



811 South 2nd Street, Louisville, Kentucky 40203  
502.992.9416 ■ [www.NextStepUS.org](http://www.NextStepUS.org)



## SUMMARY OF LICENSING REQUIREMENTS TO SELL AND INSTALL FACTORY BUILT HOUSING IN

### THE STATE OF ARIZONA

PLEASE REFER TO EXPLANATORY NOTES AT THE END OF THE DOCUMENT AND SECTIONS FOR  
MANUFACTURED OR MODULAR HOUSING AS NEEDED

### HIGHLIGHTS

- **Modular buildings** are referred to in Arizona regulations as “factory built buildings” and are regulated through the same agency as manufactured and will require a special Factory Built Building permit (<http://www.dfbls.az.gov/omh/fbb.aspx>).
- **A dealer license** is required for any entity selling three or more buildings within a twelve month period. Arizona offers several distinct dealer licenses.
- There are no specific requirements for the **place of business**.
- There are preliminary and **continuing educational requirements**, but no experience requirements for retailer. There are experience requirements for an installer.
- **Installation inspections** fall under the authority of the Arizona SAA, which should be contacted upon completion of installation. Some local building officials are authorized to perform inspections on the SAA’s behalf.

### MANUFACTURED HOUSING REGULATORY FUNCTIONS

This information is organized by function; listing involved agencies, contact information and summary notes.

#### HUD’s designated State Administrative Agency (SAA) for Manufactured Housing

- Manufactured home retailer, and installer licenses;
- Installation and Inspection Program;
- Dispute Resolution Program.

These programs are administered by:

**Arizona Department of Fire, Building and Life Safety**

Office of Manufactured Housing  
1110 W Washington Street, Suite 100  
Phoenix, Arizona 85007  
Tel. 602.364.1003 Fax 602.364.1052  
<http://www.dfbls.az.gov/omh.aspx>

## **TO SELL**

A dealer is a person or entity who sells, exchanges, buys, offers or attempts to negotiate or acts as an agent for the sale or exchange of factory built buildings, subassemblies, manufactured homes or mobile homes (ARS §41-2175 to 2180; ARS §R4-34-203).

The Arizona Department of Fire, Building and Life Safety offers the following types of dealer licenses:

### **D-8 Retailer of Manufactured Homes or Mobile Homes**

Licensed to buy, sell or exchange new or used manufactured homes, mobile homes or accessory structures. Acts as an agent for the sale or exchange of used manufactured homes, mobile homes or accessory structures. Make alterations to new manufactured homes before a sale to a purchaser under R4-34-604. Contracts with properly licensed installers/contractors for the installation of manufactured homes, mobile homes or accessory structures. This license scope does **not** authorize the sale of park trailers and/or factory built buildings (also known as modular or UBC units).

Fee: \$567.00. Bond Requirement: \$25,000.

### **D-8B Broker of Manufactured or Mobile Homes**

Acts as an agent for the sale or exchange of used manufactured homes or mobile homes. Contracts with properly licensed installers/contractors for the installation of manufactured homes, mobile homes or accessory structures. With this license scope you **cannot** own inventory. This means you cannot buy for the purpose of resale. You are only able to act as an agent between a buyer and seller. This license scope does **not** authorize the sale of park trailers and/or factory built buildings (also known as modular or UBC units).

Fee: \$441.00. Bond Exempt.

### **D-10 Retailer of Factory Built Buildings and Subassemblies**

Licensed to buy, sell or exchange new or used factory built buildings and subassemblies. Acts as an agent for the sale or exchange of new or used factory built buildings and subassemblies. Makes alterations to new factory built buildings and subassemblies before sale to a purchaser. Contracts with properly licensed installers/contractors for the installation of factory built buildings, subassemblies and residential single-family factory built buildings and accessory structures. This license scope does **not** authorize the sale of manufactured homes, mobile homes and/or park trailers.

Fee: \$567.00. Bond Requirement: \$25,000.

### **D-12 Master Retailer**

Licensed to perform work within the scope of classes D-8, D-8B, and D-10.

Fee: 882.00. Bond Requirement: \$25,000.

