TITLE 11 – DEPARTMENT OF INSURANCE

Notice *is hereby given in accordance with G.S. 150B-21.3A(c)(2)g that the Manufactured Housing Board intends to readopt with substantive changes the rules cited as 11 NCAC 08 .0901- .0907, .0909- .0912, .1401, .1432, and readopt without substantive changes the rules cited as 11 NCAC 08 .0908, and .1402-.1431.*

Pursuant to G.S. 150B-21.2(c)(1), the text of the rule(s) proposed for readoption without substantive changes are not required to be published. The text of the rules are available on the OAH website: http://reports.oah.state.nc.us/ncac.asp.

Link to agency website pursuant to G.S. 150B-19.1(c): *https://ncosfm.gov/about/rules-and-legislative-reports/rules#ManufacturedHousingBoard-4082*

Proposed Effective Date: *March 1, 2027*

Public Hearing:
Date: *December 2, 2026*
Time: *10:00 a.m.*
Location: *Office of the State Fire Marshal 1429 Rock Quarry Rd., Suite 105 Raleigh, NC 27610*

Reason for Proposed Action: *The North Carolina Manufactured Housing Board proposes to readopt rules in 11 NCAC 08 .0900 and .1400 pursuant to G.S. 150B-21.3A. The proposed amendments reflect current statutory requirements, agency organization, and administrative practices; clarify licensing application requirements and procedures; revise examination requirements for manufactured housing salespersons and set-up contractors; and update provisions governing license fees, bonding, complaint handling, and continuing education. The proposed amendments also remove obsolete language, improve clarity and consistency, and make technical and conforming corrections.*

Comments may be submitted to: *Kyle Heuser, 1202 Mail Service Center, Raleigh, NC 27699-1202; phone (919) 647-0100; email OSFM.Rulemaking@ncdoi.gov*

Comment period ends: *January 15, 2027*

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (>= $1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

CHAPTER 08 - ENGINEERING AND BUILDING CODES DIVISION

SECTION .0900 - MANUFACTURED HOUSING BOARD

11 NCAC 08 .0901 MANUFACTURED HOUSING BOARD

The North Carolina Manufactured Housing Board is established to provide for a comprehensive framework for regulation of all segments of the manufactured housing industry. The ~~Commissioner of Insurance~~ State Fire Marshal or his designee shall serve as chairman of ~~a nine member board representing the industry and the public.~~ the Board.

History Note: *Authority G.S. 143-143.8; 143-143.10;*
Eff. January 1, 1983;
Amended Eff. April 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0902 ADDRESS

The mailing address for the North Carolina Manufactured Housing Board is: North Carolina Manufactured Housing Board, c/o ~~North Carolina Department of Insurance,~~ Manufactured Building Division, 1202 Mail Service Center, Raleigh, NC 27699-1202.

History Note: *Authority G.S. 143-143.8; 143-143.10; 143-143.17;*
Eff. January 1, 1983;
Amended Eff. June 1, 2005; April 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0903 RULE-MAKING AND HEARING PROCEDURES

Copies of ~~Standards~~ standards and rules adopted by the Manufactured Housing Board or the ~~Commissioner of Insurance~~ State Fire Marshal may be obtained by writing or calling:

North Carolina Manufactured Housing Board
Manufactured Building Division
1202 Mail Service Center
Raleigh, North Carolina 27699-1202
Phone (919) 647-0000

~~The Manufactured Building Division is located at:~~

~~325 North Salisbury Street~~
~~Raleigh, North Carolina 27603~~.

