

PUBLIC PROTECTION CABINET
Department of Housing, Buildings and Construction
Manufactured Homes and Recreational Vehicles
(Amendment)

815 KAR 25:050. Administration and enforcement of manufactured housing construction standards.

RELATES TO: KRS 227.550 - 227.665, 227.990, 227.992, 42 U.S.C. Chapter 70

STATUTORY AUTHORITY: KRS 227.590, 227.600

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 227.590 requires the Department of Housing, Buildings and Construction to promulgate administrative regulations governing the standards for the manufacture and sale of manufactured homes and mobile homes. KRS 227.600 requires the department to establish forms for application for seals of approval for previously owned manufactured homes or mobile homes which are not covered by the National Manufactured Housing Construction and Safety Standards Act and for previously owned recreational vehicles. This administrative regulation establishes standards for the design, manufacture, installation, and sale of new and used manufactured homes and mobile homes, and for B seal application requirements.

Section 1. Limitations on the Conversion or Alteration of a Home.

(1) Retailer repairs. A retailer shall not make any of the following changes to a manufactured home or mobile home without the written approval of the manufacturer or the manufacturer's agent:

- (a) The addition or deletion of a window, door, or partition;
- (b) The addition of an electrical circuit to accommodate a washer or dryer;
- (c) The conversion of a heating, cooling, or fuel burning system from one (1) fuel to another, such as electric to gas, or gas to electric or oil;
- (d) The use of improperly listed materials for the repair of a unit; or
- (e) The installation of an unlisted heating, cooling, or fuel burning appliance.

(2) Certified retailer repairs. A certified retailer may alter or convert equipment and make repairs associated with the sale of a used manufactured home or mobile home in accordance with this administrative regulation.

(3) Changes requested by the purchaser. A change to the equipment, an appliance, or the interior or exterior furnishings of the home shall be made only with the written agreement of the purchaser.

(4) Other changes. The following actions shall be consistent with the sales contract in quality and quantity:

- (a) Replacement or removal of equipment or an appliance listed on the data plate;
- (b) Change or removal of furniture; or
- (c) Other cosmetic changes.

Section 2. Retailer Lot Inspections. An employee of the department may enter a retailer's place of business to inspect:

- (1) Each manufactured home or mobile home to ensure compliance with state and federal law; and
- (2) All records a retailer is required to maintain in accordance with Section 3(1) through (3) of this administrative regulation.

Section 3. Required Records. The following records shall be maintained on the business premises from which the manufactured home or mobile home was sold or at corporate

headquarters, if the headquarters are located in the Commonwealth, for at least three (3) years:

- (1) Sales or purchase agreements, including Forms HBC MH-10, HBC MH-11, and HBC MH-8;
- (2) Unit Inspection, Form HBC MH-16; and
- (3) Monthly Manufactured Home Dealer Certification Form, Form HBC MH-7.

Section 4. Consumer Complaints.

- (1) Upon written complaint and request by an owner or occupant, and to determine compliance with applicable law, a state inspector from the department may enter a privately-owned manufactured home or mobile home sold by a retailer.
- (2) The department shall instruct the responsible party, either retailer, certified installer, or manufacturer, to correct a violation if the state inspector determines that:
 - (a) The home is in violation of construction standards contained in the federal act;
 - (b) The home has been damaged in transit; or
 - (c) The installation violates installation standards contained in the federal act.
- (3) Failure of the retailer, certified installer, or manufacturer to correct a violation of safety standards shall subject the responsible licensee or certificate holder to the penalties established in KRS 227.630.

Section 5. Installation Inspections for used homes. The department may make random inspections, prior to or after installation of a used home, to:

- (1) Determine compliance with the minimum installation requirements contained in the federal act;
- (2) Ensure the used home is properly sealed;
- (3) Ensure that the used home has not been damaged in transit; or
- (4) Ensure the used home is correctly installed.

Section 6. Certified Retailer.

