability. Prior to a full evaluation, the *TPIA* shall determine that the application for approval of the compliance assurance program submitted to it is suitable for processing. In the event that the application is found to be suitable for processing by the *TPIA*, the applicant shall be notified in writing of such suitability and the basis thereof, within 30 days of the date the application is received by the *office*. In such event, all but \$25.00 of the fee will be returned and the findings of suitability will be without prejudice. Any subsequent submission shall be treated as a new application.

110.R3.3.3 Requisites. The *State Enforcement Agencies* may require tests to determine whether a compliance assurance program meets the *codes*, standards and requirements of the evaluation of plans, specifications and documentation. The procedures used shall be reviewed and evaluated by the BBRS in accordance with 110.R3. The costs of such tests shall be borne by the applicant.

110.R3.3.4 Notification of Disapproval. In the event a compliance assurance program is disapproved by the *Office*, the *Office* shall notify the applicant and the proposed TPIA with a written explanation of the reasons for such disapproval thereto.

110.R3.3.5 Approval – Evidence. Approval of a compliance assurance program shall be evidenced by a letter issued by the *Office*.

110.R3.3.6 Approval – Variations. A *building system* and compliance assurance program or any amendment there to which has been *approved*, shall not be varied in any way without prior written authorization by the *Office*. All amendments shall be in writing and shall be made a part of the written record of the *approval*.

110.R3.3.7 Amendments – Proposed. Amendments to compliance assurance programs may be proposed by submitting to the *TPIA* prior to the *Office* granting *approval*, appropriate plans, specifications, or documentation showing the effect of the proposed amendment on each *building system* and the required fee.

110.R3.3.8 Compliance Assurance Program. A manufacturer shall obtain *approval* from the *Office* of a compliance assurance program for their *building system*. *Product*, buildings or building components shall

be manufactured in accordance with an *approved* program in order to be certified. Compliance assurance programs shall be submitted to the *Office* after approved by the *TPIA*.

110.R3.4 CERTIFICATION

Manufactured buildings or manufactured building components or manufactured homes or product, accepted by the *State Enforcement Agencies* and *TPIA* as having been manufactured according to an *approved building system* and an *approved* compliance assurance program, may be certified by the *Office* upon the recommendation of the *TPIA* as complying with the requirements of the applicable *codes* and 110.R3. Certification shall be evidenced by the issuance of a *label* by the *Office* and by attachment of a *label* to each *certified product, manufactured building or manufactured building component* (or groups of *products*) by the *TPIA*.

110.R3.4.1 Manufacturer's Data Plate.

110.R3.4.1.1 Contents. The following information shall be placed directly or by reference on one or more permanent manufacturer's data plates in the vicinity of the electrical distribution panel, or in some other designated location acceptable to the *State Enforcement Agencies*, on the *product, manufactured building or manufactured building component* where it will be readily accessible for inspection.

1. Manufacturer's name and address;
2. Serial number of the unit;
3. *Label* serial number;
4. Name and date of applicable codes and issue of their accumulative supplements complied with;
5. Model designation and name of manufacturer of major factory-installed appliances;
6. Identification of permissible type of gas for appliance and directions for water and drain connection;
7. Snow, wind, seismic and other live loads;
8. Electrical ratings - instructions and warnings on voltage;
9. Special conditions or limitations on use of the units, including unsuitability for areas in which specified environmental conditions prevail;
10. Methods of assembly or joining multiple units;
11. Type of construction, including fire rating, occupancy class, and interior finish flame spread class;
12. Building height and story limitation;
13. Floor area; and
14. Minimum side yard requirements for fire rating.

If, in the opinion of the *State Administrative Agencies*, the shape or size of a building component is such that this information cannot be attached to it permanently, the information may be placed in a manual crated with the *product* or on a tag attached to the crate in which the *product* is shipped, if the information is not such that the future occupant of the building should know. If the occupant will need to know the information, it shall be contained in a manual which shall be presented to the occupant upon transfer of possession. If life safety is involved, the item in question shall be plainly labeled.

110.R3.4.2 Labels. Each *product, manufactured building or manufactured building component* which is certified pursuant to the applicable *codes* and 780 CMR110.R3, shall have permanently attached thereto, in a visible location as shown on the *approved building system*. *Approved labels* shall be attached in a way that the *labels* cannot be removed therefrom without destroying such *label*. Said *label* shall be made part of the permanent record for the *manufactured building or manufactured building component*, copies of which shall be retained by the manufacturer, the *Office* and the *Local Enforcement Agency* where the manufactured building *product* is installed. Manufactured buildings that are to be used as a re-locatable unit, shall be issued a new *label* upon submission of a new *TPIA* Compliance Report in attestation that the re-locatable unit has been inspected and meets the requirements of all applicable Massachusetts *codes* and requirements of 780 CMR110.R3.

110.R3.4.2.1 Contents. An approved *label* shall bear the following information.

