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**TITLE 879 MANUFACTURED HOME INSTALLER
LICENSING BOARD**

Proposed Rule
LSA Document #04-272

DIGEST

Adds 879 IAC to establish definitions, educational and licensing requirements, license renewal requirements, fees, continuing education requirements, standards for the competent performance of home installers, and a code of ethics. Effective 30 days after filing with the secretary of state.

879 IAC

SECTION 1. 879 IAC IS ADDED TO READ AS FOLLOWS:

TITLE 879 MANUFACTURED HOME INSTALLER LICENSING BOARD

ARTICLE 1. GENERAL PROVISIONS

Rule 1. Definitions

879 IAC 1-1-1 Applicability

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 1. The definitions in this rule apply throughout this article. (*Manufactured Home Installer Licensing Board; 879 IAC 1-1-1*)

879 IAC 1-1-2 "Board" defined

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7-3-1

Sec. 2. "Board" means the manufactured home installer licensing board established by IC 25-23.7-3-1. (*Manufactured Home Installer Licensing Board; 879 IAC 1-1-2*)

879 IAC 1-1-3 "Installation" or "install" defined

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 3. "Installation" or "install" means the following:

- (1) The construction, whether temporary or permanent, of a structural support system for a manufactured home.**
- (2) The placement or erection of a manufactured home or manufactured home components on a structural support system.**
- (3) Supporting, blocking, leveling, securing, anchoring, or adjusting any structural component of a manufactured home.**
- (4) The connection of multiple or expandable sections or components of a manufactured home.**

(*Manufactured Home Installer Licensing Board; 879 IAC 1-1-3*)

879 IAC 1-1-4 "Installer" defined

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 4. “Installer” means an individual who contracts to install or installs a manufactured home. *(Manufactured Home Installer Licensing Board; 879 IAC 1-1-4)*

879 IAC 1-1-5 “Licensee” defined

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 5. “Licensee” means an individual who installs manufactured homes and is licensed under this article. *(Manufactured Home Installer Licensing Board; 879 IAC 1-1-5)*

879 IAC 1-1-6 “Manufactured home” defined

Authority: IC 25-23.7-3-8

Affected: IC 22-12-1-14; IC 25-23.7

Sec. 6. “Manufactured home” means a structure, transportable in one (1) or more sections, that:

(1) in the traveling mode, is:

(A) eight (8) body feet or more in width; or

(B) forty (40) body feet or more in length; or

(2) when erected on site, is:

(A) three hundred twenty (320) or more square feet; and

(B) built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities;

and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term does not include industrialized building systems as defined in IC 22-12-1-14. *(Manufactured Home Installer Licensing Board; 879 IAC 1-1-6)*

Rule 2. Minimum Standards of Competent Practice

879 IAC 1-2-1 Manufactured home installers

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 1. (a) A manufactured home installer’s license entitles its holder to install manufactured homes on a contract or subcontract basis for manufacturers, dealers, or home purchasers. All work must be in compliance with all applicable federal and state statutes, regulations, and standards. Work authorized by the manufactured home installer’s license is limited to the following:

(1) Transportation of the manufactured home from the dealership to the site.

(2) Site preparation.

(3) Physical placement of the manufactured home on the site.

(4) Physical connection of sections and structural, nonstructural, and mechanical components of the manufactured home.

(5) Installation of the following:

(A) Foundation system.

(B) Piers.

(C) Blocking work.

(D) Ground anchors.

(E) Tiedown straps.

(F) Leveling.

(G) Vapor barriers.

(H) Prefabricated steps.

(b) Electric, water, sewer, and gas utilities must not be connected until the manufactured home is properly blocked and leveled.

(c) Installation will not be considered complete until all systems are functioning. *(Manufactured Home Installer Licensing Board; 879 IAC 1-2-1)*

879 IAC 1-2-2 Manufactured home installation requirements

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 2. Manufactured home installers shall do manufactured home installation in compliance with the following:

(1) 410 IAC 6-6, mobile home park sanitation and safety, as adopted by the Indiana state department of health.