- (1) A certified retailer shall meet the following requirements:
 - (a) Employ at least one (1) installer certified in accordance with 815 KAR 25:080;
 - (b) Certify to the department that the dealership is capable of performing minor maintenance to the following systems of manufactured homes:
 1. Plumbing;
 2. Heating;
 3. Cooling;
 4. Fuel-burning; and
 5. Electrical; and
 - (c) Complete and submit Form HBC MH/RV-2 to the department.
- (2) A certified retailer shall not:
 - (a) Perform negligent inspection or repair of a unit; or
 - (b) Apply the wrong seal to a unit.
- (3) The department shall maintain a list of certified retailers qualified to practice in Kentucky.

Section 7. Inspection of Used Manufactured Homes or Mobile Homes.

- (1) A used manufactured home or mobile home requiring a new seal shall be inspected by a state inspector or a certified retailer. The state inspector or certified retailer shall affix a B1 seal indicating the manufactured home's or mobile home's compliance or noncompliance with the federal act under which the home was constructed. A state inspector or certified retailer shall inspect:
 - (a) The plumbing and waste systems to determine if the systems are operable and free of leaks;

- (b) The cooling system and heating or fuel-burning system to determine if they are operational;
 - (c) The electrical system, including the main circuit box, each outlet, and each switch to detect:
 - 1. A damaged covering;
 - 2. A missing screw; or
 - 3. Improper installation;
 - (d) The presence of adequate and operable smoke detection equipment;
 - (e) The doors, windows, and general structural integrity of the unit;
 - (f) The existence of two (2) exits;
 - (g) Storm windows in a manufactured home, but not in a mobile home; and
 - (h) The sealing of all exterior holes to prevent the entry of rodents.
- (2) A unit that is not in compliance with the applicable federal standards under which it was constructed shall be issued a B2 seal unless brought into compliance.

Section 8. Application for Seals.

- (1) A retailer who possesses a used manufactured home or mobile home without a B seal, shall apply to the department for a B seal prior to offering the manufactured home or mobile home for resale. The application shall be:
- (a) Filed on Form HBC MH-12; and
 - (b)
 - 1. Accompanied by a request for an inspection; or
 - 2. Accompanied by notification that a certified retailer will conduct the inspection.
- (2) Placement of B seals.
- (a) Each B seal shall remain the property of the department and be:
 - 1. Assigned and affixed to a specific manufactured home or mobile home;
 - 2. Transferable only if assigned between retailers;
 - 3. Void if not affixed as assigned;
 - 4. Returned to the department if unused; and
 - 5. Seized for a violation of KRS 227.550 to 227.665 or this administrative regulation.
 - (b) The B seal shall be securely affixed on or next to the main entry door on the handle side at approximately handle height.
 - (c) Other seals, stamps, covers, or other markings shall not be placed within two (2) inches of the seal.
- (3) Lost or damaged B seals.
- (a) If a B seal is lost or damaged, the owner shall notify the department immediately, in writing, specifying:
 - 1. The manufacturer;
 - 2. The manufactured home serial number; and
 - 3. The seal number, if known.
 - (b) A damaged B seal shall be promptly returned to the department.
 - (c) A lost or damaged B seal shall be replaced by the department after an inspection and payment of the appropriate fee under Section 10 of this administrative regulation.

Section 9. Inspection of Used Homes in Manufacturer's or Retailer's Possession.

- (1) A retailer or manufacturer shall re-inspect and place a new B seal on a repossessed home or a home taken in trade or purchased by a retailer or manufacturer before the manufactured home or mobile home is offered for sale.
- (2) A retailer or manufacturer shall submit to the department on a completed Form HBC MH-16 prior to placing a B seal on the used manufactured home or mobile home to certify compliance with Section 7(1)(a) through (h) of this administrative regulation.
- (3) A retailer shall remove any existing B seal upon taking possession of a used home.

Section 10. Fees for inspections of used homes.