1. The statement “This label certifies that this building (or building component) has been manufactured in accordance with an approved building system and compliance assurance program which has been approved by the Commonwealth of Massachusetts Board of Building Regulations and Standards. Said manufactured building or manufactured building component has been inspected by

_____;
Name of Third-Party Inspection Agency

_____;
Name of Third-Party Inspector

- a. Label serial number.
- b. Building system approval number.
- c. Manufacturer’s serial number.
- d. The words “See data plate located on _____.”
- f. Date of manufacture.

At the direction of the BBRs, *labels* and data plates may be limited in size and content for components whose shape and size does not permit the full information to be placed thereon.

110.R3.4.2.2 Issuance of Labels. The *approved label* shall be issued by the *Office* in accordance with the following.

1. If the *Office* delegated the issuance of *labels* to a *TPIA*, the *TPIA* shall be required to obtain approval from the BBRs for the manner in which they are handled;
2. *Labels* must be serially numbered and affixed to *product* by the *TPIA*;
3. A manufacturer’s compliance assurance program submitted in accordance with 780 CMR110.R3 shall include requirements for issuance of, possession of, attachment of labels by the *TPIA*, and accounting for all *labels* to assure that *labels* are attached only to *product, manufactured buildings, manufactured building components, or manufactured homes* manufactured pursuant to an approved *building system* and inspected pursuant to an *approved* compliance assurance program.

110.R3.4.3 Records of Labels. Permanent records shall be kept of the handling of all *labels*, indicating at least how many *labels* have been applied to *product, to manufactured buildings or manufactured building components* (or groups of components), and which *labels* have been applied assigned to which *product, buildings or building components*, the disposition of any damaged or rejected *labels*, and the location and custody of all unused *labels*. Such records shall be maintained by the *TPIA* and a copy of such records covering attachment of each *label* shall be sent to the *Office* on the tenth of each month.

110.R3.3.4 Attachment of Labels. The *TPIA* shall attach in numerical sequence *labels* to *product, manufactured buildings or manufactured building components* manufactured in accordance with an *approved quality assurance manual, building system* and meeting the requirements of an *approved* compliance assurance program. *TPIAs* shall attach *labels* in the same manner to *product, manufactured buildings or building components* manufactured in accordance with an *approved* compliance assurance program and meeting the requirements of an *approved* compliance assurance program. *TPIAs* shall attach *labels* in the same manner to *product, manufactured buildings or building components* manufactured in accordance with an *approved* compliance assurance program.

110.R3.4.5 Suspension and revocation. The BBRs may suspend or revoke the certification of any *product, manufactured building or manufactured building component* which the *State Enforcement Agencies* or a *TPIA* finds not to comply with the applicable *codes* or 780 CMR 110.R3, or which has been manufactured pursuant to a *building system* or a compliance assurance program for which *approval* has been suspended or revoked, or which has not been manufactured in accordance with the approved *compliance assurance manual*. The *State Enforcement Agencies* shall withhold or void a *label* or shall remove or cause to be removed, *labels* from any such *product, manufactured building, manufactured building component or modular home* until it is brought into compliance with the applicable *codes* and 780 CMR110.R3. Notice of suspension or revocation of *certification* shall be in writing with the reasons for suspension or revocation clearly set forth.

1. Upon suspension or revocation of the *approval* of any *building system* or compliance assurance program, no further *labels* shall be issued, assigned and/or attached to any *product, manufactured buildings* or *manufactured building components* manufactured pursuant to the *building system* or compliance assurance program with respect to which the approval was suspended or revoked. Upon termination of such suspension or revocation, *labels* may again be issued and/or assigned and attached to the *product, manufactured building* or *manufactured building components* manufactured after the date *approval* was reinstated. Should any *product, building* or *building component* have been manufactured during the period of suspension or revocation, it shall not be issued a *label* unless the *State Enforcement Agencies* or *TPIA* have inspected such *product, building* or *building component* and is satisfied that all requirements for certification have been met. If the *State Enforcement Agency* acts under 780 CMR110.R3.4.5, it must notify the *TPIA*.

2. The manufacturer shall return all *labels* allocated for a *product, manufactured building* or *manufactured building component* to the BBRS no later than 30 days from the effective date of any suspension or revocation by the *State Enforcement Agency* or *TPIA*, of the *building system* or compliance assurance program pursuant to which the *product, manufactured building* or *manufactured building component* is being manufactured. The manufacturer shall also return to the BBRS all *labels* which it determines, for any reason, are no longer needed.

110.R3.4.6 Variations of Certified Units. *Product, manufactured buildings, manufactured building components* or *manufactured homes* which has been *certified* and *labeled* pursuant to the applicable *codes* and 780 CMR110.R3 shall not be varied in any way prior to the issuance of the *Certificate of Occupancy*. Any variations must be resubmitted as a revised building system to the *TPIA* and to the Office for its final approval

The *Local Enforcement Agencies* or the *TPIA* may inspect the *product, manufactured building, manufactured building component* or *modular home* wherever it is located and such inspection may include such tests or nondestructive disassembly as the *Local Enforcement Agencies* or a *TPIA* deems necessary to assure compliance with the applicable *Codes* and 110.R3.

