

230-RICR-30-15-1

TITLE 230 – DEPARTMENT OF BUSINESS REGULATION

CHAPTER 30 – COMMERCIAL LICENSING

SUBCHAPTER 15 – MOBILE AND MANUFACTURED HOMES

PART 1 – Mobile and Manufactured Homes

1.1 Authority

These Rules and Regulations governing mobile and manufactured homes (hereinafter referred to as the “Rules”) are adopted pursuant to the authority vested in the Director of the Department of Business Regulation of the State of Rhode Island under R.I. Gen. Laws § 31-44-1, *et seq.*, (the “Act”).

1.2 Purpose

The purpose of these Rules is to create standards and procedures for the issuance of licenses to operate mobile and manufactured home parks and to generally assist the Department of Business Regulation in carrying out the administration and enforcement of the terms and provisions of the Act so that the public interest may be effectively served.

1.3 Incorporated Materials

These regulations hereby adopt and incorporate 24 C.F.R. § 3280 (1993) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

1.4 Definitions

A. When used in these Rules, the following words, except as otherwise required by the context, shall have the following meanings:

1. “Applicant” means any Person filing an application for a License to operate a mobile and manufactured home park.
2. “Department” means the Department of Business Regulation.

3. "Director" means the Director of the Department of Business Regulation.
4. "Division" means the Division of Commercial Licensing and Regulation.
5. "License" means the Department license issued to an owner of a mobile home and manufactured home park in accordance with these Rules and the Act.
6. "Licensee" shall have the meaning provided in the Act.
7. "Mobile and Manufactured Home(s)" and "Home(s)" shall have the meaning provided in the Act.
8. "Mobile and Manufactured Home Park" shall have the meaning provided in the Act.
9. "Occupied Site" or "Site" means a lot on which a Mobile and Manufactured Home, a recreational vehicle, or any other similar type home or vehicle, by whatever name it may be called, is located, regardless of whether a Person or Persons currently reside therein.
10. "Person" means any individual, partnership, corporation, limited liability company, association, sole proprietorship, public or private organization or any other entity, however formed.

1.5 Licenses

- A. No person shall operate a Mobile and Manufactured Home Park without first obtaining a License from the Department. Any Person wishing to obtain a License shall make written application for such License on the forms prescribed by the Department. Before accepting the application for processing, the application shall be completed in full and shall be accompanied by a non-refundable fee per Occupied Site in the amount specified by the Act.
- B. Upon receipt of the License application, the Division shall review the application to determine if it is in compliance with the requirements of the Act and these Rules. The Division may require that the Applicant submit such additional information as the Division may deem necessary to enable it to complete its evaluation of the application.

- C. All licenses shall be effective for one (1) year from the date of issuance and may not be transferred without written permission from the Department.

1.6 Miscellaneous

- A. Every Licensee shall file a copy of his/her/its License, including any renewal thereof, with the clerk of the city or town in which the Mobile and Manufactured Home Park is located.
- B. Every Licensee shall maintain a definite address, either residential or commercial, which shall be used as an address of record on the application. Post office boxes shall not be used as an address, although they may be used in addition to a definite address, for mailing purposes only.
- C. Written notice shall be given to the Director by each Licensee within ten (10) days of any change in mailing, business or residences address, or any change in any information reported on the most recent application.
- D. The written fee schedule required by the Act, and all amendments thereto, shall be filed with the Department within three (3) days of publication.

1.7 Licensee Obligations

- A. In addition to the duties and obligations required by the Act, Licensees shall be required to:
 - 1. Provide sufficient electrical service to accommodate all Homes within the Park. Such service shall meet all applicable state and local electrical codes and must be a minimum of 100 amperes for all new Homes. Older Homes must have adequate electrical service sized to the individual Homes;
 - 2. Provide clean and potable water to each and every Home in the Park; adequate water pressure to allow for the ordinary day-to-day needs of all the Homes within the Park; water and sewer lines and connections in good working order; and in the event of an emergency, temporary water or sewer service as necessary;

3. Provide park roads that are graded and maintained in good condition and plowed in winter, and substantially free from all potholes, snow accumulation or other obstructions at all times;
4. Provide each resident of the Park with a list of telephone numbers to be used for normal Park business operations, maintenance and emergencies; and
5. Provide for retention and storage of all leases, disclosure statements and rules and regulations for at least four (4) years after any resident of the Park to whom they relate vacates the Park.

1.8 Tie Downs

- A. All United States Housing and Urban Development ("HUD") approved Homes built since the passage of the HUD Mobile Home Code of 1976 ("HUD Code"), incorporated above at § 1.3 of this Part, are required to be properly "tied down" according to the latest minimum standards established in the Rhode Island State Building Code (or by reference, the specified national building code). The Licensee is solely responsible for the provision of adequate, acceptable anchoring devices to which a resident may attach his or her Home. The resident is solely responsible for providing chains, cables and/or shackles, or other appropriate devices to connect the Home to these anchoring devices.
- B. All Existing Homes located in a Park that were built prior to the HUD Code, incorporated above at § 1.3 of this Part, are required to be anchored according to appropriate state building code standards upon resale. The Licensee is solely responsible for the provision of adequate, acceptable anchoring devices to which a resident may attach his or her Home. The resident is solely responsible for providing chains, cables, and/or shackles or other appropriate devices to connect the Home to these anchoring devices.

1.9 Land Use Changes

Any Licensee who makes or who had knowledge of an application of any type of request to any municipal, state or federal agency or other governmental entity with respect to any matter which may result in a change in the land use of a park shall give written notice of the application or request to all affected residents of the Park. The written notice shall clearly state the reasons for which the

application or request was filed and the name, address and telephone number of the governmental agency with which the application or request was filed.

1.10 Severability

If any provision of these Rules or the application thereof to any person of circumstance is held to be invalid, such invalidity shall not effect other provisions or application of these Rules which can be given effect without the invalid provision or application, and to this end the provisions are declared to be severable.

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**TITLE 230 - DEPARTMENT OF BUSINESS REGULATION
(INCLUDES THE OFFICE OF THE HEALTH INSURANCE
COMMISSIONER)**

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PART 1 - Mobile and Manufactured Homes (230-RICR-30-15-1)

Type of Filing: Technical Revision

Effective Date: 12/19/2001

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