History Note: *Legislative Objection Lodged Eff. December 22, 1982;*
Authority G.S. 143-143.10; 143-143.11; 143-143.11B; 143-143.12; 143-143.14; 143-143.19;
Eff. January 1, 1983;
Amended Eff. March 1, 1988 at ARRC request to cure referenced Legislative Objection;
Amended Eff. January 1, 2018; June 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0904 FORMS

(a) As required by G.S. 143-143.11, ~~An~~ an application for a license as a manufactured housing manufacturer or manufactured housing dealer shall include the following:

(1) the name of the person or business applicant;
(2) the business mailing and street address of the applicant;
(3) ~~the state under whose laws the applicant firm or corporation is organized or incorporated;~~ business telephone number;
(4) ~~a resume of~~ biographical information regarding each ~~owner, partner, and officer~~ owner of the applicant firm or ~~corporation. Each resume shall state~~ corporation, including each individual's ~~his or her~~ birth date, social security number, mailing address, email address, ~~education,~~ and position within the applicant firm or corporation; ~~and a complete job history, as well as a listing of residences for the last seven years;~~
(5) the type of license applied for;
(6) a signature of the person with authority to legally obligate the applicant; and
(7) ~~a statement that the appropriate bond is attached.~~ a corporate surety bond or cash bond in the amount required by G.S. 143-143.12.

(b) An application for a license as a manufactured set-up contractor shall include the following:

(1) the name of the person or business applicant;
(2) the business mailing and street address of the applicant;
(3) ~~the state under whose laws the applicant firm or corporation is organized or incorporated;~~ business telephone number;
(4) ~~a resume of~~ biographical information regarding each ~~owner, partner, and officer~~ owner and qualifier of the applicant firm or ~~corporation. Each resume shall state~~ corporation, including each individual's ~~his or her~~ birth date, social security number, mailing address, email address, ~~education,~~ and position within the applicant firm or corporation; ~~and a complete job history, as well as a listing of residences for the last seven years;~~
~~(5)~~ ~~the type of license applied for;~~
~~(6)~~(5) a signature of the person with authority to legally obligate the applicant;
~~(7)~~(6) ~~a statement that the appropriate bond is attached;~~ a corporate surety bond or cash bond in the amount required by G.S. 143-143.12; and
~~(8)~~(7) a criminal history record check consent form signed by each ~~owner, partner, and officer~~ owner of the applicant firm or corporation with their initial application and other documentation or materials required by G.S. ~~143-143.10A; and~~ 143-143.10A.
~~(9)~~ ~~the social security number for each owner;~~

(c) An application for a license as a manufactured housing salesperson shall include the following:

(1) the name of the applicant;
(2) the applicant's street address;
(3) the name and business address of the dealer employing the applicant;
~~(4)~~ ~~the name and address of previous employers of the applicant for the past three years;~~
~~(5)~~ ~~three personal references;~~
~~(6)~~(4) a ~~wallet size~~ clear, front-facing photograph of the applicant and a copy of the applicant's valid government-issued identification;

~~(7)~~(5) a criminal history record check consent form signed by ~~each~~ the applicant with their initial application and other documentation or materials required by G.S. 143-143.10A; and

~~(8)~~(6) The applicant's social security number.

(d) Corporate surety bonds, as specified in 11 NCAC 08 .0905, shall include the name of the applicant, the name of the surety, the amount of the bond, and the terms of cancellation.

(e) The Board shall provide applications for renewal of licenses, which shall include the name and address of the applicant, the type of license, the date the license expires, the amount of the license renewal fee, and instructions for completion.

(f) A request for cancellation of license shall include the name and ~~address~~ license number of the licensee, the effective date of the cancellation, the specific reason for the cancellation, and the signature of the person with authority to legally obligate the licensee.

(g) All applications pursuant to this Rule shall use a form provided by the Manufactured Housing Board. Each application and form required by this Rule may be obtained from the North Carolina Manufactured Housing Board, c/o ~~North Carolina Department of Insurance,~~ Manufactured Building Division, 1202 Mail Service Center, Raleigh, NC 27699-1202.

History Note: *Authority G.S. 110-142.1; 132-1.10; 143-143.10; 143-143.10A; 143-143.11; 143-143.12;*
Eff. January 1, 1983;
Amended Eff. July 1, 2017; February 1, 2006; March 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0905 LICENSING

(a) Any person employed by a dealer whose occupational activity is that of selling manufactured homes on behalf of the retail dealership shall be licensed as a salesperson. Each salesperson's license shall be conspicuously displayed at all times by the dealership employing the salesperson.