(2) 675 IAC 14-4.2, Indiana residential code, as adopted by the fire prevention and building safety commission.

(Manufactured Home Installer Licensing Board; 879 IAC 1-2-2)

879 IAC 1-2-3 Advertising

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 3. Advertising by a manufactured home installer shall not misrepresent facts. *(Manufactured Home Installer Licensing Board; 879 IAC 1-2-3)*

Rule 3. Code of Ethics

879 IAC 1-3-1 Code of ethics

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 1. (a) This rule establishes requirements concerning ethical principles and unprofessional conduct in the practice of installation of manufactured homes.

(b) The ethics to be observed by licensed manufactured home installers shall be as follows:

(1) Maintain a high standard of professional ethics.

(2) Maintain a position of truth and integrity in dealing with customers and the public.

(3) Maintain a policy of civic responsibility and cooperation in the community.

(4) Maintain an attitude of constant cooperation with an interest in local, state, and federal laws.

(5) Maintain a policy of prompt and efficient service of all legitimate complaints.

(6) Maintain a policy of complete compliance with all existing laws and regulations governing the business operation.

(7) Maintain a program of constant improvement of the products and the business interests.

(8) Maintain the present and promote the future welfare and best interests of the citizens of Indiana.

(Manufactured Home Installer Licensing Board; 879 IAC 1-3-1)

Rule 4. Fees and Licensing Requirements

879 IAC 1-4-1 Fees

Authority: IC 25-1-8-2; IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 1. The board shall charge and collect the following fees, which shall all be nonrefundable and nontransferable:

(1) For review of an application for licensure and issuance of a license as a manufactured home installer, one hundred fifty dollars (\$150).

(2) For the quadrennial renewal of the license to practice as a manufactured home installer, fifty dollars (\$50) payable before December 31 of every fourth year.

(3) For renewal of an expired license to practice as a manufactured home installer, fifty dollars (\$50), plus the unpaid renewal.

(4) For a duplicate or replacement license to practice as a manufactured home installer, twenty-five dollars (\$25).

(5) For a replacement pocket card to practice as a manufactured home installer, ten dollars (\$10).

(6) For verification of licensure to another state or jurisdiction, ten dollars (\$10).

(Manufactured Home Installer Licensing Board; 879 IAC 1-4-1)

879 IAC 1-4-2 Licensing educational requirements; hours of classroom instruction

Authority: IC 25-23.7-3-8

Affected: IC 25-1-11; IC 25-23.7

Sec. 2. (a) A manufactured home installer course shall consist of at least eight (8) hours of classroom instruction in the following:

- (1) A minimum of two (2) hours in Indiana law in the following subject areas:
 - (A) IC 25-23.7, Indiana manufactured home installer's act.
 - (B) IC 25-1-11, professional licensing standards of practice.
 - (C) 675 IAC 14-4.2, Indiana residential code, as adopted by the fire prevention and building safety commission.
 - (D) 410 IAC 6-6, mobile home park sanitation and safety, as adopted by the Indiana state department of health.
 - (E) Applicable federal and Indiana statutes, rules, and regulations governing manufactured home installation.
- (2) A minimum of one-half (½) hour in professional ethics.
- (3) A minimum of two (2) hours in installation manual in the following subject areas:
 - (A) Manufacturer's installation manuals and requirements.
 - (B) Preparation of manufactured housing sites.
 - (C) Installation of foundation systems.
- (4) A minimum of two (2) hours in safety in the following subject areas:
 - (A) Blocking, perimeter support, and leveling of manufactured homes.
 - (B) Structural connections of sections and major components.
 - (C) Installation of anchoring systems and components.
 - (D) Installation of vapor barriers, curtain walls, access, and ventilation for crawlspace areas.
- (5) A minimum of one-half (½) hour in utility connections between sections in the following subject areas:
 - (A) Electrical connections between sections.
 - (B) Plumbing connections between sections.
 - (C) Mechanical equipment connections between sections.
 - (D) Gas equipment and appliance connections within the home.
 - (E) Connections of vents, ducts, carpet, and other nonstructural components.