110.R3.5 INSPECTION BY THE STATE ENFORCEMENT AGENCIES

The *State Enforcement Agencies* shall make such inspections of the entire processing of manufacturing, certifying, handling, storing and transporting of *product, manufactured buildings* or *manufactured building components* produced pursuant to approved *building systems* as they deem necessary.

110.R3.5.1 Inspection of Facilities. As part of the process of evaluating *building systems* and compliance assurance programs, the *State Enforcement Agencies* shall inspect, the manufacturing facilities in which the *product, buildings* or building components are to be manufactured.

110.R3.5.2 Inspection According to Compliance Assurance Programs. The *State Enforcement Agencies* or a *TPIA* shall make such inspections as may be required by an *approved* compliance assurance program, or as may be deemed necessary by the *State Enforcement Agencies*.

110.R3.5.3 Inspection of Damaged Components. Prior to the issuance of a *Certificate of Occupancy*, the *State Enforcement Agencies* or a *TPIA* shall inspect, certified *product, manufactured buildings* or *manufactured building components* which in its discretion determines to have been *sufficiently* damaged after *certification*. The *State Enforcement Agencies* or *TPIA* is authorized to take such action with regard to sufficiently damaged *product, buildings* or building components as is necessary to eliminate dangerous conditions.

110.R3.5.3.1 Repairing Damaged Components. The *State Enforcement Agencies* or a *TPIA* shall require *product, manufactured buildings* or *manufactured building components* which are *sufficiently damaged* as to no longer comply with the applicable *Codes* and 780 CMR 110.R3 to be repaired and made to comply within 14 calendar days after proper written notice to the manufacturer and the *TPIA*. If *product, manufactured buildings* or building components are damaged so that the *product* cannot be

brought into compliance within 14 calendar days of discovery, it shall be determined to be *significantly damaged*, and the *State Enforcement Agencies* shall order that the *labels* be removed and voided.

110.R3.5.3.2 Significantly Damaged Components. *Significantly damaged product or building components* determined by the BBRS shall be disposed of by the manufacturer.

110.R3.5.4 Monitoring of Third Party Inspection Agencies. The State Enforcement Agencies shall approve and monitor any *TPIA*. The *State Enforcement Agencies* may examine each *TPIA*, at any reasonable time, and without prior announcement, in order to monitor the reliability of each *TPIA* and of its monitoring of each compliance assurance program. Each such examination shall investigate the adequacy of all procedures used by the agency in monitoring compliance assurance programs including inspection, tests, production methods, process controls, operator performance, materials, receipts, storage and handling, workmanship standards, records and all other activities which implement the compliance assurance program in the manufacturing facility, during transport, on-site, and at critical subcontractors' facilities. The results of such examinations shall be filed with the *office*. Copies of such reports shall be sent to the *TPIA*. *TPIAs* shall be specifically notified by the *Office* of any deficiencies and of the manner and time by which such deficiencies must be eliminated. If deemed necessary by the *State Enforcement Agencies*, a *TPIA*'s approval may be suspended or revoked by the BBRS as provided in 780 CMR 110 R3.12.

110.R3.5.4.1 Prior to Approval. Such examinations may also be conducted before approving a *TPIA*.

110.R3.5.5 Inspection by Disassembly. No inspection entailing disassembly, damage to or destruction of certified *product*, *manufactured buildings*, *manufactured building components* or *manufactured homes* shall be conducted except to implement the provisions of 780 CMR 110.R3.

110.R3.6 LOCAL ENFORCEMENT AGENCY PROCEDURES AND INSPECTIONS

110.R3.6.1 Issuance of Building Permits. Upon application and in conformity with the provisions of 780 CMR, the *building official* shall issue building permits for installation of certified *product*, *manufactured buildings*, *manufactured building components* or *manufactured housing*.

110.R3.6.1.1 Licensed Construction Supervisors and Certified Installers. A *CSL*, duly licensed in accordance with 780 CMR 110.R5 and holding a valid *MBIC*, shall, in accordance with 780 CMR 1.00, be hired by and shall act as the agent for the owner, in accordance with 110.R5.1.3.1 for the purpose of applying for and obtaining any and all permits involving the field installation of *product*. The *CSL* shall be responsible for, but not limited to, the construction of the foundation system, the attachment to the foundation, and completion of the *product installation*, and all pertinent site work required by 780 CMR 105 and shall provide at least 48 hours' notice to the *building official* before the placement and connection of such units shall begin. The installer holder of an *MBIC*'s responsibilities shall also include keeping the structure weather tight through the completion of the set. The *Installer* shall remain present for installation of all the structural connections and see that the envelope of the structure is in a weather tight state.

