

815 KAR 25:001. Definitions for 815 KAR Chapter 25.

RELATES TO: KRS Chapter 227.550 - 227.665

STATUTORY AUTHORITY: KRS 227.590

NECESSITY, FUNCTION, AND CONFORMITY: KRS 227.590 requires the department to establish and enforce administrative regulations reasonably required to effectuate the provisions of KRS 227.550 to 227.660. This administrative regulation establishes definitions for terms found in 815 KAR Chapter 25.

Section 1. Definitions. (1) "Alteration or conversion" means the replacement, addition, modification, or removal of any equipment or installations that may affect the following:

- (a) The body and frame design and construction; or
- (b) The plumbing, heat-producing, cooling, fuel burning, electrical, or fire and life safety systems.

(2) "ANSI" is defined by KRS 227.550(13).

(3) "B1 seal" and "B2 Seal" are defined by KRS 227.550(2).

(4) "Certificate of acceptability" means the certificate provided to the manufacturer by the department signifying the manufacturer's ability to manufacture, import, and sell manufactured homes or recreational vehicles within the state to retailers.

(5) "Certified installer" means an individual certified to install manufactured homes and mobile homes in Kentucky.

(6) "Certified installer seal" means a seal indicating that a manufactured home or mobile home has been installed by a certified installer.

(7) "DAPIA" means the Design Approval Primary Inspection Agency as used in 24 C.F.R. Part 3282.

(8) "Department" is defined by KRS 227.550(10).

(9) "Established place of business" is defined by KRS 227.550(4).

(10) "Federal act" is defined by KRS 227.550(5).

(11) "Frost line depth" means the minimum frost-protection depth for Kentucky as provided in Section R403 of the Kentucky Residential Code, incorporated by reference in 815 KAR 7:125.

(12) "Hard surface lot" means an area open to the public during business hours with a surface of concrete, asphalt, macadam, compacted gravel, stone, or other material of similar characteristics.

(13) "Installation" means the work performed by a certified installer on-site and the operations involved in the permanent securing and placement of a manufactured home or mobile home for the purpose of human occupancy.

(a) "Installation" includes:

1. Preparation of a permanent foundation;
2. Placement of polyvinyl covering on the ground, if applicable;
3. Placement and connection of utilities performed by appropriately licensed contractors;
4. Anchoring and tying down;
5. Installation of any other accessory or appurtenance specified in the sales contract; and
6. All activities within the scope of 24 C.F.R. Part 3285, the Department of Housing and Urban Development's Model Manufactured Home Installation Standards for new manufactured home installations.

(b) "Installation" does not include site preparation.

(14) "Manufactured home" is defined by KRS 227.550(6).

(15) "Manufacturer" is defined by KRS 227.550(8).

(16) "Mobile home" is defined by KRS 227.550(9).

(17) "NFPA" means the National Fire Protection Association.

(18) "Offer for sale" means to:

(a) Display, exhibit, sell, transfer, exchange, or otherwise advertise a manufactured home, mobile home, or recreational vehicle; or

(b) Negotiate the purchase, sale, or exchange of a manufactured home, mobile home, or recreation vehicle for a fee, commission, or other valuable consideration.

(19) "Permanent foundation" means a system of supports capable of transferring without failure, into soil or bedrock, the maximum design load imposed by or upon the structure.

(20) "Recreational vehicle" is defined by KRS 227.550(11).

(21) "Red tag" means a written notice that is applied to a manufactured home, mobile home, or recreational vehicle by a representative of the department signifying that the manufactured home, mobile home, or recreational vehicle needs repairs or the appropriate seal has not been applied.

(22) "Registration" means the transfer of title or other official recording of change of ownership.

(23) "Retailer" is defined by KRS 227.550(3).

(24) "Salvage unit" means any used manufactured home, mobile home, or recreational vehicle that is not approved for human habitation.

(25) "Site preparation" means work performed on the land in preparation for installation of a home.

(a) "Site preparation" Includes:

1. Clearing and initial grading;

2. Water drainage; and

3. Vegetation control; and

(b) "Site preparation" does not include final grading after the home has been set.

(26) "State inspector" means a manufactured housing and recreational vehicle inspector employed by the department.

(27) "Suitable sign" means a permanently erected sign with the dealership name and type of dealership in letters at least six (6) inches high and at least one and one-half (1 1/2) inches wide.

(28) "Unlicensed retailer" means any person, firm, or corporation that sells or offers for sale a manufactured home or mobile home but is not a licensed retailer or is exempt from the definition of a retailer.

(29) "Used home" means a manufactured or mobile home offered for sale or sold after the original purchase. (45 Ky.R. 887, 1547; eff. 1-4-2019.)