## **General Requirements for Dealer Licenses:**

### **Written Examination**

Prior to the issuance of a dealer/broker/retailer or installer license, the Qualifying Party (person who is an owner, employee, corporate office member or partner of the licensed business and who has active and direct supervision of and responsibility for all operations of that licensed business) for the license shall successfully show by written examination, qualification in the kind of work or business in which the applicant proposes to engage. Two hours will be allowed to complete the examination. A grade of 70% is required to pass exams. Examinee will be allowed only three attempts to successfully complete the required examination.

Dealer/Broker/Retailer examinations will consist of general knowledge of the Arizona Revised Statutes and rules of the Department of Fire, Building and Life Safety, as they pertain to the applied for license and questions from the Building Contractor's Exam Preparation Guide. The Statutes/Rules can be found at the Department website, <http://www.dfbls.az.gov/>. The Building Contractor's Exam Preparation Guide may be available at local libraries, the local City or County Building Department, or local book store.

All licenses expire at 12:01 a.m., one year from the date of issuance, and must be renewed to remain active. Renewal forms are mailed from the Department office as a courtesy by the 15th of the previous month. It is the responsibility of the licensee, however, to secure such renewal forms as the Department does not assume responsibility for delivery.

For more information contact:

**Arizona Department of Fire, Building and Life Safety**  
Office of Manufactured Housing  
1110 W Washington Street, Suite 100  
Phoenix, Arizona 85007  
Tel. 602.364.1003 Fax 602.364.1052  
<http://www.dfbls.az.gov/omh.aspx>

**Packet detailing how to obtain a dealer license is available on the Department website including relevant application forms:**

<http://www.dfbls.az.gov/UserFiles/files/Packets/DealerlicensingPacket.pdf>

**A dealer handbook is available on the Department website with more information including rules and statutes:**

<http://www.dfbls.az.gov/UserFiles/files/Packets/Handbook%20-%202008.pdf>

**Appendix:**

<http://www.dfbls.az.gov/UserFiles/files/administration/Appendix%20to%20New%20Dealer%20Handbook.pdf>

## **TO INSTALL**

An installer is a person or entity who connects to onsite terminals, places on foundation systems, provides ground anchoring for, and/or engages in the business of installing accessory structures attached to, new or used manufactured homes, mobile homes or residential single-family factory built buildings (ARS §41-2175 to 2180; ARS §R4-34-204).

**Packet detailing how to obtain an installer license is available on the Department website including relevant application forms:**

<http://www.dfbls.az.gov/UserFiles/files/Packets/InstallerLicensingPacket.pdf>

For more information contact:

**Arizona Department of Fire, Building and Life Safety**  
Office of Manufactured Housing  
1110 W Washington Street, Suite 100  
Phoenix, Arizona 85007

Tel. 602.364.1003 Fax 602.364.1052  
<http://www.dfbls.az.gov/omh.aspx>

### **TRAINING AND TESTING PROVIDERS**

Testing is done Wednesdays at 9:00 a.m., **by appointment only**, at 1100 W Washington Avenue, Suite 100, Phoenix, Arizona, by the Department of Fire, Building and Life Safety. The Department must receive application, fee and refund policy form at least three days prior to desired testing date in order to schedule the examination. **Exams are scheduled on a first come, first served basis.** Call the Department office to schedule examinations in advance.

#### **Arizona Department of Fire, Building and Life Safety**

Office of Manufactured Housing  
1110 W Washington Street, Suite 100  
Phoenix, Arizona 85007  
Tel. 602.364.1003 Fax 602.364.1052  
<http://www.dfbls.az.gov/omh.aspx>

### **TO TRANSPORT**

A 504 tax clearance permit is required by law when moving a manufactured home. This permit is issued by the County Assessor in which the home is to be located once it is determined that all fees and ad valorem taxes applicable to the manufactured home have been paid as of the date of application (ARS §28-11049).