110.R3.6.1.2 Submittal Documents. As part of the permit application process, the *CSL* shall submit to the *building official*, in writing:

- a. The name of the *installer* holding a valid *MBIC*, who shall be duly certified by the manufacturer to install said manufacturer's *product* and is identified as an installer of product. The *installer* shall be responsible for the safe and proper placement and connection of the *product* in accordance with 780 CMR, and the *specialized codes*. *MBIC* responsibilities shall also include keeping the structure weather tight through the completion of the set. The *installer* shall remain present for installation of all the structural connections and shall be responsible for ensuring that the envelope of the structure is in a weather tight state.
- b. A statement that the work to be performed under such permit is to include the installation of the specific type of *product* in accordance with the provisions of the applicable *codes*,

the statement is to be signed by the applicant or his or her agent, with the appropriate address.

- c. A true copy of the *approved product* and where it was manufactured or is to be manufactured, where one has not previously been furnished to that *local enforcement agency*.
- d. Site specific plans and specifications.
- e. Plan Identification Number Assignment Form for newly constructed or recertified units with BBRS number. This is to confirm plans have been approved and shall include a stamp approval.
- f. Plans shall be stamped on every page by a TPIA.
- g. Every page showing calculations by a registered design professional shall be provided with their stamp and signature.
- h. Energy compliance information.
- i. Set manuals are required to be on site at time of project set.
EXCEPTION: If all connection details are provided on the plans then the set manual is not required.
- j. A copy of the *MBIC's* certificate and contact information shall accompany the plan submittal package with approved certification from the manufacturer.
- k. A copy of the *CSL's* *MBC*.

110.R3.6.2 Inspection of Site Preparation and Service Connections. Appropriate *local enforcement agencies* shall inspect all product upon, or promptly after, installation at the building site to determine whether all instructions in the set connection details report or conditions listed on the manufacturer's data plate have been followed. This may include inspections for exterior weather-tightness and protection, tests for tightness of plumbing and mechanical systems, and for malfunctions in the electrical system and a visual inspection for obvious nonconformity with the approved *building system*.

110.R3.6.3 Compliance with Instructions. The appropriate *local enforcement agency* shall inspect all *manufactured buildings, manufactured building components* or *manufactured homes* upon, or promptly after, installation at the building site to determine whether all instructions in the *Building System* Approval Report or conditions listed on the manufacturer's data plate have been followed. This may include tests for tightness of plumbing and mechanical systems, and for malfunctions in the electrical system and a visual inspection for obvious nonconformity with the approved *Building System*.

110.R3.6.3.1 Disassembly Prohibited. Destructive disassembly of *product* shall not be performed in order to conduct such tests or inspections, nor shall there be imposed standards or test criteria different from those adopted by the *Office* or specified in the approved *building system* or the HUD's Manufactured Home Construction and Safety Standards.

110.R3.6.3.2 Opening Panels. Nondestructive disassembly may be performed only to the extent of opening access panels and cover plates.

110.R3.6.4 Noncomplying New Units. *Local enforcement agencies* shall report to the BBRS in accordance with 780 CMR110.R3.6.6 any *product, manufactured buildings, modular homes, and building components* which is determined to be noncomplying to 780 CMR. Should the noncompliant matter be the result of the manufacturer's work, the *Local Enforcement Agencies* and the BBRS shall notify the TPIA and the manufacturer forthwith.

110.R3.6.5 Certificates of Occupancy. The *building official* shall issue a *Certificates of Occupancy* for certified *manufactured buildings, modular homes* and *manufactured homes* containing certified building components which otherwise comply with all the applicable *codes*, after they have been installed and inspected pursuant to the applicable *codes*, provided that any *product, manufactured building, modular home, or manufactured building component* found not to comply with the approved *Building System* or any *manufactured home* found not to comply with "HUD's" Manufactured Home Construction and Safety Standards shall be brought into compliance before such certificate of occupancy shall be issued.

110.R3.7 NOTIFICATION OF CHANGES IN NAME, ADDRESS, OWNERSHIP OR LOCATION

110.R3.7.1 Notification by Manufacturers. Manufacturers shall notify the BBRS in writing within ten days of any of the following occurrences:

1. The corporate name is changed;
2. The main address of the company is changed;
3. There is a change in 25% or more of the ownership interest of the company within a 12-month period;
4. The location of any manufacturing facility is changed;
5. A new manufacturing facility is established; or
6. There are changes in principal officers of the firm.

110.R3.7.2 Notification by Inspection Agencies. Inspection agencies shall notify the BBRS in writing within ten days of any of the following occurrences.

1. The company name is changed;
2. The main address of the company is changed;
3. There is a change in 25% or more of the ownership interest or control of the company within a 12-month period;
4. The location of any testing facility is changed;
5. A new testing facility is established; or
6. There are changes in principal officers and key supervisory and responsible personnel of the company.

110.R3.8 PROPRIETARY INFORMATION

All information relating to *Building Systems* and compliance assurance programs which the manufacturer or other party considers proprietary shall be so designated at the time of its submission, and shall be so held by the *State Enforcement Agencies* and *State Administrative Agencies*, except as the *State Administrative Agencies* determine in each case and in compliance with M.G.L. c. 4, M.G.L. c. 66, 950 CMR 32.00 or other related provisions thereto, that disclosure is necessary to carry out the purposes of the applicable codes and 780 CMR 110.R3.

