



# Ohio Manufactured Homes Commission

5100 Parkcenter Avenue, Suite 103, Dublin, Ohio 43017

## Bulletin

Date: November 18, 2011

Memo To: All OMHC Inspection Agencies

From: Janet M. Williams, Executive Director

Subject: Outstanding Permit/Seal Report

Once again, it appears we still have many outstanding permits beyond the 6 month timeframe. Attached are 2 reports by inspection department/agency indicating your total number of permits that exceed the 6 months and your percentages of expired permits compared to the number of permits currently outstanding and also compared to the total permits issued by your department/agency (see highlighted columns). The first report is as of October of 2011 and the second report is as of October 2010 for comparison purposes. We are also notifying OMHC licensed installers of this process as well.

The Commission continues to be very concerned about these lingering permits. As previously stated, in the event these homes are occupied without a final permit, there could be safety issues involved which could put potential liability on the inspector, the agency/department and the installer, if applicable.

In November of 2010 we sent an email requesting you work with these homeowners and/or the OMHC licensed installers to final these homes. It was further stated in our email that if the homeowner or licensed installer is not cooperating with you, that a letter should be sent from your department/agency with a 30 day timeframe for them to arrange for a final inspection. If, after the 30 days, they still have not made arrangements with you, copies of your letters should be forwarded to our office for further follow up. Some of you did send those letters and you should have received an email from us previously with a copy of our follow up letters to those individuals. **For any permits which the seals have not been returned to our office as abandoned and are currently beyond the 6 month timeframe, you must follow the attached "Expired Permit" procedure. Once we receive your letters and a copy of the Homeowner/Installer Agreement (if applicable), this will be out of your hands and these permits will eventually be removed from your expired permits on file. If all of the remedies have been completed, per the procedure, and the homeowner or licensed installer has not contacted you for the final inspection, THEN we will ask you to return the seal to us and mark abandoned. Going forward, please follow the "Expiring Permit" procedure so that this process will lessen the number of permits that would otherwise go beyond the 6 month timeframe.**

We will continue to monitor and report progress to the Commissioners. Should you have any questions, please feel free to contact our office. We are here to assist you in this important matter!

## Standard Operating Procedure

To: OMHC Inspection Depts/Agencies

Re: Expiring Permits

### Expiring Permits

1. Permits are valid for 180 days. **Prior to the 150<sup>th</sup> day, inspection agencies must send a notice (see attached sample letter "Expiring Permit") to the homeowner and copy the OMHC licensed installer, if applicable.** As the letter states, if there are extenuating circumstances as to why the home installation is not complete, the homeowner and/or the OMHC licensed installer can request an extension, in writing, not to exceed 180 days. Your agency shall determine whether or not an extension is warranted and your reply must be, in writing, to the homeowner and the OMHC licensed installer granting or denying the extension. In a situation where there are no life safety issues, your agency may issue a temporary occupancy at that time if the homeowner is requesting occupancy. This temporary occupancy must be posted on the seal report within 24 hours of granting a temporary occupancy. The temporary occupancy shall not exceed 180 days and must be final approved and the seal placed on the home within that timeframe.
2. If the home has received final inspection approval from your agency, please enter the approval date into the seal report within 24 hours of final approval.
3. If, however, the homeowner and/or OMHC licensed installer does not respond to your letter prior to permit expiration (ie: home has not been finalized), **please forward a copy of your letter above to our office. Also forward a copy of the Homeowner/Installer Agreement, if there is one on file.** The OMHC will send a 30 day follow-up notice to the homeowner and copy the OMHC licensed installer, if applicable. We will also forward a copy of our letter to your office.
4. If after our 30 day notice this home still has not been final inspected and approved, this case will be turned over to the Attorney General's (AG's) Office. The AG's office will forward a final notice to the homeowner and further specify legal remedies.
5. If the OMHC licensed installer is not responding and they are responsible for the installation of this home, the OMHC will send a notice of hearing to the licensed installer. As a reminder, in the absence of a Homeowner/Installer Agreement, the OMHC licensed installer is responsible for the entire installation.
6. The AG's Office will forward a final notice to the homeowner and further specify legal remedies.
7. If after 30 days the AG's office does not receive a response, we will notify you to forward the seal to our office and mark "abandoned" across the front of the seal. Once the seal is received, we will mark it on the seal report as abandoned and this home will be removed from your outstanding permits.