An Oversize Mobile Home Single Trip Class A permit is required to transport the home through Arizona. This permit is available from the Arizona Department of Transportation Motor Vehicle Division and may be applied for through the Arizona Permits online Service:

<http://www.azdot.gov/mvd/permits/>

#### **Arizona Department of Transportation**

Motor Vehicle Division  
Mail Drop 555M  
P.O. Box 2100  
Phoenix, Arizona 85001-2100  
Tel. 602.255.0075 (Phoenix)  
Tel. 520.629.9808 (Tucson)  
Tel. 800.251.5866 (Elsewhere in Arizona)  
<http://www.azdot.gov/mvd/>

### **INSTALLATION INSPECTION**

Installation inspection is the responsibility of the Department of Fire, Buildings and Life Safety. This agency is required to permit and inspect all manufactured, mobile and Factory Built Buildings in the State. This includes, but is not limited to, site preparation, foundation, anchoring and all utilities (i.e. water, sewage, gas, electric). Depending on the location of the installation, a local Building Official may be the inspection agency for the installation. The Office of Manufactured Housing has Intergovernmental Agreements with towns, cities and counties within the state to perform the installation inspections on their behalf. Contact the Office to find out who is the authority in the area in which you plan to install the home. Upon completion of installation, the Department should be notified by calling 602.364.1067, leaving a detailed message that includes permit number,

contact number and what needs to be inspected. Inspectors may also be emailed at [installer.questions@dfbls.az.gov](mailto:installer.questions@dfbls.az.gov).

**Arizona Department of Fire, Building and Life Safety**

Office of Manufactured Housing  
1110 W Washington Street, Suite 100  
Phoenix, Arizona 85007  
Tel. 602.364.1003 Fax 602.364.1052  
<http://www.dfbls.az.gov/omh.aspx>

**TITLING**

For an in-depth discussion of manufactured housing titling issues please refer to:  
CFED I'M HOME Innovations in Manufactured Homes with the National Consumer Law Center  
***Titling Homes as Real Property***  
[http://www.cfed.org/assets/pdfs/mh\\_realproperty.pdf](http://www.cfed.org/assets/pdfs/mh_realproperty.pdf)

A manufactured home may be treated as real or personal property, depending on who owns the property on which the manufactured home is located. Persons owning both the manufactured home and the land on which the manufactured home is located may file an Affidavit of Affixture with the Recorder Office in the county where the manufactured home is located. This affidavit changes the classification of the manufactured home from personal property to real property on the assessor's tax records. After the affidavit has been recorded the manufactured home will remain on the unsecured personal property rolls until the next real property tax roll is prepared. Once this affidavit is recorded, the manufactured home is considered real property, subject to real property taxes once per year, and billed on a single tax bill. Manufactured homes are subject to all other state laws regarding property taxes. This form may be obtained from any County Assessor's Office or title company in your area (ARS §42-15203).

A manufactured home for which an Affidavit of Affixture has not been filed is issued a title through the Motor Vehicle Division (MVD) of the Arizona Department of Transportation. A multi-section unit will have a title for each section. This is required for all units not affixed to real property (ARS §28-2063).

For more information contact:

**Arizona Department of Transportation**

Motor Vehicle Division  
Mail Drop 555M  
P.O. Box 2100  
Phoenix, Arizona 85001-2100  
Tel. 602.255.0075 (Phoenix)  
Tel. 520.629.9808 (Tucson)  
Tel. 800.251.5866 (Elsewhere in Arizona)  
<http://www.azdot.gov/mvd/>

**Link to Affidavit of Affixture and instructions for completion at the Maricopa County website:**

<http://www.maricopa.gov/Assessor/PersonalProperty/pdf/INSTRUCTIONSAFFIDAVITOFFIXTURE.pdf>

## **MOBILE HOME RELOCATION FUND**

Any manufactured home that is located on a rental Mobile Home Park must pay into the manufactured home relocation fund. This tax was established by legislature as a revenue source for the fund. The tax amount is based on a primary tax rate of \$0.50 per one hundred dollars of the limited assessed value of the manufactured home. This tax does not apply to the value of any improvements such as awnings, store rooms, room additions or cooling.

This fund was originally developed to assist tenants of manufactured housing rental communities to move their homes if the community closed. Since then, two other purposes have been added: Rehabilitation of pre-HUD mobile homes (homes built prior to June 15, 1976) which are being moved (under certain circumstances) and moving expenses for tenants receiving rent increases over a certain amount. Disbursement of this fund is handled by the Department of Fire, Building and Life Safety.