PART II—REQUIREMENTS FOR SUBMISSION OF BUILDING SYSTEMS AND COMPLIANCE ASSURANCE PROGRAMS

110.R3.9 BUILDING SYSTEMS

Building systems shall meet the requirements set forth below to be evaluated for compliance with the standards, specifications and requirements adopted by the *State Administrative Agencies*.

110.R3.9.1 General Requirements. *Building system* plans for newly constructed or recertified *product* shall meet the requirements set forth in this section and are to be evaluated for compliance with 780 CMR and *certified* accordingly by the TPIA. *Certified* plans along with any required fee are to be submitted by the TPIA to the *Office* for issuing a BBRS Plan Identification.

110.R3.9.1.1 Plans, Specifications and Documentation. *Building systems*, including all plans, specifications and other documentation, may be required to be submitted in quadruplicate to the *Office* who can act as the depository and disbursing officer of all such items. The *Office* may forward to the appropriate *State Enforcement Agencies* *building system* plans, specifications and documentation for their recommendations.

110.R3.9.1.2 Form and Fees. *Building systems* shall be submitted in the form prescribed by the *Office* and shall be accompanied by all required fees.

110.R3.9.1.3 Identification. All documents submitted shall be identified to indicate the manufacturer's name, office address and address of the manufacturing facility.

110.R3.9.1.4 Plans Showing Elements. *Building system* plans shall be submitted showing all elements relating to specific systems on properly identifiable sheets.

110.R3.9.1.5 Approved Registered Design Professional. Each *building system* page shall bear the date, signature and seal of a *registered design professional*, certifying that the *building system* complies with the applicable *codes* and standards promulgated herein.

110.R3.9.1.6 On-site Work Identified. All work to be performed on-site, including connection of all systems, equipment and appliances, shall be identified and distinguished from work to be performed in the manufacturing facility.

110.R3.9.1.8 Material Grade and Quality. Grade, quality and identification of all material shall be specified.

110.R3.9.1.9 Calculations and Test Reports. Design calculations and test reports shall be specified and project specific.

110.R3.9.1.9.1 Drawings to Scale. *Building system* plans shall be drawn to scale and be legible.

110.R3.9.1.9.2 Label and Data Plate Location. *Building system* plans shall indicate the location of the data plate and state issued *labels*.

110.R3.9.1.9.3 Drawings Dated and Identified. *Building system* plans shall be dated and identified. The number of sheets in each set shall be indicated.

110.R3.9.2 Certified Plans. *Building systems* for *product* shall provide or show, but not be limited to, the details listed below including the method of their testing or evaluation, or both. These requirements shall apply to the *building systems* for building components only to the extent deemed necessary by the *State Enforcement Agencies* to permit a proper evaluation of the building component.

110.R3.9.2.1 General.

1. Details and methods of *installation* of *manufactured buildings* or *manufactured building components* on foundations and/or to each other.
2. All exterior elevations.
3. Cross sections as necessary to identify major building components.
4. Details of flashing, such as at openings and at penetrations through roofs and subcomponent connections. Indicate flashing material and gauge to be used.
5. Attic access and attic ventilation.
6. Exterior wall, roof and soffit material as well as finish.
7. Interior wall and ceiling finish material.
8. Fire rated assembly details.
9. Sizes, locations and types of doors, windows and fire/smoke/CO alarms/detectors.
10. Recommended foundation plans, vents and underfloor access.
11. Documentation concerning the installation of solar arrays and the roof access paths, solar ready roof locations, proposed ESS system locations,

110.R3.9.2.2 Building Classification.

1. Occupancy or use.
2. Area, height, and number of stories.
3. Type of construction.
4. Fire resistance ratings.

110.R3.9.2.3 Space and Fire Safety.

1. Details of fire resistance rated assemblies for all stairway enclosures, doors, walls, floors, ceilings, partitions, columns, roof and shaft enclosures.
2. Detail of fire protection systems.
3. Details as to width of all aisles, *means of egress* components, corridors, passageways and stairway enclosures.
4. Toxicity and flame spread classification of finished materials.

5. Identify structural adhesives and provide the locations where they will be applied, the specifications, including but not limited to the manufacturer and type.

110.R3.9.2.4 Structural Detail Requirements.

1. Engineer's calculations of structural members, where appropriate.
2. Structural and framing details of all floors, roof and walls.
3. Details and stress diagrams of roof trusses.
4. Details of reinforcing steel.
5. Complete loading schedule.
6. Column loads and column schedule.
7. Lintel schedule.
8. Size, spacing and details of all structural elements.
9. Grade or quality of all structural elements (lumber, steel, etc.).
10. Elevation of structural elements, walls or sections thereof, providing resistance to vertical loads or lateral forces.
11. Complete details of all structural connections.
12. List all "special inspections" required per 780 CMR Chapter 17.