(b) The following shall not be required to be licensed as a manufactured housing dealer:

(1) Receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under the judgment or order of any court;

(2) Public officials while performing their official duties;

(3) Persons disposing of manufactured homes acquired for their own use, provided that said home is not used for the purpose of avoiding the provisions of G.S. 143-143.11;

(4) Licensed real estate salesmen or brokers who negotiate or sell a manufactured home for any individual who is the owner of not more than three manufactured homes;

(5) Banks and finance companies who sell repossessed manufactured homes who do not maintain a sales lot or building with one or more employed retail salespersons.

(c) Licenses shall be issued by the Board whenever the application is in compliance with the applicable laws and regulations. Such license shall entitle the licensee to conduct the specified business for a period of one year from date of issuance or the first day of July, whichever is earlier. The Board may, if it deems necessary, cause an investigation to be made to ascertain if all the requirements set forth in the application are true and shall not issue a license to the applicant until it is satisfied as to the accuracy of the application.

(d) Manufactured housing manufacturers, dealers, and set-up contractors shall conspicuously display their licenses at all times at their place of business.

(e) Whenever a bond is required by G.S. 143-143.12, before any license shall be issued by the Board, the applicant shall deliver to the Board a corporate surety ~~bond,~~ bond or cash ~~bond or fixed value equivalent.~~ bond. The bond shall be to the Board and in favor of any person who shall suffer any loss as a result of any violation of the law or administrative rules governing manufactured housing. The bond shall be for the license period and a new bond or proper continuation certificate shall be delivered to the Board at the beginning of each license period. The bond for one type of license may not be considered as the bond for another type of license. Cash bonds shall remain in escrow with the Board for twelve months from the date of lapse or inactivation of the license or until such time as the Board determines that no claims exist against the bond.

(f) License fees are as follows:

(1) three hundred dollars ($300.00) per ~~Certificate of Origin~~ manufacturing plant for manufactured housing manufacturers;

(2) two hundred fifty dollars ($250.00) ~~per county of operation~~ per place of business for manufactured housing dealers;

~~(3) one hundred dollars ($100.00) per county for supplemental manufactured housing dealer locations;~~

~~(4)~~(3) ~~twenty five~~ fifty dollars ~~($25.00)~~($50.00) for retail manufactured housing salesperson; and

~~(5)~~(4) two hundred fifty dollars ($250.00) per business location for set-up contractors.

History Note: *Authority G.S. 143-143.10; 143-143.11;*
Legislative Objection Lodged Eff. December 22, 1982;
Eff. January 1, 1983;
Amended Eff. January 4, 1994; June 1, 1990; April 1, 1990; April 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0906 DUTIES AND RESPONSIBILITIES OF BOARD

(a) The Board shall be required to keep minutes and records of all its transactions, proceedings and meetings, and duly certified copies thereof shall be sufficient to comply with the rules of evidence.

(b) The Board may investigate on its own initiative or upon receipt of inquiries or complaints ~~(See 11 NCAC 8 .0910)~~ any allegation of a wrongful act or acts involving manufactured housing manufacturers, suppliers, dealers, ~~salesmen,~~ salespersons, or set-up contractors. Violation of the laws or administrative rules governing the manufactured housing industry shall be grounds for ~~revocation~~ revocation, ~~or suspension~~ suspension, or denial of licenses issued by the Board or for the civil penalties prescribed by G.S. 143-143.13.

