

Rule 5.03.3-4: Factory-Built Homes Designated for Use Other Than Human Habitation.

All Factory-Built homes originally built for human habitation, which an installer/transporter delivers to a home site, shall be required to be installed in compliance with the standards set forth in this regulation, with the exception of any homes properly certified as “not to be used for human habitation (i.e. hunting/fishing camp, storage, etc.)” Proper certification that a home will not be used for human habitation must be accomplished by the installer/transporter as follows:

(1) The installer/transporter must obtain a completed Affidavit of Homeowner Statement, signed and notarized, from the homeowner confirming that the Factory-Built home will not be used for human habitation. The affidavit must be on the form prescribed by the State Fire Marshal’s Office.

(2) No later than 72 hours from the time the installation is completed, the retailer, the developer and/or the installer/transporter must submit to the State Fire Marshal’s Office the completed Affidavit of Homeowner Statement and the Property Locator/Certificate of Installation.

Failure to comply with this Rule shall create a presumption that the Factory-Built home is intended to be used for human habitation and must be installed in compliance with the Regulations herein.

Source: *Miss. Code Ann. § 75-49-1, et seq.; § 75-49-11 (Supp. 2015).*

Rule 5.03.4: Consumer Complaints

A. In cases of complaints of improper installation and set-up of new or used Factory-Built homes lodged against retailers, developers, or installers/transporters, the Factory-Built Home Division of the State Fire Marshal’s Office will conduct the necessary inspections and investigations of problems reported during the first twelve (12) months from the date the home is sited at the location intended for human habitation and the date on the installation decal affixed to the Factory-Built home by the inspector to be in full compliance with *Miss. Code Ann. § 75-49-7(2)*.

B. A duly authorized representative of the Factory-Built Home Division of the State Fire Marshal’s Office when scheduling a site inspection regarding a consumer complaint the manufacturer, retailer, developer, and installer/transporter licensee shall be present for each such inspection. If any manufacturer, retailer, developer, and installer/transporter licensee is unable to attend the site inspection, his duly authorized representative shall be a person employed by the licensee with authority to make decisions regarding corrective action and remedial plans if required.

Source: *Miss. Code Ann. § 75-49-1, et seq.; § 75-49-11 (Supp. 2015).*