(b) One (1) hour of licensing education must contain sixty (60) minutes of actual instruction.

(c) All attendance shall be in the same course.

(d) A makeup class must be:

- (1) completed during a regular class session; and
- (2) sponsored by the provider in which the student was enrolled.

(Manufactured Home Installer Licensing Board; 879 IAC 1-4-2)

Rule 5. Insurance and Surety Bond

879 IAC 1-5-1 Insurance and surety bond

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7-5

Sec. 1. (a) In addition to meeting the requirements in IC 25-23.7-5 and 879 IAC 1-4, at the time of making application, an applicant for a manufactured home installer license must submit either of the following:

- (1) Proof of insurance issued by an insurance company authorized to transact business in Indiana showing that the applicant, either directly or through the applicant's employer, is covered by a policy of general liability insurance with products/completed operations coverage in the minimum amount of one hundred thousand dollars (\$100,000) per occurrence, one million dollars (\$1,000,000) aggregate.
- (2) Post with the board a surety bond that:
 - (A) names the applicant as the principal;
 - (B) obligates the surety in the amount of one hundred thousand dollars (\$100,000) to the board in favor of the state;
 - (C) requires the principal, if granted a license, to install manufactured homes in conformance with the manufacturer's installation manual and to observe all applicable federal, state, and local statutes and regulations; and
 - (D) authorizes the board to declare the bond in default and to levy against the surety and the principal under the bond

for the payment of actual damages to any person who is harmed as a result of the principal's violation of the requirements described in clause (C).

(b) The applicant shall immediately notify the board of any change in, or termination of, the insurance coverage or surety bond coverage submitted with the application and provide the board with evidence of substitute coverage.

(c) Upon a licensee's failure to comply with this section, the license of the licensee shall be suspended. A license suspended under this subsection may not be reinstated until the applicant has provided proper proof of insurance to the board. *(Manufactured Home Installer Licensing Board; 879 IAC 1-5-1)*

Rule 6. Licensing Education and Continuing Education Course Providers; General Requirements

879 IAC 1-6-1 Application for licensing education and continuing education course provider approval; content

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 1. (a) Any manufactured home installer licensing education or continuing education course provider seeking approval as a course provider shall:

- (1) make written application for approval, on a form provided by the board; and**
- (2) submit such documents, statements, and forms as:**
 - (A) required by the board; and**
 - (B) may be reasonably necessary to establish whether the course complies with the requirements of this article.**

(b) The application shall include the following:

- (1) The name and address of the licensing education or continuing education course provider.**
- (2) A list of each course offered.**
- (3) The name, address, and telephone number of the contact person for the licensing education or continuing education course provider.**

(c) To receive approval of a course, licensing education or continuing education course provider applicants must submit the following:

- (1) A course content outline meeting the requirements of:**
 - (A) 879 IAC 1-4-2 for licensing education requirements; or**
 - (B) 879 IAC 1-8-3 for continuing education requirements;**describing each subject to be offered during the approval period.
- (2) A clearly expressed course objective.**
- (3) The name and professional biography of the instructors that shows that the instructors possess special skills or knowledge of the subject being presented and have at least one (1) of the following minimum qualifications:**
 - (A) An instructor of manufactured home installation teaching at:**
 - (i) an accredited institution of higher education in the United States; or**
 - (ii) a comparable school of a foreign country.**
 - (B) Have a college degree related to the material that the person is to teach.**
 - (C) Five (5) years full-time experience in a profession, trade, or technical occupation related to the material being taught.**
- (4) The number of hours of licensing education or continuing education to be granted for each course.**
- (5) A sample course:**
 - (A) evaluation form; and**
 - (B) completion certificate.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-6-1)

879 IAC 1-6-2 Certifications of completion

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 2. Licensing education or continuing education course providers shall provide the student who successfully completes an approved licensing education or continuing education course a certification of course completion that must include the

following information:

- (1) The name, telephone number, and address of the licensing education or continuing education provider.**
- (2) The name and the Indiana license number, if applicable, of the participant.**
- (3) The title of the course.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-6-2)

879 IAC 1-6-3 Course records

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 3. Each approved licensing education or continuing education course provider must maintain records of students who successfully complete the course of study for a minimum of seven (7) years. The records must include the following:

- (1) Attendance records.**
- (2) Course material evaluations.**
- (3) Instructor and course evaluations.**
- (4) Duplicate copies of completion certificates or the ability to reproduce duplicate completion certificates.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-6-3)

879 IAC 1-6-4 Course and instructor evaluations

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 4. (a) Each manufactured home installer licensing education course or continuing education course shall have a written course evaluation consisting of questions to appropriately evaluate the overall course.