History Note: *Authority G.S. 143-143.10; 143-143.13; 143-143.14; 143-143.17; 143-143.18; 143-143.22;*
Legislative Objection Lodged Eff. December 22, 1982;
Eff. January 1, 1983;
Amended Eff. March 1, 1988 at ARRC request to cure referenced Legislative Objection;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0907 UNFAIR COMPETITION AND DECEPTIVE PRACTICES

Unfair methods of competition or unfair or deceptive commercial acts or practices shall include, but not be limited to:

(1) Failure to perform repairs, alterations and/or additions completely or in a workmanlike and competent manner.
(2) Repeated failure to give timely notice of inability to appear for a scheduled repair.
(3) Representing used manufactured homes, appliances, or fixtures as new or failure to identify used appliances, fixtures and/or equipment in new manufactured homes.
(4) Repeated failure to respond promptly to consumer complaints and inquiries.
(5) Failure to give clear and conspicuous notice that the wheels, axles, and/or tongue are not included in the sales price, when such is the case. An example of clear and conspicuous notice is a sticker or printed notice in bold face type ~~stating~~ stating: "The purchase price does not include the wheels, axles, and tongue of this manufactured home."
(6) Failure to give clear and conspicuous notice of the significance of leveling a manufactured home and when releveling becomes the customer's responsibility. An example of clear and conspicuous notice is a sticker or printed notice in bold face type ~~stating~~ stating: "Proper set-up, leveling and anchoring of your manufactured home is necessary in order to assure proper functioning and safe operation of your manufactured home."
(7) Misrepresenting the model year or size of a manufactured home. Size shall be calculated as follows:
    (a) length means the distance from the exterior of the front wall (nearest to the drawbar and coupling mechanism) to the exterior of the rear wall (at the opposite end of the home) where such walls enclose living or other interior space, but not bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments;
    (b) width means the distance from the exterior of one side wall to the exterior of the opposite side wall where such walls enclose living or other interior space, but not bay windows, porches, wall and roof extensions, or other attachments;
    (c) measurements may be represented to the nearest foot.

History Note: *Authority G.S. 143-143.10; 143-143.13;*
Legislative Objection Lodged Eff. December 22, 1982;
Eff. January 1, 1983;
Amended Eff. March 1, 1988 at ARRC request to cure referenced Legislative Objection;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0908 SUSPENSION OF IMMINENT SAFETY HAZARD PERIOD (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .0909 MAINTENANCE OF RECORDS

(a) Every manufactured housing manufacturer, supplier, dealer, and set-up contractor shall maintain for at least five years all service records.
(b) Every manufactured housing manufacturer, supplier, dealer, or set-up contractor shall maintain a record of all ~~written~~ complaints listing the name and address of the complainant, the nature of the complaint, and the disposition of the complaint. This record shall be retained for at least five years.
(c) Nothing in this Rule shall be construed to prohibit use of electronic or photographic processes to store such records.

History Note: *Authority G.S. 143-143.10 through 143-143.13; 143-143.17; 143-143.18; 143-143.22;*
Eff. January 1, 1983;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0910 COMPLAINT HANDLING AND INSPECTION PROCEDURE

(a) Complaints received by telephone shall be confirmed in writing over the signature of the owner of the manufactured home or his or her agent; however, this shall not delay any action to resolve the complaint. Complaints shall be processed as follows:

(1) The Manufactured Building Division shall forward complaints to the manufactured housing manufacturer, dealer, or set-up contractor as appropriate.

(2) If the complaint is not resolved, the Manufactured Building Division shall schedule an on-site inspection or the division head ~~deputy commissioner~~ shall arrange ~~a~~ an informal conference to discuss the problem. Unless otherwise agreed, concerned parties shall be given at least 72 hours notice, orally, in writing, or electronically, of the time and place of the inspection or informal conference and the opportunity to attend the inspection or informal conference.

(3) If the complaint is not resolved, the division head ~~deputy commissioner~~ shall refer the complaint to the Board. The secretary of the Board may recommend legal action be taken to ensure compliance with the applicable statutes and rules. Such action may include the convening of a public hearing.