110.R3.9.2.5 Mechanical Detail Requirements.

1. Location of all equipment and appliances. Indicate equipment and appliances listed or labeled by approved agencies.
2. Heat loss and heat gain calculations. The construction documents submitted with the application for permit shall be accompanied by the energy provisions of 780 CMR 13.00: Energy Efficiency or 225 CMR 22.00 and 23.00 where the municipality has adopted the Stretch energy code or Specialized stretch energy code.
3. Manufacturer's name, make, model, number, BTU, input and output rating of all equipment and appliances, as appropriate, or the equal thereof.
4. Duct and register locations, sizes, and materials.
5. Clearances from combustible material or surfaces for all ducts, flues and chimneys.
6. Method of providing required combustion air and return air.
7. Location of flues, vents and chimneys and clearances from air intakes and other vents and flues.
8. Details regarding dampers in ducts penetrating fire rated assemblies.
9. Complete drawings of fire sprinkler system, standpipe system or smoke/fire/CO alarm systems as required.
10. Detail of elevator or escalator system, including method of emergency operation.
11. Duct and piping insulation thickness.
12. Ventilation air calculations.

110.R3.9.2.6 Plumbing Detail Requirements.

1. Plan or schematic drawing of the plumbing layout, including but not limited to, size of piping, fitting, traps and vents, cleanouts and valves, gas, water, and drainage system.
2. Plumbing materials, and location of all equipment and appliances to be used. Indicate fixture unit capacity of system(s) and the make, model, and rating/capacity of equipment and appliances. Indicate equipment and appliances listed or labeled by approved agencies.
3. Make and model of safety controls (such as for water heaters), their location, and whether listed or labeled by approved agencies.
4. How piping is to be supported and intervals of support.
5. Location of vents above roofs and required clearances, including but not limited to clearances from air intakes, other vents and flues.
6. Methods of testing.

110.R3.9.2.7 Electrical Detail Requirements.

1. Plan of service equipment, including service entrance, conductors, service raceway and clearances above ground and above structures.
2. Method and detail for grounding service equipment.
3. Single line diagram of the entire electrical installation.
4. Load calculations for service and feeders.
5. Sizes of all feeders and branch circuits.
6. Size, rating and location of main disconnect/overcurrent protective devices.
7. Method of interconnection between manufactured buildings or manufactured building components and location of connections.
8. Location of all outlets and junction boxes.
9. Method of mounting fixtures and wiring installations.
10. Lighting power calculations.

110.R3.10 CERTIFICATION OF MANUFACTURER AND QUALITY ASSURANCE MANUAL

The *Quality Assurance Manual* shall conform to the requirements set forth in 780 CMR110.R3. It is the manufacturer's responsibility to execute every aspect of this manual. The manufacturer shall continue to be responsible for all corrective actions required and the contractual relationship between the manufacturer and the *TPIA* shall not diminish such responsibility. The manufacturer shall cooperate with the *TPIA* by providing the *TPIA* with all necessary reports, information, documents, records, facilities, equipment, samples and other assistance for assuring compliance. The manufacturer's compliance assurance program shall be submitted to the BBRS in the form of a *quality assurance manual* which shall contain complete documentation of all compliance assurance activities of both the manufacturer and the *TPIA*. The *quality assurance manual* shall describe how each of the below requirements are being fulfilled. Should the manual be indexed as provided herein and include satisfactory answers to each criteria below, it can be approved by the *TPIA*. The *TPIA* shall make a finding that the material listed here is satisfactory and details, as follows:

1. A procedure for periodic revision of the *quality assurance manual*;
2. An organizational structure for implementing and maintaining the quality assurance program and its functional relationship to other elements of the organization structure of the manufacturer, which structure shall provide for independence from the production department; company officers and employees in charge of the quality assurance program shall be identified, and their training and qualifications specified;
3. A uniform system of audit (in-depth analysis of program effectiveness and means to identify deficiencies) to monitor the quality assurance program periodically;
4. Complete and reliable records of manufacturing and site operations, if any (suitable means of storage, preservation and accessibility of copies of forms to be utilized shall be included);
5. A system to control changes in production or inspection procedures within the manufacturing facility;
6. A system to assure that working drawings and specifications, working instructions and standards, procurement documents, etc. conform to the approved *building system*;
7. A serial number system for *manufactured buildings* or *manufactured building components*; and
8. The method of safekeeping, handling and the process for the *TPIA* to attach *labels* and identification of those employees responsible therefore.
9. Materials Control.
 - a. Procedure to assure effective control over procurement sources to ensure that materials, supplies and other items used in production and site operations, if any, conform to the approved plans, specifications and quality requirements;
 - b. Procedures for inspection of materials, supplies and other items at the point of receipt;