(b) Licensing education or continuing education course providers are required to survey their students at the end of each course. The survey shall include information regarding the following:

- (1) The quality of instruction.**
- (2) The appropriateness of materials.**
- (3) Other information that will properly evaluate the course.**

(c) Evaluations must be made available for inspection by the board upon request. *(Manufactured Home Installer Licensing Board; 879 IAC 1-6-4)*

879 IAC 1-6-5 Facilities

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 5. (a) The premises, equipment, and facilities of the approved licensing education or continuing education course provider shall comply with all local, city, county, and state regulations, such as fire, building, and sanitation codes. The premises must also accommodate Americans with disabilities.

(b) Licensing education or continuing education courses shall be taught in a facility with adequate space, seating, equipment, and instructional material to accommodate the number of students enrolled.

(c) Approved licensing education or continuing education course providers shall prohibit the serving or obtaining of alcoholic beverages in the classroom and any other area that the student would have access to during the time class is in session, including breaks, such as the restroom and hallways.

(d) Subsection (c) shall not be interpreted to prohibit the use of facilities, such as hotels, motels, and convention centers, where alcoholic beverages are sold in separate rooms. *(Manufactured Home Installer Licensing Board; 879 IAC 1-6-5)*

879 IAC 1-6-6 Student fees; cancellation of course sessions

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 6. (a) The cost of textbooks, supplemental texts, and required materials shall be included in the course fee. Disclosure of the full cost of the course, including tuition, books, and required materials, must be made to the student before enrollment.

(b) Each approved licensing education or continuing education course provider shall establish a refund policy, which is included in all printed material related to the offering of the course. The refund policy shall be available for review and acceptance by the student at the time of enrollment. (Manufactured Home Installer Licensing Board; 879 IAC 1-6-6)

879 IAC 1-6-7 Advertising

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 7. No licensing education or continuing education course provider conducting a course of study shall advertise or make any reference in its advertising, promotional material, brochures, and/or registration forms that it is:

- (1) endorsed by;**
- (2) recommended by;**
- (3) accredited by; or**
- (4) affiliated with;**

the board. However, the licensing education or continuing education course provider may state that the course being presented has been approved by the board. (Manufactured Home Installer Licensing Board; 879 IAC 1-6-7)

879 IAC 1-6-8 Licensing education and continuing education course provider prohibitions

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 8. Licensing education or continuing education course providers are prohibited from the following:

- (1) Giving materially inaccurate or misleading information in an application for licensing education or continuing education course provider approval or an annual report.**
- (2) Deliberately falsifying or misrepresenting any information supplied to the board or the public.**
- (3) Having substantially failed to comply with the provisions of any contract or agreement entered into with a student.**
- (4) Failing to allow the board or its designee to inspect the licensing education or continuing education course or its records or failing to make available such information as required by this article.**
- (5) Violating IC 25-23.7 or this title.**
- (6) Failing to notify the board within thirty (30) days of the termination of its relationship with an instructor.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-6-8)

879 IAC 1-6-9 Instructors prohibitions

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 9. (a) An approved manufactured home installer licensing education or continuing education course provider is prohibited from hiring, or retaining in its employ, an instructor who has:

- (1) had a manufactured home installer license revoked or suspended by any state or federal manufactured home installer licensing agency;**
- (2) been convicted of a crime that has a direct bearing on the individual's ability to competently instruct, including, but not necessarily limited to, violations of manufactured home installer laws and abuse of fiduciary responsibilities; or**
- (3) falsely certified hours of attendance for any student.**

