



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

August 30, 2016

The Honorable George D. Bedwick  
Chairman, Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101

Re: Regulation #4-95 (IRRC #3063)  
Department of Community and Economic Development  
Industrialized Housing and Components

Dear Chairman Bedwick:

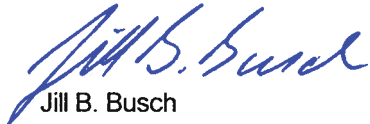
Pursuant to your letter of August 25, 2016, the Department of Community and Economic Development is tolling the review period for the above captioned regulations and, with this letter, resubmitting the regulatory packet which contains revisions to Sections 145.1, 145.3, 145.31(c) and 145.33(c) and 145.33(c)(i) and (ii) of the Annex and to Question 19 on the Regulatory Analysis Form, which revisions are explained in detail below.

- Section 145.1 is amended to include a definition for "Residential Permanent Foundation" which reads "The structure or assembly provided at the installation site to support and stabilize industrialized housing as described at 145.33(c)".
- Section 145.3 is amended to clarify that the effective date of the final regulation is one year from publication and industrialized buildings manufactured before the effective date of the regulations may continue to be utilized in the Commonwealth subject to approval of the local code official. The clarification was accomplished through:

- the removal of the sentence reading “This chapter applies to new industrialized housing, buildings, and housing or building components manufactured in manufacturing facilities located within or outside this Commonwealth”; and
  - a revision to the next sentence which now reads “Industrialized buildings manufactured before \_\_\_\_\_ (Editor’s Note: The blank refers to the date 1 year after the effective date of adoption of this final-form rulemaking.) may continue to be utilized in the Commonwealth subject to approval of the local code official.”
- Section 145.31(c) is amended to clarify that the effective date of the final regulation is one year from publication and this chapter shall not apply to industrialized buildings or building components produced before the effective date of the regulations. The clarification was accomplished through a revision to Section 145.31(c) which now reads “This chapter shall not apply to industrialized buildings or building components produced before \_\_\_\_\_ (Editor’s Note: The blank refers to the date 1 year after the effective date of adoption of this final-form rulemaking.)”
  - Section 145.33(c) is amended to remove the reference to a definition for “Residential Permanent Foundation”. Section 145.33(c) now addresses only substantive provisions related to residential permanent foundations. The first sentence of 145.33(c) now reads “A residential permanent foundation must be constructed in accordance with the prescriptive provisions of the adopted building code or, when required, designed by a licensed professional engineer.”
  - Section 145.33(c)(4)(i) has been revised to include the word “construction” which was inadvertently left out of the citation. Section 145.33(c)(4)(i) now reads “24 CFR 3280, Manufactured Home Construction and Safety Standards (MHCSS).
  - Section 145.33(c)(4)(ii) has been revised to remove the acronym “MIS”, as the acronym is not used in the industry and not referenced elsewhere in the regulation. Section 145.33(c)(4)(ii) now reads “24 CFR 3286, Manufactured Home Installation Program”.
  - Question 19 on the Regulatory Analysis Form has been revised to include the following statement “These fees are consistent with the fees charged by other states”. The Department cannot better reflect the new fees in the RAF because the Department cannot estimate the volume of certifications for industrialized buildings or building components, because the data is neither available nor predictable.

Please contact me with any questions at (717) 720-7314.

Sincerely,



Jill B. Busch

Deputy Chief Counsel

Office of Chief Counsel, DCED

cc: Honorable Dennis M. Davin, Secretary, DCED  
Honorable Kim L. Ward, Majority Chairman, Senate Community, Economic and Recreational  
Development Committee  
Honorable Lawrence M. Farnese, Jr., Minority Chairman, Senate Community, Economic and  
Recreational Development Committee  
Honorable C. Adam Harris, Majority Chairman, House Commerce Committee  
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