- c. Method of protection of materials, supplies and other items against deterioration prior to their incorporation in the certified buildings or building component; and
 - d. Provision for disposal of rejected materials, supplies and other items.
10. Product Control.
- a. Procedures for timely remedial and preventive measures to assure product quality;
 - b. Provision, maintenance and use of testing and inspection;
 - c. Provision for frequency of sampling inspections;
 - d. Provision of necessary authority to reject defective work and carry out compliance assurance functions, notwithstanding any conflict with production department goals and needs;
 - e. A schematic of the manufacturing operation showing the location of inspection stations or areas, and “hold” points for mandatory inspection characteristics;
 - f. Inspection and test procedures, including accept/reject criteria and mandatory inspection characteristics. Procedures shall include the TPIA carrying out component inspections and corrective actions to be completed before the TPIA issues inspection approval;
 - g. Standards of workmanship; and
 - h. Provision of disposal of rejects.
11. Finished Product Control.
- a. Procedure for final inspection by the TPIA of all product before shipment to the site or storage point, including identification and the TPIA attaching the *labels*;
 - b. Procedures for handling and storing all finished product both at the manufacturing plant or other storage point and after delivery to the building site;
 - c. Procedures for packing, packaging and shipping operations and related inspections; and
 - d. Procedures for transportation, including all measures to protect product against damage while in transit, and setting forth the modes of transportation to be utilized and the carrying equipment and procedures.
12. Installation Control.
- a. Installation procedures including component placement or set, equipment and procedures, field erection and finishing work, utility connection instructions and all appropriate on-site inspection criteria and test descriptions; and
 - b. Describe the program which shall adequately educate the installers about the product installation procedures which contributes to an individual being declared a *certified installer* by the respective manufacturer. The program must include written notice that the *installer* is responsible for installing all of the field connections and written provisions for critical detail processes which resolve any construction irregularities discovered during the installation. The program must also describe the procedures for the *Certified MBIC* to follow when a violation of 780 CMR is observed or an item of non-compliance with the Manufacturer’s installation procedures is identified. In addition, the program must include procedures that require a *Registered Design Professional* inspect all non-compliant conditions or perceived 780 CMR violations and provide a written solution to resolve.
 - c. Upon completion of the report, a copy of the *Massachusetts Registered Design Professional’s* report shall be provided to the BBRS.
 - d. Describe the portions of the program which ensures the *Certified MBIC* will have the knowledge to fully complete the proper product installation. The program training shall include provisions which make clear that the *Certified MBIC* shall be fully responsible for the safe and proper placement and connection of the product in accordance with 780 CMR 110.R3 and the specialized codes. The *Certified MBIC* responsibilities shall also include keeping the structure weather tight through the completion of the set. The

Installer shall remain present on site for installation of all the structural connections and see that the envelope of the structure is in a weather tight state. The *Installer* is responsible for organizational provisions for field repair and disposal of rejects.

13. Permission for Inspection. The manufacturer shall provide the *Office* with written permission, signed and notarized, for the *Office* to inspect manufacturing facilities, products, and building sites under his or her control at any reasonable time without prior announcement.
14. Detailed plans for inspections by the *Office* or the *TPIA*.

PART III—APPROVAL OF THIRD PARTY INSPECTION AGENCIES

110.R3.11 REQUIREMENTS FOR SUBMISSION

A *TPIA* seeking approval shall submit a quadruplicate application to the BBRS which shall include the items listed in 780 CMR 110.R3.11.

110.R3.11.1 Articles of Organization. The original articles of organization or certificates of organization of the agency and all subsequent amendments thereto, as filed in the State of Incorporation.

110.R3.11.2 Bylaws. The bylaws or operating agreements of the organization, if any.

110.R3.11.3 Business Affiliations of Members. The names, addresses and business affiliations of all members of the Board of Directors and of top management personnel.

110.R3.11.4 Ownership Interest. A listing of all shareholders with a 10% or greater interest in the *TPIA*.

110.R3.11.5 Certifications. Certification by the agency that

1. Its Board of Directors, as a body, and its technical personnel, as individuals, can exercise independence of judgment; and
2. Its activities pursuant hereto will result in no financial benefit to the agency via ownership interest or other financial interests in any producer, supplier or vendor of products involved, other than through standard published fees for services rendered.

110.R3.11.6 Experience of Directors. Names, years of experience, state in which professionally registered and other qualifications of the directors of inspection or evaluation programs.

110.R3.11.7 Experience of Employees. Names and years of experience of employees practicing in the following disciplines. architecture, structural engineering, mechanical engineering, electrical engineering, fire protection and other branches of engineering; the state in which each is registered and the service each performs.

110.R3.11.8 Organization Chart. An organization chart showing management and supervisory persons including the number of graduate engineers and architects, and the names of all consulting engineers or architects, designating which are full-time and which are part-time employees.

110.R3.11.9 Number and Location of Personnel. Number and location of factory inspectors, supervisors, and other technicians, including evaluators of factory inspectors and the qualifications of each specialized group, including records of work experience, licenses held and other pertinent qualifications; description of types of work each group and each technician is expected to perform and the qualifications of each group and each technician to perform the work assigned.