(b) Any instructor whose professional license or certification is under sanction by any state or federal manufactured home installer licensing agency may not instruct in an approved licensing education or continuing education program while the disciplinary sanction is in effect. (Manufactured Home Installer Licensing Board; 879 IAC 1-6-9)

879 IAC 1-6-10 Notification of changes

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 10. All approved licensing education or continuing education course providers shall advise the board within thirty (30) days after any significant changes in their operation. Significant changes include, but are not limited to, the following:

- (1) Going out of business.**
- (2) A change in the address or phone number of the licensing education or continuing education course provider.**
- (3) A change in the name, address, or telephone number of the contact person.**
- (4) Adding a new instructor.**
- (5) Changes in course outline.**
- (6) Any course addition or deletion.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-6-10)

879 IAC 1-6-11 Review and investigation of approved licensing education or continuing education course providers

Authority: IC 25-23.7-3-8

Affected: IC 25-1-11; IC 25-23.7

Sec. 11. (a) An approved licensing education or continuing education course provider may be asked to:

- (1) provide specific information;**
- (2) answer questions; or**
- (3) appear before the board or its designee;**

for the purpose of determining compliance with this article.

(b) The board or its designee may, at any time, review or investigate, or both, any matter concerning any course or applicant for licensing education or continuing education course provider approval to determine compliance with this article.

(c) The method of review shall be determined by the board in each case and will generally consist of the following:

(1) Consideration of information available from applicable:

- (A) federal, state, or local agencies;**
- (B) private organizations or agencies; or**
- (C) interested persons.**

(2) Conferences with:

- (A) the licensing education or continuing education course provider director and other representatives of the licensing education or continuing education course provider involved; or**
- (B) former students of the licensing education or continuing education course provider.**

(d) The board may require a background check on the licensing education or continuing education provider's personnel, including a criminal history check. *(Manufactured Home Installer Licensing Board; 879 IAC 1-6-11)*

879 IAC 1-6-12 Discipline for noncompliance

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-1-11; IC 25-23.7

Sec. 11. Licensing education or continuing education course providers who are found not to be in compliance with this rule are subject to being disciplined under IC 25-1-11. *(Manufactured Home Installer Licensing Board; 879 IAC 1-6-12)*

Rule 7. Renewal

879 IAC 1-7-1 Renewal of a manufactured home installer license

Authority: IC 25-23.7-3-8

Affected: IC 25-23.7

Sec. 1. (a) A manufactured home installer license issued under this article shall expire January 1 of every fourth year.

(b) To renew a license, an individual must do the following:

- (1) Pay the fee required by 879 IAC 1-4-1.**
- (2) Complete an application for renewal on a form provided by the board.**
- (3) Satisfactorily complete the continuing education required by 879 IAC 1-8.**

- (4) Submit a certification or proof of continuation of the insurance coverage or surety bond required by 879 IAC 1-5.**
- (5) Sign a statement under penalty of perjury that:**
 - (A) the hours submitted are correct;**
 - (B) the licensee attended and completed the courses taken; and**
 - (C) to the best of the licensee's knowledge, the courses completed meet the requirements of 879 IAC 1-8.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-7-1)

879 IAC 1-7-2 Renewal of licensing education or continuing education course providers

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 2. Licensing education or continuing education course provider approval will expire on December 31 of every year. To obtain renewal of the licensing education or continuing education course provider approval, the provider must submit a letter to the board requesting such renewal by October 31. This letter must detail any changes made in the:

- (1) course topics;**
- (2) materials;**
- (3) instructors; or**
- (4) other information required by 879 IAC 1-6.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-7-2)

Rule 8. Continuing Education

879 IAC 1-8-1 Continuing education requirements

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 1. (a) Manufactured home installers must complete twelve (12) hours of continuing education in order to qualify for renewal of an active license.

