

Manufactured Home Quality Assurance Act  
[430 ILCS 117]

Section

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§430 ILCS 117/1 [Short title]

Section 1 Short title. This Act may be cited as the Manufactured Home Quality Assurance Act. (Source: P.A. 92-410, eff. 1-1-02.)

§430 ILCS 117/5 [Purpose]

Section 5 Purpose. The purpose of this Act is to ensure that the people of the State of Illinois who purchase manufactured homes receive a quality product and quality installation. (Source: P.A. 92-410, eff. 1-1-02.)

§430 ILCS 117/10 [Definitions]

Section 10 Definitions. In this Act:

"Department" means the Illinois Department of Public Health.

"Licensed installer" means a person who has successfully completed a manufactured home installation course approved by the Department and paid the required fees.

"Manufactured home" and "mobile home" mean a "manufactured home", as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. "Mobile home" means a factory-assembled, completely integrated structure, constructed on or before June 30, 1976, designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, that is a movable or portable unit that is constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it

is connected to utilities for year-round occupancy for use as a permanent habitation, and designed to be used as a dwelling with or without a permanent foundation and situated so as to permit its occupancy as a dwelling place for one or more persons. The terms "manufactured home" and "mobile home" shall include units otherwise meeting their respective definitions containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The terms "manufactured home" and "mobile home" exclude campers and recreational vehicles.

"Manufacturer" means a manufacturer of a manufactured home, whether the manufacturer is located within or outside of the State of Illinois.

"Mobile home" or "manufactured home" does not include a modular home.

"Mobile home park" means a tract of land or 2 contiguous tracts of land that contain sites with the necessary utilities for 5 or more mobile homes or manufactured homes. A mobile home park may be operated either free of charge or for revenue purposes.

(Source: P.A. 98-749, eff. 7-16-14; 99-750, eff. 8-5-16.)

§430 ILCS 117/15. [Enforcement of setup standards]

Section 15 Enforcement of setup standards. The Department is responsible for enforcing setup standards mandated by the United States Department of Housing and Urban Development as set forth in manufacturers' specifications pursuant to Section 3285.2(a) of Title 24 of the Code of Federal Regulations, 24 C.F.R. 3285.2(a). In the absence of manufacturer's specifications, the Department must provide installation standards.

(Source: P.A. 99-750, eff. 8-5-16.)

§430 ILCS 117/20 [Manufacturer's licenses; fees]

Section 20 Manufacturer's licenses; fees. No manufacturer may sell a manufactured home that is to be installed in the State of Illinois unless the Department has issued to that person a license under this Section. Each manufacturer's license issued or renewed is valid until December 31 of the year it was issued or renewed. The fee for the issuance and renewal of a manufacturer's license is \$500 per year.

(Source: P.A. 92-410, eff. 1-1-02.)

§430 ILCS 117/25 [Installation of home; installer's license; fees; display of license]

Section 25 Installation of home; installer's license; fees; display of license. All manufactured homes shall be installed under the immediate onsite supervision of a licensed manufactured home installer. The fee for the issuance and renewal of an installer's license is \$150 per year. In addition, a fee of \$50 shall be paid by the licensed installer responsible for the installation for each manufactured home installed as evidenced by the installers affixing of a Department-issued seal to the home and filing of an installation certificate with the Department. A licensed installer

shall provide proof of licensing at the installation site at all times during the installation. The licensed installer responsible for the installation shall disclose the place of manufactured home delivery and the name of the buyer to the Department. When the Department is required to inspect the installation of a manufactured home, a fee of \$395 shall be paid to the Department by the installer for each inspection made. When a Department-approved third party inspects the installation of a manufactured home, the installer shall pay an inspection fee not to exceed \$395 to the person performing the inspection. A report of the installation inspection shall be made in a manner prescribed by the Department. The Department shall by rule establish the qualifications and manner in which third parties may be approved to inspect manufactured housing inspections. (Source: P.A. 99-750, eff. 8-5-16.)

#### §430 ILCS 117/30 [Installer training]

Section 30 Installer training. Licensed installers must satisfactorily complete the Illinois Manufactured Housing Association setup course or other training approved by the Department. An installer who before January 1, 2002 has satisfactorily completed a setup course or other training approved by the Department is not required to complete any other course or training to qualify for a license under this Act. (Source: P.A. 92-410, eff. 1-1-02.)

#### §430 ILCS 117/35 [Deposit of funds]

Section 35 Deposit of funds. The Department must deposit all funds received under this Act into the Facility Licensing Fund.

#### §430 ILCS 117/40 [Oversight]

Section 40 Oversight.