### **Arizona Department of Fire, Building and Life Safety**

Office of Manufactured Housing  
1110 W Washington Street, Suite 100  
Phoenix, Arizona 85007  
Tel. 602.364.1003 Fax 602.364.1052  
<http://www.dfbls.az.gov/omh.aspx>

## **DISPUTE RESOLUTION PROGRAM**

Complaints due to manufacturer, dealer or installer defect, as well as cosmetic issues are accepted by the Office of Manufactured Housing in the Department of Fire, Building and Life Safety. All consumer complaints should be made in writing, referring to specific information about the nature of the complaints or complaint items (ARS §42-2181 to 2184).

Complaint forms and specific filing instructions are available on the Department website at:  
<http://www.dfbls.az.gov/userfiles/files/omh/Complaints/301-302ConsumerComplaintPacket.pdf>

### **Cosmetic Complaints**

Cosmetic Complaints are minor matters and do not involve the performance of structural, electrical, plumbing, mechanical or gas systems. All cosmetic complaints should be reported, in writing, to the licensees (manufacturer, dealer or installer) within 120 days of the installation of the home or the designated cosmetic complaint date. Cosmetic walkthrough complaints received by the Office of Manufactured Housing during the above time (120 days) will be placed into inactive status. If repairs are not made after 90 days of that cosmetic time period, the purchaser may reopen their file by notifying the office and including a current list of complaints that need correction.

### **Complaints Other than Cosmetic (Including Used Homes)**

The purchaser may file a complaint with the Office of Manufactured Housing within a year from the date of purchase or installation of their home concerning items within the statutory authority of the Department.

## **WARRANTY REQUIREMENTS**

In Arizona there are no additional requirements for warranty beyond those volunteered by the home manufacturer, building material or appliance manufacturers.

## STATE TRADE ASSOCIATION

For general information contact:

### **Arizona Housing Association**

4525 S Lakeshore Drive, Suite 105

Tempe, Arizona 85282-7047

Tel. 480.456.6530 Fax 480.456.6529

info@azhousing.org

<http://www.azhousing.org/>

## Explanatory Notes

This summary is intended to provide an introduction to nonprofits seeking to obtain a certification to sell and install factory built homes in your state. This summary is not comprehensive. It outlines the types of certifications and regulatory processes required to work in the factory built housing industry in your state, but **does NOT address the specific laws or regulations** regarding the transportation, installation or servicing of factory built homes. This summary is designed to help you understand what steps are required to sell and install both manufactured and modular homes in your state and who to contact to ensure you have the most current information. Please note the revision date in the footer of the document may represent changes made to formatting rather than content.

In order to begin this process it is imperative that you understand the basic functional definitions of factory built housing. The following definitions are not legally correct as they vary from jurisdiction to jurisdiction; however, they will help you to get started:

**Mobile Home:** A residential structure manufactured prior to the enactment of the Federal Manufactured Housing and Construction Standards, also known as the HUD Code, on June 15, 1976. Mobile homes are no longer being constructed. Therefore, they are not addressed further in this Summary.

**Manufactured Home:** Single family residential dwelling built in compliance with the Federal Manufactured Housing and Construction Standards, as amended, also known as the HUD Code, after June 15, 1976. Built in multi-sectional or single section units.

**Modular Home:** Homes built to the state Code where the home will be located. Sectional units are built in a production facility, transported to the site and assembled.

In order to comply with the requirements for **manufactured housing** imposed by various states, it is helpful to first have a general understanding of the differences between working with site built housing and the federal Manufactured Housing Program. The following information about manufactured housing will be easier to understand if you first review "**Preparing to do Business with Manufactured Housing – Overview of the Regulatory Environment**" which explains how this system works nationally.

### **Disclaimer:**

**The above information is provided as a preliminary outline of the state laws and regulations regarding the sale and installation of factory built homes in your state and is intended to assist organizations to understand the regulatory framework for selling and installing manufactured and modular homes. Home building is a very complex**

**process with many layers of regulation and levels of authority that are constantly changing. Next Step and the authors of this summary individually, do not warrant this information as being complete or accurate. This summary is based on investigation of agency websites, telephone conversations with agency staff and reviewing the laws and regulations. Information received regarding the interpretation of various codes during this process was contradictory at times and this summary provides a good faith interpretation of the rules.**

*Data gathered via State websites and email.*