(b) The number of continuing education hours that a licensee must obtain for the renewal period at the time of issuance of a new license shall be established by section 11 of this rule. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-1)*

879 IAC 1-8-2 Courses from approved continuing education providers

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 2. Hours of continuing education will be granted to manufactured home installers who have successfully completed courses offered by manufactured home installer continuing education course providers approved under 879 IAC 1-6. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-2)*

879 IAC 1-8-3 Continuing education topics

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-1-11; IC 25-23.7

Sec. 3. (a) To qualify for renewal, a manufactured home installer must complete twelve (12) hours of continuing education in any of the following topics:

- (1) IC 25-23.7, Indiana manufactured home installer licensing act.**
- (2) IC 25-1-11, professional licensing standards of practice.**
- (3) 879 IAC 1-2, competent practice of manufactured home installation.**
- (4) 879 IAC 1-3, code of ethics.**
- (5) 675 IAC 14-4.2, Indiana residential code, as adopted by the fire prevention and building safety commission.**
- (6) 410 IAC 6-6, mobile home park sanitation and safety, as adopted by the Indiana state department of health.**
- (7) Applicable federal and Indiana statutes, rules, and regulations governing manufactured home installation.**
- (8) Manufacturer's installation manuals and requirements.**
- (9) Preparation of manufactured housing sites.**

- (10) Installation of foundation systems.
- (11) Blocking, perimeter support, and leveling of manufactured homes.
- (12) Structural connections of section and major components.
- (13) Installation of anchoring systems and components.
- (14) Installation of vapor barriers, curtain walls, access, and ventilation for crawlspace areas.
- (15) Electrical connections between sections.
- (16) Plumbing connections between sections.
- (17) Mechanical equipment connections between sections.
- (18) Gas equipment and appliance connections within the home.
- (19) Connections of vents, ducts, carpet, and other nonstructural components.

(b) The twelve (12) hours of continuing education must include the following:

- (1) Professional ethics.
- (2) Indiana statutes, rules, and regulations governing manufactured home installers.

(Manufactured Home Installer Licensing Board; 879 IAC 1-8-3)

879 IAC 1-8-4 Continuing education credit not given

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 4. Continuing education credit will not be given for any of the following:

- (1) Any education obtained prior to licensure.
- (2) Approved licensing education courses under 879 IAC 1-4-2.
- (3) Courses taken for a second or subsequent time during a renewal period.
- (4) Courses or seminars not completed. Partial credit may not be given.
- (5) Courses not completed due to dismissal by the continuing education provider for disruption of the course, such as the following:
 - (A) Reading newspapers.
 - (B) Talking on mobile telephones.
 - (C) Anything other than paying attention during the course.
- (6) Meetings of the manufactured home installer licensing board.
- (7) Training conducted during eating periods.
- (8) Motivational classes or seminars.
- (9) Business, social, or other noneducational meetings of professional groups or subgroups.

(Manufactured Home Installer Licensing Board; 879 IAC 1-8-4)

879 IAC 1-8-5 Retention of certificates of completion

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 5. Manufactured home installers shall retain course completion certificates for not less than five (5) years from the date of the course. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-5)*

879 IAC 1-8-6 Continuing education hours

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 6. (a) Hours of continuing education earned in one (1) renewal period may not be used in a subsequent renewal period.

(b) Any continuing education credit accumulated above the minimum requirement for a four (4) year licensure period may not be carried forward to the next four (4) year licensure period. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-6)*

879 IAC 1-8-7 Credit for instructors

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 7. A continuing education instructor shall be entitled to continuing education credit for courses the instructor teaches. However, an instructor may not:

- (1) be credited for more than four (4) hours of credit for instructing in any four (4) year licensure period; or**
- (2) receive credit for repeated courses.**

(Manufactured Home Installer Licensing Board; 879 IAC 1-8-7)

879 IAC 1-8-8 Inactive status

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 8. Manufactured home installers may apply to the board to renew their licenses in an inactive status. No continuing education is required to renew inactive. An inactive manufactured home installer may not practice manufactured home installation while in inactive status. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-8)*

879 IAC 1-8-9 Reactivation of an inactive license

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 9. (a) To reactivate an inactive license, a manufactured home installer must apply to the board for the reactivation on the application form supplied by the board.