(b) The Manufactured Building Division shall not knowingly attempt to resolve a complaint which is also the subject matter of a pending lawsuit filed by the complainant or on the complainant's behalf by the complainant's attorney unless authorized by the Board, which authorization shall occur upon mutual assent of all parties to the lawsuit, whether through the parties themselves or attorneys for the parties. If no lawsuit has been filed but the complainant has retained an attorney, the Manufactured Building Division shall, upon request by the complainant or the complainant's attorney, investigate a complaint, which investigation shall consist of inspecting the home for violations of the Code, as defined in G.S. 143-143.9, providing a copy of the inspection report to all the parties, and attempting to resolve the matter between the parties.

History Note: *Authority G.S. 143-143.10; 143-143.13; 143-143.14; 143-143.17;*
Eff. January 1, 1983;
Amended Eff. June 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0911 ~~SALESMAN~~ SALESPERSON EXAM; TEMPORARY LICENSE; LICENSE TRANSFER; FEES

(a) A ~~salesman's~~ salesperson's license shall be issued to any applicant after the Board has approved the applicant's criminal history record check upon receipt by the Board of a properly executed application, receipt of the applicant of a passing grade (70 percent of a possible 100 percent) on ~~a written~~ an examination administered by the Board, and qualification of the applicant for licensure, except as follows:

(1) Those persons holding a Registered Housing Specialist certification from the North Carolina Manufactured Housing Institute on or before June 30, 1992, are exempt from the examination requirement.

(2) Any ~~salesman~~ salesperson who has been tested and licensed under this Section and whose license has lapsed is not required to be re-tested if he re-applies for licensing within 12 months after the expiration of the lapsed license.

(b) A temporary ~~salesman's~~ salesperson's license shall be issued prior to the Board's approval of the applicant's criminal history record check for a period of 90 days to a person upon request of the employing dealer. The holder of a valid s ~~salesman's~~ salesperson's or temporary ~~salesman's~~ salesperson's license may sell manufactured homes only for the dealer with whom he is employed as shown on the application. A temporary ~~salesman's~~ salesperson's license shall not be renewed.

(c) A ~~salesman's~~ salesperson's license is valid only as long as the person remains employed with the dealer shown on the application. A ~~salesman~~ salesperson must apply for a new ~~salesman's~~ salesperson's license if he changes or transfers from one dealer to another. In lieu of applying for a new license, the ~~salesman~~ salesperson may transfer his license from one dealership to another upon application from the new dealer and the ~~salesman~~ salesperson and approval of the Board. When a ~~salesman~~ salesperson leaves employment with a dealer, the dealer shall report this fact to the Board within 10 days thereafter.

(d) The fee for a ~~salesman's~~ salesperson's or temporary ~~salesman's~~ salesperson's license shall be twenty five dollars ($25.00). The temporary ~~salesman's~~ salesperson's license fee shall apply toward the ~~salesman's~~ salesperson's license fee if both licenses are issued in the same license year. The fee for a ~~salesman's~~ salesperson's license transfer application shall be ~~fifteen~~ twenty-five dollars ~~($15.00).~~ ($25.00).

(e) A criminal history record check fee in the amount of fifty five dollars ($55.00) shall be submitted with each applicant application.

History Note: *Authority G.S. 143-143.10; 143-143.10A; 143-143.11;*
Eff. July 1, 1992;
Amended Eff. February 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

11 NCAC 08 .0912 SET-UP CONTRACTOR EXAMS

(a) Definitions. The definitions contained in G.S. 143-143.9 are incorporated into this Rule by reference. As used in this Rule, ~~"qualifier" means an individual taking the examination on behalf of an applicant that is not an individual.~~ "examinee" means an individual taking the examination required by this Rule, either as an applicant for a set-up contractor license or as a qualifier.

(b) Examination Required. Each applicant for a set-up contractor's license shall pass ~~a written~~ an examination administered by the Board or designate a qualifier who passes the examination before the Board ~~will issue~~ issues a license to the applicant. ~~Every applicant shall pass the examination with a grade of at least 70 percent.~~ An examinee shall receive a grade of at least 70 percent to pass the examination. An ~~applicant~~ examinee who does not pass the examination shall be allowed two additional attempts to retake the ~~exam.~~ examination within 90 days of the first attempt. If the examinee does not pass the examination within the time and number of attempts permitted by this Paragraph, the applicant shall submit a new application before the examinee may take the examination again.