110.R3.11.10 Employees Training Programs. An outline of the training program, if any, of the agency to assure that all inspectors, evaluators and other technicians are properly trained to do each job assigned to them.

110.R3.11.11 Employee Supervision. An outline of the general procedures for supervision of inspectors and evaluators, including checking and evaluation of their work.

110.R3.11.12 Non-employees Relationships. All engineers, technicians and other personnel who will perform services for the organization but who are not employees of the organization, and the supervisory and other relationships which each will have to the agency.

110.R3.11.13 Products Evaluated. Type of products, components, equipment, structures and other items which the organization has evaluated, tested or inspected and the number of years of experience the organization has had with each, and the type of codes, standards, specifications and requirements with respect to which the organization has had experience in providing evaluation, inspection or testing services, and the number of years of experience with each.

110.R3.11.14 Frequency Capability. Description of the frequency with which the agency is capable of performing inspections or evaluations. The narrative shall confirm a qualified person inspecting all of the products during the product assembly and only approving the products which conform to 780 CMR. The description shall include procedures which have the *TPIA*, during production, inspecting all product components and the construction material once the installation of each building trades (i.e., framing, insulation, mechanical, electrical, plumbing, framing, fuel gas, etc.) is complete confirming that each complies with 780 CMR. Inspection procedures must also include corrective actions before *TPIA* approves an inspection.

110.R3.11.15 State Where *TPIA* is Approved. List of the states in which the *TPIA* is now approved to inspect or evaluate *manufactured buildings* or *manufactured building components* or parts thereof for compliance with *approved building systems*.

110.R3.11.16 Attaching labels. Procedures must include attesting that only a qualified inspector representing the *TPIA* shall attach the *label* to the product following endorsement of all required inspections by the *TPIA*.

110R3.12 PROCEDURES FOR APPROVING THIRD PARTY INSPECTION AGENCIES

110.R3.12.1 Qualifications. Upon determination of the *State Enforcement Agencies*, the *Office* may approve a *TPIA* which meets the requirements of the applicable *codes* and 780 CMR110.R3 and which the *State Administrative Agency* finds otherwise qualified to perform the functions proposed to be delegated to them.

110.R3.12.2 Suitability of Application. Prior to a full evaluation of an application for approval, the *Office* shall determine whether such application is suitable for processing. In the event the application is found to be suitable for processing, the applicant shall be notified in writing of such suitability and the basis thereof within 30 days of the date the application is received by the *Office*. In such event, all but \$25.00 of the fee will be returned, and the rulings of suitability shall be without prejudice. Any subsequent submission shall be treated as a new application.

110.R3.12.3 Approvals. In the event of approval, the *Office* shall notify a *TPIA* by letter indicating such approval and stating specifically the functions which the applicant has been approved to perform. Such approval shall not constitute the actual delegation of such functions.

110.R3.13 SUSPENSION AND REVOCATION

110.R3.13.1 Grounds. The BBRS may suspend or revoke its approval of any *TPIA* if:

1. the approval was issued in error;
2. the approval was issued on the basis of incorrect information;
3. the approval was issued in violation of any of the applicable *Codes* or 780 CMR110.R3;
4. the *TPIA* violates any of the applicable *Codes* or 780 CMR110.R3;
5. an examination discloses that the agency failed to perform properly; or
6. for such other cause as may be deemed sufficient by the *State Enforcement Agencies* to warrant such action.

110.R3.13.2 Procedures.

110.R3.13.2.1 General. If the BBRS suspends or revokes the approval of a *TPIA*, the *TPIA* shall be given a copy of the Final Decision and Order in writing from the BBRS or its designee of the suspension or revocation with the reasons set forth therein. Manufacturers being evaluated or inspected by *TPIAs* and all

local enforcement agencies in Massachusetts shall also be notified in writing of such suspension or revocation. Such notices shall contain instructions to the manufacturer and to the *local enforcement agency* as to the procedures to be followed regarding *product, manufactured buildings, modular homes, or manufactured building components* previously *certified* by a *TPIA* whose *approval* has been suspended or revoked.

110.R3.13.2.2 Records. A *TPIA* with an *approval* that has been suspended or revoked shall, within 90 days of the suspension or revocation, deliver to the custody of the BBRS the originals of all records required to be maintained during the course of the *TPIA*'s operations pursuant to the applicable *codes* and 780 CMR 110.R3.

110.R3.13.2.3 Labels. A *TPIA* for which *approval* has been suspended or revoked shall within 90 days of the suspension or revocation deliver to the custody of the BBRS all *labels* in the *TPIA*'s possession, under its control, or for which it is responsible pursuant to the applicable *codes* and 780 CMR 1.00.

PART IV—APPEALS

110.R3.14 HEARINGS

All hearings shall comply with the provisions of G.L. c. 30A and 801 CMR 1.02. Hearings will be conducted by the Building Code Appeals Board in accordance with the procedures provided in 780 CMR 113.1..