(b) Manufactured home installers who have been inactive at the date of the reactivation application is filed must submit proof of completion of twelve (12) hours of continuing education within the four (4) year period immediately before the date the reactivation application is filed.

(c) Continuing education hours obtained by a licensee to reactivate an inactive license cannot be double counted by also using them for credit in the renewal period in progress. The continuing education requirements for the renewal period in progress are stated in section 11 of this rule. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-9)*

879 IAC 1-8-10 Reinstatement of an expired or lapsed license

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 10. (a) An individual whose license has expired or lapsed and wishes to reenter the practice of manufactured home installation must file an application to renew the expired or lapsed license. The application shall be accompanied by the following:

- (1) The payment of the fee required to renew the quadrennial license specified in 879 IAC 1-4-1.**
- (2) Evidence of completion of the twelve (12) hours of continuing education hours prior to filing the application.**

(b) The continuing education hours required under subdivision (a)(2) must:

- (1) have been obtained no earlier than four (4) years prior to the date the application for reentry is filed; and**
- (2) meet the requirements established in this rule.**

(c) Continuing education obtained by a licensee to renew an expired or lapsed license under this section cannot be double counted by also using them for credit in the renewal period in progress. The continuing education requirements for the renewal period in progress at the time of reinstatement are stated in section 11 of this rule. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-10)*

879 IAC 1-8-11 Continuing education required after reactivation or reinstatement

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 11. The following table establishes the number of continuing education hours that a licensee must obtain for the four

(4) year licensure period in progress at the time of the issuance, reactivation, or reinstatement of a license under sections 1, 9, and 10 of this rule:

Date of Issuance of License	Hours Required to Renew
January 1 – June 30 of the first year	12
July 1 – December 31 of the first year	10
January 1 – June 30 of the second year	8
July 1 – December 31 of the second year	6
January 1 – June 30 of the third year	4
July 1 – December 31 of the third year	2
January 1 – June 30 of the fourth year	2
July 1 – December 31 of the fourth year	0

(Manufactured Home Installer Licensing Board; 879 IAC 1-8-11)

879 IAC 1-8-12 Waiver of continuing education

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-23.7

Sec. 12. (a) Manufactured home installers who are unable to meet the continuing education requirements because they:

- (1) serve in the armed forces of the United States;
- (2) have an incapacitating illness or injury that prevented either part-time or full-time employment; or
- (3) reside outside of the United States of America;

may petition the board, in writing, to have a reduction or waiver of the continuing education requirements.

(b) Manufactured home installers who receive a reduction in the continuing education hours under subsection (a) must make up those hours in the next licensure period. Those hours will be in addition to the hours otherwise required for the next licensure period. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-12)*

879 IAC 1-8-13 Audit of continuing education compliance

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5

Affected: IC 25-1-11; IC 25-23.7

Sec. 13. (a) The board may conduct audits of manufactured home installers and providers for continuing education compliance. For any purpose of this section, the board may designate a board member or staff member to act on behalf of or in the name of the board.

(b) If, as a result of an audit or other review, the board determines that hours of continuing education a manufactured home installer has claimed do not meet the requirements of IC 25-23.7-6-5 and this article, the board shall notify the manufactured home installer of that determination.

(c) A manufactured home installer, who has been notified under subsection (b), may, within thirty (30) days, submit information to the board giving all the substantive reasons in support of the manufactured home installer's position that an adequate number of hours of continuing education have been completed.

(d) A manufactured home installer who submits false information shall be subject to the sanctions provided for under IC 25-1-11.

(e) Manufactured home installers who are found not to be in compliance will be subject to discipline under IC 25-1-11. *(Manufactured Home Installer Licensing Board; 879 IAC 1-8-13)*

Rule 9. Distance Learning Continuing Education

879 IAC 1-9-1 "Distance education" defined

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5
Affected: IC 25-23.7

Sec. 1. (a) As used in this rule, “distance education” means a course in which instruction does not take place in a traditional classroom setting but rather through other media where the educator and student are separated by distance and sometimes by time.

(b) Methods of distance learning education include, but are not limited to, the following:

- (1)** Education by correspondence.
- (2)** Video instruction.
- (3)** Internet education.