(c) Time and Place of Examinations. The Board shall administer examinations ~~in its offices in Raleigh.~~ at times and locations determined by the Board. The Board shall ~~announce the time and place~~ notify each examinee of the date, time, and location ~~for each~~ of the examination at least 10 days before the date of the examination.

(d) Application Process. Each applicant shall ~~complete~~ submit an application for a manufactured housing set-up contractor license on a form provided by the ~~Board.~~ Board in accordance with 11 NCAC 08 .0904(b). ~~If the applicant is not an individual, the applicant shall identify on the application any individuals who will take the examination for the applicant.~~ An applicant that is not an individual shall identify each designated qualifier on the application. In order to take an examination on a particular date, an applicant shall ~~file~~ submit a completed application ~~no later than~~ at least 30 days before the scheduled date of the examination.
(e) ~~Person Taking Examination.~~ Qualifiers. ~~A~~ Each qualifier ~~shall be associated with the applicant, and~~ shall be actively engaged in ~~the work~~ performing or directly supervising the installation of manufactured homes on behalf of the ~~applicant for a minimum of 20 hours per week, or a majority of the hours operated by the applicant, whichever is less.~~ applicant. Each set-up contractor licensee shall notify the Board in writing within 10 days after any qualifier no longer meets the preceding requirements. If one qualifier ~~fails,~~ fails the examination, and another passes, the license shall be granted to that applicant. An individual shall not serve as a qualifier for more than one license. The applicant may have more than one individual serve as a qualifier.
(f) ~~General Requirements.~~ Identification. ~~All applicants scheduled for an examination shall bring a form of identification with a current picture.~~ Each examinee shall present a valid government-issued photographic identification before taking the examination. No visitors shall be allowed in the testing room.
(g) ~~Special Arrangements for the Disabled. If an applicant has a disability which will require special arrangements to take an examination, the applicant shall request in writing that appropriate special arrangements be made. The Board shall make reasonable accommodations for applicants requesting assistance pursuant to this Rule.~~ Accommodations for disabilities. An examinee requesting an accommodation for a disability shall notify the Board of the requested accommodation before the examination. The Board shall provide reasonable accommodations as required by the Americans with Disabilities Act of 1990, as amended.
(h) Cheating and Related Misconduct. ~~Applicants~~ Examinees shall not cheat or attempt to cheat on an examination by any means, including both giving and receiving assistance, and shall not communicate in any manner for any purpose with any person other than staff members for the Board during an examination.
(i) Notification of Results. The examination results shall be mailed to the applicant at the address on the application form within 30 days after the examination. Passing ~~applicants~~ examinees shall receive only a grade of "pass."
~~(j) Review of Examinations. Upon the applicant's written request, made within 30 days after the written notification of the examination results, an applicant who did not pass the examination shall be allowed to review his examination. The review shall be at the Board's offices, at a time schedule by the Board's staff. An applicant shall review his examination in the presence of a staff member of the Board and shall not be accompanied by any other individual at a review session. No other individual shall review an examination on behalf of the applicant. An applicant shall not be permitted to copy a question or answer contained in the examination report or alter an examination paper in any way. An applicant who has passed the examination shall not be permitted to review his examination. If the applicant is not an individual, the review of the examination shall be made by the applicant's qualifier.~~

History Note: *Authority G.S. 143-143.10(b)(4); 143-143.11(h);*
Eff. April 1, 1999;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018;
Readopted Eff. March 1, 2027.