**Note: Going forward, you must follow the procedure above for expiring permits and forward your letters and copies of the Homeowner/Installer Agreement, if applicable, to our office by the end of the month of the permit expiration.**

## Sample Letter"

(On your Agency letterhead with contact info.)

### NOTICE – EXPIRING PERMIT

Date

Homeowner

Address

Re: Expiring Permit for the Installation of a Manufactured Home

Location - \_\_\_\_\_

Permit # - \_\_\_\_\_

Seal # - \_\_\_\_\_

Dear Homeowner:

Our records indicate the inspections for the above-referenced home have not been completed. Please be advised that the installation permit will be expiring on \_\_\_\_\_. If the permit expires prior to approval of all inspections, it will be necessary for you to re-apply for a permit and pay the fees again. Occupancy of the home is prohibited by Law prior to final inspection approval and the State of Ohio seal has been placed on the inside of your electrical panel. **If you unlawfully occupy the home prior to inspection approval, there could be safety issues involved and this may void any insurance policy and/or warranties.**

If your home is being installed by an Ohio Manufactured Homes Commission (OMHC) licensed installer, please contact them for completion and final approval of this installation. If you fail to respond to this letter, it will be necessary for us to forward this information to the OMHC for further legal action. In doing so, you may incur additional fines and/or penalties.

Sincerely,

cc: OMHC Licensed Installer

## Standard Operating Procedure

To: OMHC Inspection Depts/Agencies

Re: Expired Permits

### Expired Permits

1. If your department/agency currently has expired permits (beyond 180 days) and you have NOT sent a letter to the homeowner/licensed installer, **please send a notice (see attached sample letter "Expired Permit") to the homeowner and copy the OMHC licensed installer, if applicable.**
2. If, as a result of the expired permit letter, the home has received final inspection approval from your agency, please enter the approval date into the seal report within 24 hours of final approval.
3. If, however, the homeowner and/or the OMHC licensed installer does not respond to your letter prior to the 10 day timeframe (ie: home has not been finalized), **please forward a copy of your letter above to our office. Also forward a copy of the Homeowner/Installer Agreement, if there is one on file.** The OMHC will send a 30 day follow-up notice to the homeowner and copy the OMHC licensed installer, if applicable. We will also forward a copy of our letter to your office.
4. If there is no response from the OMHC letter and the home in question has not been final inspected and approved, this case will be turned over to the Attorney General's (AG's) Office. The AG's office will forward a final notice to the homeowner and further specify legal remedies.
5. If the OMHC licensed installer is not responding and they are responsible for the installation of this home, the OMHC will send a notice of hearing to the licensed installer. As a reminder, in the absence of a Homeowner/Installer Agreement, the OMHC licensed installer is responsible for the entire installation.
6. The AG's Office will forward a final notice to the homeowner and further specify legal remedies.
7. If after 30 days the AG's office does not receive a response, we will notify you to forward the seal to our office and mark "abandoned" across the front of the seal. Once the seal is received, we will mark it on the seal report as abandoned and this home will be removed from your outstanding permits.

# "Sample Letter"

(On your Agency letterhead with contact info.)

## NOTICE – EXPIRED PERMIT

Date

Homeowner  
Address

Re: Expired Permit for the Installation of a Manufactured Home

Location - \_\_\_\_\_

Permit # - \_\_\_\_\_

Seal # - \_\_\_\_\_

Dear Homeowner:

Our agency issued an installation permit for the set of your home at the above-referenced location. To date, our records indicate that the inspections for this home were not completed. Please be advised that the permit and seal you paid for is valid for 180 days (6 months) and **this permit is beyond this timeframe**. All manufactured homes being set in the State of Ohio after July 1, 2007 must be permitted and pass three inspections (footer/foundation, electrical, and final) **prior to occupancy**. This law was put into effect to ensure that all homes are set in a solid, safe, and sanitary manner.

**Without completing the required inspections and placement of an OMHC seal, occupancy of the home is prohibited by Law.** Please be advised that this may also void any insurance policy that you may have now covering your home, contents, etc. In order to avoid additional expenses relating to this permit, **please contact our office within the next 10 days** to schedule the completion and approval of the inspections so that you may lawfully occupy your home. You must obtain final inspection approval within 30 days from the date of this letter.

If you fail to meet this deadline, it will be necessary for us to forward this information to the Ohio Manufactured Homes Commission for further legal action. In doing so, you may incur additional fines and/or penalties. Please call today to resolve this matter. Should you have any questions relating to this matter, please contact our office.

Sincerely,

cc: OMHC Licensed Installer