

Factory Assembled Structures Rules: Draft Language

WAC 296-150I-0210 What violations of RCW 43.22A.130 can result in the issuance of a notice of infraction? (1) Under RCW 43.22A.130, the department can issue a notice of infraction to a person, contractor, manufactured/mobile home dealer, manufacturer, or home dealer's or manufacturer's agent for:

(a) Failure to have a certified installer on the installation site whenever installation work is being performed;

(b) Failure to correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same;

(c) Failure by a certified installer to affix a certification tag to an installed manufactured/mobile home;

(d) Transfer of certification tag(s) from a certified installer to another certified installer without prior written approval of the department;

(e) Transfer of certification tag(s) from a certified installer to a noncertified installer;

(f) Transfer of unused installer certification tags by a manufactured home retailer to a new ownership without prior written approval of the department.

(2) Each worksite and day at which a violation occurs constitutes a separate infraction.

(3) Once a violation of chapter 43.22A or this chapter becomes a final judgment, any additional violations within three years becomes a "second" or "additional" offense subject to an increased penalty as set forth in WAC 296-150I-3000.

(~~3~~4) See WAC 296-150I-3000 for the specific monetary penalties associated with each of the violations discussed in this section.

[Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-0210, filed 5/30/08, effective 6/30/08.]

WAC 296-150I-3000 Penalties, fees, and refunds.

Penalties

(1) Monetary penalties for ~~an~~ infractions listed in WAC 296-150I-0210 shall be assessed for each violation of chapter 43.22A RCW in the following amount of \$1,000.00.:

(a) Failure to have a certified installer on the installation site whenever installation work is being performed:

<u>First Final Violation</u>	<u>\$250.00</u>
<u>Each Additional Final Violation</u>	<u>\$1,000.00</u>

(b) Failure to correct all nonconforming aspects of the installation identified by the local enforcement agency or by an authorized representative of the department within thirty days of issuance of notice of the same:

<u>First Final Violation</u>	<u>Warning</u>
<u>Second Final Violation</u>	<u>\$250.00</u>
<u>Third Final Violation</u>	<u>\$500.00</u>
<u>Each Additional Final Violation</u>	<u>\$1,000.00</u>

(c) Failure by a certified installer to affix a certification tag to an installed manufactured/mobile home:

<u>First Final Violation</u>	<u>Warning</u>
<u>Second Final Violation</u>	<u>\$250.00</u>
<u>Third Final Violation</u>	<u>\$500.00</u>
<u>Each Additional Final Violation</u>	<u>\$1,000.00</u>

(d) Transfer of certification tag(s) from a certified installer to another certified installer without prior written approval of the department:

<u>First Final Violation</u>	<u>Warning</u>
<u>Each Additional Final Violation</u>	<u>\$250.00</u>

(e) Transfer of certification tag(s) from a certified installer to a noncertified installer:

<u>First Violation</u>	<u>\$250.00</u>
<u>Additional Violation to both Contractors in violation</u>	<u>\$1,000.00</u>

(f) Transfer of unused installer certification tags by a manufactured home retailer to a new ownership without prior written approval of the department:

<u>First Final Violation</u>	<u>Warning</u>
<u>Each Additional Final Violation</u>	<u>\$250.00</u>

Fees and Refunds

The following fees are payable to the department in advance:

Training and certification	\$260.00
Training only 10 hours	\$130.00
Manufactured/mobile home installation inspector training	\$130.00
Refund	\$26.00
Certification renewal	\$130.00
Continuing education class	\$52.00
Retake failed examination and training	\$39.00
Manufactured home installer training manual	\$13.00
Installer certification tag	\$9.10

(1) The department shall refund fees paid for training and certification or certification renewal as a manufactured home installer if the application is denied for failure of the applicant to comply with the requirements of chapter 43.22A RCW or these rules.

(2) If an applicant has paid fees to attend training or to take an examination and is unable to attend the scheduled training or examination, the applicant may:

- (a) Change to another scheduled training and examination; or
- (b) Request a refund.

(3) An applicant who fails the examination shall not be entitled to a refund.

[Statutory Authority: Chapter 43.22A RCW and 2009 c 464 [564]. WSR 10-06-043, § 296-150I-3000, filed 2/23/10, effective 4/1/10. Statutory Authority: Chapter 43.22A RCW and 2007 c 432. WSR 08-12-040, § 296-150I-3000, filed 5/30/08, effective 6/30/08.]