



Manufactured Buildings¹

Manufactured building (MB) is defined in Florida Statute 553.36 as a closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured...for installation or erection as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human habitation such as lawn storage buildings and storage sheds manufactured and assembled offsite by a manufacturer certified in conformance with this part. *This part does not apply to mobile homes.* (italics added for emphasis)

Mobile home means any residential unit constructed to standards promulgated by the U.S. Department of Housing and Urban Development (HUD). If there is a HUD sticker installed or you have a title, then you have a mobile home and should call the Department of Highway Safety & Motor Vehicles Consumer Complaints if you have a complaint regarding mobile home installers at 850-617-3004. For HUD Code questions, call Mr. Chuck Smith at 850-617-2808.

The term “manufactured housing” describes both modular and mobile homes, since both are manufactured in a plant and trucked to the site. It is often difficult to distinguish between the two types of manufactured homes, a.k.a. modular homes and mobile homes. The surest and quickest way to do so is to refer to the unit’s insignia, which represents the code/standard to which it was built.

A modular home, built to the *Florida Building Code*; often referred to as a “DCA Home,” will have a Department of Community Affairs (DCA) insignia on the inside cover of the electrical panel (circuit breaker box) containing: the words “Department of Community Affairs”, the State of Florida Seal, Occupancy, and a MB number. The manufacturer shall affix a data plate containing: manufacturer’s name, date of manufacture, serial number, occupancy, construction type, wind velocity, floor load, etc. To view insignias and

electronically transmitted plans on the web, go to www.floridabuilding.org and click on the “Manufactured Buildings” button.

Closed construction is defined as that condition when any building, component, assembly, subassembly, or system is manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly or destruction thereof.

The *Florida Building Code* and the *Florida Fire Prevention and Lifesafety Codes* contain the minimum construction requirements governing the manufacture, design, construction, erection, alteration, modification, repair, and demolition of manufactured buildings.

Role of the Florida Department of Community Affairs

The Florida Department of Community Affairs, hereafter referred to as the Department, promulgates rules and adopts uniform construction standards. Some of their duties, as related to manufactured buildings, include:

- Certifying all manufacturers of manufactured buildings that are closed-construction installed in Florida.
- Processing and approving manufacturers' applications that are forwarded to them by third party agencies.
- Periodically monitoring in-plant inspection procedures, frequency of inspection record keeping and the manufacturers' activities.
- Investigating consumer complaints regarding potential building code deficiencies/violations and establishing a timetable to correct the deficiencies.
- Upon meeting compliance, issuing a MB recertification insignia prior to relocation, modification, or change of occupancy within the state. As an alternative to recertification by the department, the manufacturer, dealer, or owner of a

¹**DISCLAIMER** – This piece is intended to give the reader only general factual information current at the time of publication. This piece is **not** a substitute for professional advice and should not be used for guidance or decisions related to a specific design or construction project. This piece is not intended to reflect the opinion of any of the entities, agencies or organizations identified in the materials and, if any opinions appear, are those of the individual author and should not be relied upon in any event. Applicable to 2004 Florida Building Code.

manufactured building may seek appropriate permitting and a certificate of occupancy from the local jurisdiction in accordance with procedures generally applicable under the *Florida Building Code*.

Florida Building Code

Manufactured buildings bearing a DCA insignia constructed on or after March 1, 2002, are required to comply with the *Florida Building Code* (FBC) or, if applicable, the High Velocity Hurricane Zone (HVHZ) requirements. Buildings constructed prior to March 1, 2002, must comply with the applicable code in effect at the time of construction or renovation.

Under FBC Section 106.3, except for under provisions of the FBC relating to erection, assembly or construction at the site, manufactured buildings bearing the DCA insignia do not require plan review and approval by a local building department.

A manufactured building produced under the old *Standard Building Code* (SBC) does not have to be upgraded to the new requirements of the FBC unless it is altered or has a change in occupancy.

See FBC Section 428.5.2 for information regarding recertifying a used manufactured building that is being relocated and not otherwise altered.

Role of Local Authorities

Local requirements pertaining to land use, zoning, fire zones, building setbacks, side and rear yard, site development, property lines, subdivision control, and onsite installation, as well as the review and regulation of architectural and aesthetic requirements, are specifically and entirely reserved to local authorities. Such local requirements and rules which may be enacted by local authorities must be reasonable and uniformly applied and enforced without any distinction as to whether a building is conventionally constructed or a manufactured building.

Section 553.80, Florida Statutes, in part states "...Erection, assembly, and construction at the site are subject to local permitting and inspection". This includes foundation, installation, electrical, water and any other items like siding, roofing or any on site repairs. Local government shall require permit fees only for those inspections actually performed by the local government for the installation of a factory built structure. The fee shall be equal to the amount charged for similar inspections on conventionally built housing. NOTE: FBC Section 428.4 provides for modular homes to be installed on a "site built permanent foundation... not designed to be moved once so erected or installed". For complaints concerning any of these items, contact your local building department.

According to Section 553.37(5), if the manufactured building bears the insignia of approval upon manufacture or first sale, no additional inspections are required by the local building department. However, local code enforcement personnel may walk through the manufactured building during their site visit/inspection to verify insignia, and confirm that the building has not been altered from the approved plans and/or damaged.

A manufactured building can't be treated any differently than a conventionally constructed (site built) building according to Florida Statute 553.38. However, this does not apply to deed restrictions contained in the covenants of a homeowners' association.

All modular residences are required by Florida Statute to be installed by a Florida licensed contractor. If you suspect improper procedures were followed in the installation of your home, contact the Dept. of Business & Professional Regulation (DBPR) at 850-487-1395.

References and Resources:

Florida Administrative Code Chapter 9B-1
www.fac.dos.state.fl.us

Florida Department of Business and Professional Regulation www.myflorida.com/dbpr

Florida Department of Community Affairs/Florida Building Commission/Florida Building Code
www.floridabuilding.org

Florida Department of Highway Safety & Motor Vehicles
www.hsmv.state.fl.us

Florida Manufactured Housing Association
www.fmha.org

Florida Statutes www.leg.state.fl.us

The Modular and Portable Building Association
www.mpba.biz

U.S. Department of Housing and Urban Development
www.huduser.org

Your county or municipal building department (please see the government section of your telephone book—look under "building," "plans," "inspections," or "zoning.")

Don't know where to go for an answer to a specific question?

Contact: Building A Safer Florida, Inc. 1-850-222-2772 or www.buildingasaferflorida.org

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