- (1) The fee for an inspection of a used home shall be:
 - (a) If performed by a certified retailer:
 1. One hundred twenty-five (\$125) ~~Seventy-five (75)~~ dollars;
 2. Thirty-two (32) cents per mile traveled, measured from the place of the certified retailer's place of business; and
 3. Twenty-five (25) dollars for the seal; and
 - (b) If performed by the department:
 1. One hundred twenty-five (125) ~~Seventy-five (75)~~ dollars; and
 2. Twenty-five (25) dollars for the seal.
- (2) The department shall charge no fee for random inspections conducted pursuant to Section 5 of this administrative regulation.

Section 11. Prohibition of Sales.

- (1) A home shall not be sold or transferred for use as human habitation or occupancy without:
 - (a) A current, valid, marketable title; and
 - (b) A HUD label or a B1 seal.
- (2) A used home with a B2 seal shall not be resold unless the purchaser executes Form HBC MH-8.
- (3) Sales between retailers. The requirement that a retailer inspect and apply B seals to each home before it is sold shall not apply if the resale is between retailers.
- (4) As a condition of continued licensure, a retailer shall:
 - (a) Not sell or offer for sale a manufactured home or mobile home for which marketable title cannot be conveyed to the purchaser;
 - (b) Provide an application for title as soon as possible; and
 - (c) Demonstrate good cause for delay in providing an application for title, upon purchaser complaint.

Section 12. Red Tagging.

- (1) The department shall:
 - (a) Attach a red tag to a manufactured home or mobile home found in violation of KRS 227.550 to 227.665 or this administrative regulation; and
 - (b) Furnish the retailer with a copy of the red tag.
- (2) The red tag shall not be removed and the home shall not be sold unless:
 - (a) The department approves the correction of each violation and the red tag removal; or
 - (b) The sale is from an unlicensed retailer to a certified retailer, who applies a B seal and resells the manufactured home or mobile home.

Section 13. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - ~~(a) ["ANSI A225.1, Manufactured Home Installations", 1994 Edition];~~
 - ~~(a)~~ ~~(b)~~ "Form HBC MH-7, Monthly Manufactured Home Retailer Certification Form", May 2020;
 - ~~(b)~~ ~~(c)~~ "Form HBC MH-8, Affidavit of Sale (Salvage Only)", May 2020;
 - ~~(c)~~ ~~(d)~~ "Form HBC MH-10, Consumer Protection Notice", May 2020;
 - ~~(d)~~ ~~(e)~~ "Form HBC MH-11, Release for Delivery", August 2018;
 - ~~(e)~~ ~~(f)~~ "Form HBC MH-12, Application Form for Purchasing Seals", May 2020;
 - ~~(f)~~ ~~(g)~~ "Form HBC MH/RV-2, Request for Approval to Inspect", May 2020; and
 - ~~(g)~~ ~~(h)~~ "Form HBC MH-16, Unit Inspection for B-Seal", May 2020.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, Division of Building

Code Enforcement, Manufactured Housing Section, 500 Mero St., First Floor, Frankfort, Kentucky 40601~~[101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5412]~~, Monday through Friday, 8 a.m. to 4:30 p.m. and is available online at <http://dhbc.ky.gov>.

RAY A. PERRY, Secretary

JONATHAN M. FULLER, Commissioner

APPROVED BY AGENCY: April 9, 2026

FILED WITH LRC: April 10, 2026 at 12 noon

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on June 23, 2026, at 9 a.m., in the Department of Housing, Buildings and Construction, 500 Mero Street, First Floor, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through June 30, 2026 at 11:59 p.m., eastern time. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jonathon M. Fuller, Commissioner, Department of Housing, Buildings and Construction. 500 Mero Street, 1st Floor, Frankfort, Kentucky 40601. Phone: (502) 782-0617, Fax: (502) 573-1057, Email: max.fuller@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Jonathon M. Fuller

Subject Headings:

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes standards for the design, manufacture, installation, and sale of new and used manufactured homes, and specifies when a B seal is to be applied to a manufactured home.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to implement the standards for the design, manufacture, and sale of new and used manufactured homes.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 227.590 requires the department to promulgate administrative regulations to implement the provisions under KRS 227.550 to 227.660. KRS 227.600 establishes the specifications for a manufactured home or mobile home to receive a B seal. This administrative regulation establishes the standards for the design, manufacture, and sale of new and used manufactured homes.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation directly implements the authorizing statutes and establishes the requirements for when a seal is to be applied to a manufactured or mobile home.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This administrative regulation makes grammatical and technical edits and increases the fee for department inspection of a used manufactured home. The initial fee was \$75 and the amended fee is \$125.

(b) The necessity of the amendment to this administrative regulation:

Personnel costs and operational costs, including the price of fuel, insurance, and vehicles have increased in recent years, all adding to the cost of performing department inspectors' job duties. Expenditure exceeded revenues by \$208,282 in FY24; \$124,853 in FY25; and \$148,000 in FY26. Used manufactured home inspection fees have been increased in order to maintain sufficient staffing and equipment to perform the agency's statutory duties.

(c) How the amendment conforms to the content of the authorizing statutes:

The amendment directly conforms to the authorizing statutes by establishing the requirements for the inspection process for used manufactured homes.

(d) How the amendment will assist in the effective administration of the statutes:

The amendment will ensure that the department has sufficient, qualified staffing and equipment to properly inspect new and used manufactured homes.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This administrative regulation will affect Kentucky's used manufactured home purchasers.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Used manufactured home purchasers will pay the increased inspection fees.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

This administrative regulation increases the fee for department inspection of a used manufactured home. The initial fee was \$75 and the amended fee is \$125. Therefore, the increased cost is \$50 per inspection.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Funds generated from increased fees will ensure the timely completion of thorough inspections.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There are no anticipated initial costs to administer this regulatory amendment.

(b) On a continuing basis:

There are no anticipated continuing costs to administer this regulatory amendment.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

Implementation of these amendments is anticipated to result in no additional costs to the agency. Any agency costs resulting from these administrative amendments will be met with existing agency funds.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

Yes, because this regulatory amendment includes a fee increase.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

Yes. This amendment seeks to increase a fee for department inspections of used manufactured homes.

(10) TIERING: Is tiering applied?

Tiering is not applied as all used manufactured home consumers will be subject to the amended requirements.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

This regulation is authorized and required by KRS 227.590 and 227.600.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

This regulation is required by KRS 227.590 and 227.600.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

Public Protection Cabinet, Department of Housing, Buildings and Construction, Division of Building Code Enforcement, Manufactured Housing Branch.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:None

For subsequent years:None.

2. Revenues:

For the first year:It is anticipated that the department will increase revenues by approximately \$39,750.00 in the first year.

For subsequent years:It is anticipated that revenues will increase slightly in subsequent years as the number of used manufactured homes sold in Kentucky generally increases yearly.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

There are no anticipated local entities that will be affected by this regulatory amendment.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:None.

For subsequent years:None.

2. Revenues:

For the first year:None.

For subsequent years:None.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):
Recreational vehicle consumers, manufacturers, and retailers.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:\$50 per inspection (for recipients of inspections).

For subsequent years:None.

2. Revenues:

For the first year:\$50 per inspection (for certified retailers performing inspection).

For subsequent years:None.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

It is anticipated that the department will increase revenues by \$39,750 based on the number of department inspections during 2025 multiplied by the total fee increase. This impact is spread out across each individual receiving an inspection.

(b) Methodology and resources used to reach this conclusion:

Please see the response to (5)(a).

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

This regulation will not have a major economic impact as defined by KRS 13A.010(14).

(b) The methodology and resources used to reach this conclusion:

Inspection fees for used manufactured homes are increasing by \$50 per inspection.