- a) This Act is to be administered by the Department. The Department and other personnel as the Department considers necessary must perform the following duties:
  - 1) Issue manufacturer's licenses and collect fees.
  - 2) Issue installer's licenses and collect fees.
- b) The Department must serve as a liaison between the State, mobile home park owners, purchasers of mobile homes, dealers, manufacturers, and installers. The Department must receive and investigate complaints related to this Act for the purpose of obtaining non-binding resolution of conflicts between park owners, dealers, manufacturers, installers, and purchasers of mobile homes.
- c) There is created the Manufactured Housing Quality Assurance Board to consult and advise the Department. The Board must comprise 9 members as follows: (i)

The Director of the Department, or his or her designee, to serve as chairman; (ii) 3 residents of mobile home parks who have lived in mobile homes for at least 5 years; (iii) the president of a state association of mobile home owners or his or her representative; (iv) one mobile home park owner who has owned a mobile home park containing at least 20 sites for at least 5 years; (v) one licensed dealer; (vi) one licensed installer; and (vii) one licensed manufacturer. Each individual described in items (iv), (v), (vi), and (vii) must be an active member of either the Illinois Manufactured Housing Association or the Illinois Housing Institute.

- d) Members of the Board are appointed by the Governor for 3 year terms, except that, of the initial members, the terms of 3 members expire on December 31 of the year following the effective date of this Act and the terms of 3 other members expire on December 31 of the second year following the effective date of this Act. Members serve until their successors are appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed is appointed for the remainder of that term. The initial appointments commence on the effective date of this Act.
- e) The Board must meet at least 3 times each year. Additional meetings may be called by the Department. A majority of the members of the Board constitute a quorum. Each member of the Board must be compensated for travel expenses incurred in the performance of duties as a member of the Board in accordance with Section 12-2 of the State Finance Act.

f) The Department must promulgate rules to implement this Act.  
(Source: P.A. 92-410, eff. 1-1-02.)

#### §430 ILCS 117/45 [Penalties]

Section 45 Penalties. The Department may revoke a license issued under this Act for a period not to exceed 6 months for a violation of this Act. A licensee is entitled to a hearing in accordance with the Illinois Administrative Procedure Act prior to a revocation of his or her license.  
(Source: P.A. 92-410, eff. 1-1-02.)

#### §430 ILCS 117/50 [Injunctive relief]

Section 50 Injunctive relief. If the Department finds that any installer or manufacturer is operating without a valid license, the Director of the Department may request that the Attorney General file a complaint in circuit court in the name of the People of the State of Illinois to enjoin that installer or manufacturer from engaging in unlicensed activities.  
(Source: P.A. 92-410, eff. 1-1-02.)

#### §430 ILCS 117/55 [Exemption]

Section 55 Exemption. Nothing in this Act shall be construed to require a person who installs a new or used manufactured home on his or her own property outside a mobile home park as

defined in the Mobile Home Park Act to acquire an installer's license. However, said person may not hire anyone for the purpose of avoiding the licensure requirement. Such individual also waives any rights provided under this Act as a result of not using a licensed installer.

(Source: P.A. 92-410, eff. 1-1-02.)

#### §430 ILCS 117/60 [Exclusive State power or function]

Section 60 Exclusive State power or function. It is declared to be the public policy of this State, pursuant to paragraph (h) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government to which this Act applies, including home rule units, except as otherwise provided in this Act.

The Department may adopt all rules necessary to implement this Act. Such rules shall provide for the Department to inspect manufactured home installations, require correction of violations, and perform other duties mandated by the United States Department of Housing and Urban Development pursuant to Section 3286.803 of Title 24 of the Code of Federal Regulations, 24 C.F.R. 3286.803. The Department may require and approve non-governmental inspectors or inspection agencies, provided the Department shall at all times exercise supervisory control over such inspectors or agencies to insure effective and uniform enforcement consistent with the rules adopted by the Department.

(Source: P.A. 99-750, eff. 8-5-16.)

#### §430 ILCS 117/65 [Applicability]

Section 65. Applicability. This Act does not apply to home rule municipalities with a population in excess of 1,000,000 so long as exempt municipalities adopt rules to inspect manufactured home installations, require correction of violations, and perform other duties mandated by the United States Department of Housing and Urban Development pursuant to Section 3286.803 of Title 24 of the Code of Federal Regulations, 24 C.F.R. 3286.803. Exempt municipalities may require and approve non-governmental inspectors or inspection agencies, provided the exempt municipalities shall at all times exercise supervisory control over such inspectors or agencies to insure effective and uniform enforcement consistent with the rules adopted by the exempt municipalities.

(Source: P.A. 99-750, eff. 8-5-16.)

#### §430 ILCS 117/99 [Effective date]

Section 99 Effective date. This Act takes effect on January 1, 2002. Passed in the General Assembly May 23, 2001. Approved August 7, 2001.

(Source: P.A. 92-410, eff. 1-1-02.)