SECTION .1400 - MANUFACTURED HOUSING BOARD CONTINUING EDUCATION

11 NCAC 08 .1401 DEFINITIONS

As used in this Section:

(1) "Board" means the North Carolina Manufactured Housing Board, as defined in G.S. 143-143.9(1).
(2) "CE Administrator" means a person designated by the Board to receive all applications for course approval, course reports, course application and renewal fees, on behalf of the Board for the CE program.
(3) "Continuing education" or "CE" means any educational activity approved by the Board to be a continuing education activity.
(4) "Course" means a continuing education course directly related to manufactured housing principles and practices or a course designed and approved for licensees.
(5) "Credit hour" means at least 50 minutes of continuing education instruction.
(6) "Distance education course" or "distance learning course" means a continuing education course approved by the Board in which instruction is accomplished through the use of media whereby teacher and student are separated by distance and sometimes by time.
(7) "Licensee" means a manufactured housing salesperson or set-up contractor who holds a license issued by the Board in accordance with G.S. 143-143.11, but does not include a licensed manufacturer or dealer.
(8) "Qualifier" means the person or persons having passed the ~~written~~ Set-Up Contractor's Examination as administered by the Board and authorized in G.S. 143-143.11(h), and as defined in 11 NCAC 08 .0912(e), or a person who meets the requirements of 11 NCAC 08 .0912(e) and is designated by a licensee to obtain CE credits.
(9) "Sponsor" means an organization or individual who has submitted information to the Board as specified in this Section and has been approved by the Board to provide instruction for the purpose of CE.
(10) "Staff" means designated employees of the Manufactured Building Division of the Department of Insurance who are authorized to act on behalf of the Board with regard to continuing education matters.

History Note: *Authority G.S. 143-143.10; 143-143.11B;*
Eff. August 1, 2002;
Amended Eff. May 1, 2004;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, ~~2018.~~ 2018; Readopted Eff. March 1, 2027.

11 NCAC 08 .1402 CE COURSES -- GENERAL (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1403 SPONSOR ADVANCE APPROVAL REQUIRED (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1404 SPONSOR NAME (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1405 ACCREDITATION STANDARDS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1406 CE COURSE SUBJECT MATTER (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1407 SCHEDULING (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1408 NOTICE OF SCHEDULED COURSES (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1409 ADVERTISING AND PROVIDING COURSE INFORMATION (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1410 SOLICITATION OF STUDENTS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1411 CANCELLATION AND REFUND POLICIES (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1412 DENIAL OR WITHDRAWAL OF APPROVAL OF COURSE OR COURSE SPONSOR (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1413 RENEWAL OF COURSE AND SPONSOR APPROVAL (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1414 SPONSOR CHANGES DURING APPROVAL PERIOD (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1415 CE REQUIREMENTS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1416 CONTINUING EDUCATION COORDINATOR (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1417 MONITORING ATTENDANCE (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1418 INSTRUCTOR REQUIREMENTS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1419 STUDENT PARTICIPATION STANDARDS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1420 STUDENT FEE FOR CE COURSES (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1421 MINIMUM CLASS SIZE (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1422 CLASSES OPEN TO ALL LICENSEES (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1423 CLASSROOM FACILITIES (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1424 STUDENT CHECK-IN (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1425 ACCOMMODATIONS FOR PERSONS WITH DISABILITIES (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1426 COURSE COMPLETION REPORTING (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1427 RETENTION OF COURSE RECORDS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1428 REQUEST FOR VIDEO OF AN ELECTIVE COURSE (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1429 CHANGE IN SPONSOR OWNERSHIP (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1430 COURSE MONITORS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1431 NON-RESIDENT LICENSEES AND CE CREDITS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

11 NCAC 08 .1432 NON-COMPLIANCE

If a licensee fails to complete the CE requirements specified in ~~these Rules~~ this Section by June 30 of a given license year, ~~his or her~~ the licensee's license shall not be renewed. A licensee may renew a license at any time prior to the following June 30, but may not operate as either a manufactured housing salesperson or set-up contractor until such time as documentation of having completed the applicable CE requirements is furnished to the Board and the license has been renewed. A licensee who has not completed the CE requirements within one year of the original expiration shall be required to pass ~~written~~ the relevant State ~~examinations~~ examination in order to be re-licensed.

History Note: *Authority G.S. 143-143.10; 143-143.11B;*
Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;
Readopted Eff. March 1, 2027.