

REFERENCE TITLE: **manufactured housing; certification; compliance**

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2626

Introduced by
Representative Weninger

AN ACT

**AMENDING SECTIONS 41-4004 AND 41-2023, ARIZONA REVISED STATUTES; RELATING
TO THE OFFICE OF MANUFACTURED HOUSING.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-4004, Arizona Revised Statutes, is amended to
3 read:

4 41-4004. Powers and duties of department; work by unlicensed
5 person; inspection agreement; permit

6 A. The department shall:

7 1. Establish a state inspection and design approval bureau within
8 the department.

9 2. Enter into reciprocity agreements and compacts with other states
10 or private organizations that adopt and maintain standards of construction
11 reasonably consistent with those adopted pursuant to this article on
12 determining that such standards are being enforced. The director may void
13 such agreements on determining such standards are not being maintained.

14 3. Issue a certificate to indicate compliance with the construction
15 ~~and installation~~ requirements of this article. **MANUFACTURERS MUST BE**
16 **CERTIFIED AND MUST DEMONSTRATE TO THE DEPARTMENT THE MANUFACTURER'S**
17 **ABILITY TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE.**

18 4. Enter and inspect or investigate premises at reasonable times,
19 after presentation of credentials by the director or personnel of the
20 office or under contract with the office, where units regulated by this
21 article are manufactured, sold or installed, to determine if any person
22 has violated this chapter or the rules adopted pursuant to this chapter.

23 5. Enter into agreements with local enforcement agencies to enforce
24 the installation standards in their jurisdiction provided the director is
25 monitoring their performance to be consistent with the installation
26 standards of the office.

27 6. If an inspection reveals that a mobile home entering this state
28 for sale or installation is in violation of this chapter, order its use
29 discontinued and the mobile home or any portion of the mobile home
30 vacated. The order to vacate shall be served on the person occupying the
31 mobile home and copies of the order shall be posted at or on each exit of
32 the mobile home. The order to vacate shall include a reasonable period of
33 time in which the violation can be corrected.

34 7. If an inspection of a new installation of any mobile home or
35 manufactured home reveals that the natural gas or electrical connections
36 of the installation do not conform to the installation standards
37 promulgated pursuant to this chapter and the nonconformance constitutes an
38 immediate danger to life and property, the inhabitants of the home shall
39 be notified immediately and in their absence a notice citing the
40 violations shall be posted in a conspicuous location. The director may
41 order that the public service corporation, municipal corporation or other
42 entity or individual supplying the service to the unit discontinue such
43 service. If the danger is not immediate, the director shall allow at
44 least twenty-four hours to correct the condition before ordering any
45 discontinuation of service.

1 8. If construction, installation, rebuilding or any other work is
2 performed in violation of this chapter or any rule adopted pursuant to
3 this chapter, order the work stopped. The order to stop work shall be
4 served on the person doing the work or on the person causing the work to
5 be done. The person served with the order shall immediately cease the
6 work until authorized by the office to continue.

7 9. Verify written complaints filed with the office by purchasers
8 within one year after the date of purchase or installation of units.
9 Complaints shall be accepted from consumers that allege violations by any
10 dealer, broker, salesperson, installer or manufacturer of this chapter or
11 the rules adopted pursuant to this chapter.

12 10. On verification of a complaint pursuant to paragraph 9 of this
13 subsection, serve notice to the dealer, broker, salesperson, installer or
14 manufacturer that such verified complaint shall be satisfied as specified
15 by the office.

16 11. Provide to the board every six months the year-to-date fund
17 balance of and a listing of the year-to-date revenues and expenditures
18 from the mobile home relocation fund established by section 33-1476.02.
19 The information shall be updated and posted on the department's website.

20 B. Any dealer, broker, salesperson, installer or manufacturer
21 licensed by the office shall respond within thirty days to a notice served
22 pursuant to subsection A, paragraph 10 of this section. Failure to
23 respond is grounds for disciplinary action pursuant to section 41-4039.

24 C. If an inspection or an investigation reveals that any work that
25 is required to be performed by a licensee was performed by an unlicensed
26 person required to be licensed pursuant to this chapter, the director, an
27 employee or a person under contract with the office may cite the
28 unlicensed person. The citation may be issued and served pursuant to
29 section 13-3903. The action shall be filed in the justice court in the
30 precinct where the unlicensed activity occurred.

31 D. The director may enter into agreements with acceptable qualified
32 building inspection personnel or inspection organizations for enforcement
33 of inspection requirements provided the director is monitoring their
34 performance to be consistent with this chapter, rules adopted pursuant to
35 this chapter and the established procedures of the office. If the
36 director determines that the person's or organization's performance is not
37 consistent with this chapter, rules adopted pursuant to this chapter and
38 the established procedures of the office, the person or organization may
39 not enforce the contract and the aggrieved person shall be entitled to a
40 refund of the consideration paid under the agreement.

41 E. If a mobile or manufactured home or factory-built building is
42 installed without first obtaining an installation permit, the director
43 shall send a written notice to the purchaser specifying that a permit is
44 required. If a permit is not obtained within thirty days after receipt of
45 the written notice, the department shall issue and serve by personal

1 service or certified mail a citation on the purchaser. Service of the
2 citation by certified mail is complete after forty-eight hours after the
3 time of deposit in the mail. On failure of the purchaser to comply with
4 the citation within twenty days after its receipt, the director shall file
5 an action in the justice court in the precinct where installation occurred
6 for violation of this subsection.

7 Sec. 2. Section 41-4023, Arizona Revised Statutes, is amended to
8 read:

9 41-4023. General powers and duties

10 The director shall appoint the deputy director who shall, under the
11 authority and direction of the director:

12 1. Establish licensing and regulation procedures in accordance with
13 this article and issue certification documents for compliance with the
14 licensing and bonding requirements of this article.

15 2. Issue certificates to indicate compliance with the construction
16 ~~and installation~~ requirements of article 3 of this chapter.

17 3. Provide for investigative support, enforcement, penalty
18 procedures, hearings and rehearings in accordance with this chapter.

19 4. Establish field offices for the department as required.

20 5. Issue permits to licensees, owners of units and other persons
21 for the installation of manufactured homes, mobile homes and factory-built
22 buildings and the rehabilitation of mobile homes.