(c) “Provider” means an individual or company that creates and delivers continuing education by distance learning methods. *(Manufactured Home Installer Licensing Board; 879 IAC 1-9-1)*

879 IAC 1-9-2 Distance education courses and providers

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5
Affected: IC 25-23.7

Sec. 2. (a) The board must approve continuing education courses offered by a distance learning method and the provider of the distance learning method.

(b) A licensee must complete the distance education course within one (1) year of the date of enrollment.

(c) Course subjects allowed under 879 IAC 1-8-3 may be taken through distance learning. However, a maximum of fifty percent (50%) (six (6)) of continuing education courses will be credited toward the twelve (12) hour requirement.

(d) The board must approve a distance education course if the board determines to its satisfaction the following:

- (1)** The distance education course serves to protect the public by contributing to the maintenance and improvement of the quality of the services provided by the manufactured home installer continuing education provider to the public.
- (2)** An appropriate and complete application has been filed and approved by the board.
- (3)** The distance education course meets the content requirements as prescribed in 879 IAC 1-8-3.
- (4)** The distance education course or courses meet all other requirements as prescribed in the statutes and rules that govern the operation of approved courses.

(Manufactured Home Installer Licensing Board; 879 IAC 1-9-2)

879 IAC 1-9-3 Approval of distance education course and provider

Authority: IC 25-23.7-3-8; IC 25-23.7-6-5
Affected: IC 25-23.7

Sec. 3. In order for a distance education course to be approved for credit, the continuing education course provider shall submit the following information:

(1) For course design, the following:

(A) A plan for submitting substantial changes in the course to the board. Substantial changes include, but are not limited to, the following:

- (i)** Expanded or reduced course content.
- (ii)** Changes in the time allotments for portions of the course.
- (iii)** Changes or redirect learning objectives.
- (iv)** A change of instructor.
- (v)** Changes in the course delivery method.

(B) A course may provide a test, and the participant must score at least seventy-five percent (75%) to pass and receive credit for the class. Tests may have any combination of multiple choice, true or false, fill-in, or essay questions with at least twenty (20) questions per two (2) hours of instruction. If a test is not used, an alternate method of timing the licensee’s participation must be provided to verify completion of the course.

(2) For course delivery, the following:

- (A) The names and qualifications for each continuing education provider and instructor of the course offered by distance learning methods and their credentials, including any specific training for teaching via the specified delivery method as well as a plan for their continued professional development.**
- (B) An identity affirmation statement is required. The licensee is required to sign the statement before any certificate of completion for distance learning is issued.**
- (C) A plan for sufficient security to:**
 - (i) ensure against fraudulent practices;**
 - (ii) protect the licensee's identification information; and**
 - (iii) verify that the student enrolled in the course is the one who completes the course and any required tests.**
- (3) For licensee support services, information about the course, if applicable, including the following:**
 - (A) Broadcasts and distance site locations.**
 - (B) Faculty contact information.**
 - (C) Course outline and learning objectives.**
 - (D) Testing and grading information.**
 - (E) Guidelines regarding what constitutes successful completion of the course.**
 - (F) Homework assignments and deadlines.**
 - (G) Fees and refunds.**
 - (H) Prerequisites for the course.**
 - (I) A list of required student materials.**
 - (J) A list of other support services made available to the students.**
- (4) For evaluation and assessment, an evaluation form, which solicits licensee feedback on the following:**
 - (A) The delivery approach.**
 - (B) The equipment.**
 - (C) Suggestions for class improvement.**
 - (D) Their overall satisfaction with the course.**

It is required that every licensee in a distance education course be provided an evaluation form at the conclusion of the course.

(Manufactured Home Installer Licensing Board; 879 IAC 1-9-3)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on February 22, 2005 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Manufactured Home Installer Licensing Board will hold a public hearing on a proposed rule to establish definitions, educational and licensing requirements, license renewal requirements, fees, continuing education requirements, standards for the competent performance of home installers, and a code of ethics. Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E034 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Kimberly Garver
Deputy Director
Professional Licensing Agency