

ALABAMA MANUFACTURED HOUSING COMMISSION
ADMINISTRATIVE CODE

CHAPTER 535-X-18
DISPUTE RESOLUTION PROGRAM

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535-X-18-.01 Purpose.

To provide a dispute resolution process for manufactured housing in Alabama.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, §24-6-4.

History: New Rule: Filed December 6, 2002; effective January 10, 2003.

535-X-18-.02 Definitions.

As used in this regulation, the Commission hereby adopts and incorporates by reference thereto the definitions in the National Manufactured Housing Improvement Act (MHIA) of 2000; the Code of Ala. 1975, Sections 24-4A-2, 24-5-2, 24-5-31; and Chapters 535-X-10 through 535-X-17 of the Alabama Manufactured Housing Commission Rules and Regulations.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, §24-6-4.

History: New Rule: Filed December 6, 2002; effective January 10, 2003.

535-X-18-.03 Administration.

This dispute resolution program will be administered by the Alabama Manufactured Housing Commission (AMHC) Administrator with advice and assistance from the Commission Attorney. The Administrator will assign specific duties to employees of the AMHC as necessary to

ensure that disputes are handled and resolved in a timely and efficient manner.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, §24-6-4.

History: New Rule: Filed December 6, 2002; effective January 10, 2003.

535-X-18-.04 Process For MHIA Of 2000 Requirement.

(1) Disputes between manufacturers, retailers, and installers of manufactured homes regarding their responsibility for defects in new manufactured homes that are reported during the 1-year period beginning on the date of installation will be resolved by the Commission through either of the following procedures:

(a) Based upon an investigation and determination of information received from any credible source concerning defects in a new manufactured home, the Administrator will issue appropriate written orders for the correction of defects in manufactured homes to a manufacturer, an installer, or a retailer.

(b) Disputes that are not resolved in the above procedure shall be resolved through an on-site inspection or an administrative hearing. Administrative costs may be required to be paid to AMHC by the party determined to be responsible.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, §24-6-4.

History: New Rule: Filed December 6, 2002; effective January 10, 2003.

535-X-18-.05 Process For Resolving Other Disputes.

(1) Disputes pertaining to other state or federal regulatory requirements will be resolved by the Commission as follows:

(a) Based upon an investigation and determination, the Administrator shall fix responsibility and issue an order for appropriate corrections to be made.

(b) Disputes may be resolved, if necessary, through an on-site inspection or an administrative hearing. Administrative costs may be required to be paid to the AMHC by the party determined to be responsible.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, §24-6-4.

History: New Rule: Filed December 6, 2002; effective January 10, 2003.

535-X-18-.06 Corrections.

(1) Corrections shall be completed within the specified period of time, normally twenty (20) days after receipt, or written justification must be provided to the Commission no later than the specified completion date. The Administrator may approve a written request for an extension of time.

(2) When corrections or repairs of defects are completed, the responsible member of the industry shall forward to the Commission a signed letter or memorandum along with documentation certifying corrections have been made.

(3) Once the Commission receives documentation indicating corrections have been completed, the homeowner will be contacted for verification. If there is still a conflict, the Commission will schedule an on-site inspection to resolve the dispute; then the file may be closed. The responsible party may be required to pay the Commission's expenses for the inspection.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, §24-6-4.

History: New Rule: Filed December 6, 2002; effective January 10, 2003.

535-X-18-.07 Penalties And Appeals.

(1) Failure to comply with the provisions of this chapter may result in the suspension or revocation of certifications or licenses. It may also result in other penalties set forth in current federal or state laws, rules or regulations pertaining to manufactured housing.

(2) An administrative hearing or an on-site inspection may be requested in writing by an installer, retailer, manufacturer, homeowner, park owner, or other affected party within ten (10) days of any adverse notice from the Commission. An administrative or inspection fee may be required.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, §24-6-4.

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