



*Texas Department of
Licensing and Regulation*

INDUSTRIALIZED HOUSING AND BUILDINGS
Initial Application and Approval – Third Party Inspection
Agency



TEXAS DEPARTMENT OF LICENSING AND REGULATION

Compliance Division – Industrialized Housing and Buildings Program

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Initial Application and Approval – Third Party Inspection Agency

Issued January 13, 2005

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REFERENCES

- (a) Specific sections of the Texas Occupations Code, Chapter 1202, that are applicable to the registration and approval of design review agencies include, but are not limited to the following:
 - (1) § 1202.105, Approval of Third-party Inspectors and Design Review Agencies
- (b) Specific sections of the rules governing Industrialized Housing and Buildings that are applicable to the registration and approval of design review agencies include, but are not limited to the following:
 - (1) § 70.10, Definitions
 - (2) § 70.21, Registration of Design Review Agencies and Third Party Inspection Agencies and Inspectors
 - (3) § 70.23, Criteria for Approval of Third Party Inspection Agencies and Inspectors
 - (4) § 70.80, Commission Fees
- (c) This document is intended only as a guide to the application requirements and criteria for approval of third party inspection agencies (TPIA's) and third party inspectors (TPI's) and is not intended as a replacement for the statute and rules. It is the responsibility of the registrant to review the actual statute and rules to assure a complete understanding of the requirements of the IHB program as they relate to the approval of third party inspection agencies and third party inspectors.

THIRD PARTY INSPECTOR DEFINED

A third party inspector is an approved person or agency, private or public, determined by the Texas Industrialized Building Code Council (Council) to be qualified by reason of facilities, personnel, experience, demonstrated reliability, and independence of judgment to inspect industrialized housing, buildings, and portions thereof for compliance with the approved plans, documentation, compliance control manual, and mandatory building codes.

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APPLICATION

The initial application for registration as a Texas approved third party inspection agency (TPIA) for the Texas Industrialized Housing and Buildings program shall include the following components.

- (a) Completion of application form #TDLR 055ihb, Design Review Agencies and Third Party Inspection Agencies Application for Registration (see appendix A).
- (b) Registration fee of \$150.
- (c) Organization chart that includes the names of the managerial and technical personnel (inspectors) responsible for in-plant and on-site construction inspections of industrialized housing and buildings in Texas.
- (d) Documentation to demonstrate compliance of the managerial personnel with the criteria for approval of third party inspection agencies and inspectors.
- (e) Documentation to demonstrate compliance of the technical personnel (inspectors) with the criteria for approval of third party inspection agencies and inspectors. Each inspector application shall also include the following.
 - (1) Completion of application form #TDLR 054ihb, Third Party Inspector Application for Registration (see appendix B).
 - (2) Registration fee of \$100.
- (f) Documentation to substantiate ability to perform in-plant and on-site construction inspections and follow-up inspections to determine the compliance of a building manufacturer or industrialized builder.
- (g) Notarized statement of certification signed by the agency manager or chief executive officer.
- (h) A list of states in which the agency is currently approved to provide similar services.

CHECKLISTS

- (a) Checklists developed by the Department to aid in the review of an application for conformance to the criteria for approval of TPIA's can be found in the appendices.
- (b) Form #TDLR 010ihb, Application Requirements for Third Party Inspection Agencies, General Requirements (see appendix C), is used to check that the application contains:
 - (1) an organization chart and that the organization chart identifies all the managerial and technical personnel responsible for inspections for Texas;
 - (2) agency documentation to substantiate the agency's ability to perform inspections to determine compliance of a manufacturer with the rules and standards;
 - (3) a properly notarized statement of certification; and
 - (4) a list of states in which the agency is currently approved to provide similar services.
- (c) Form #TDLR 011ihb, Application Requirements for Third Party Inspection Agencies, Manager and Supervisor of Inspections (see appendix D) is used to check that the application contains the documentation to show compliance of the managerial staff with the criteria for approval.
- (d) Form #TDLR 013ihb, Application Requirements for Third Party Inspectors (see appendix E) is used to check that the application contains the documentation to show compliance of the technical staff with the criteria for approval.

THIRD PARTY INSPECTION AGENCY PERSONNEL

The application for registration as a Texas approved third party inspection agency for the Texas Industrialized Housing and Buildings program shall include documentation to demonstrate compliance of the managerial and technical personnel with the criteria for approval of third party inspection agencies and inspectors. Please note that there is no criteria that would permit an applicant to register as a third party inspector without being affiliated with an approved third party inspection agency.

- (a) Manager or Chief Executive Officer** – Documentation shall include a resume for the manager that demonstrates a minimum of 5 years experience in building code enforcement or compliance control of buildings and a minimum of 1 year experience in responsible technical project planning and management. The resume shall include the applicant's Texas license number as a professional engineer or architect.
- (b) Code Certifications** – Inspector certifications from the International Code Council (ICC) are required to demonstrate compliance of the supervisor of inspections and inspectors. The certifications must be current and a copy of the certificate or certificates shall be filed with the application for approval. Information on obtaining certifications from ICC may be found on their web site at <http://www.iccsafe.org/certification/>.
- (c) Supervisor of Inspections** – Documentation shall include a resume that demonstrates a minimum of 5 years experience in manufactured buildings or related compliance control or equivalent; a minimum education level equivalent to a high school diploma; and certification as a residential energy inspector as granted by ICC, a commercial energy inspector as granted by ICC, and as:
 - (1) a residential combination inspector as granted by ICC; or
 - (2) a commercial combination inspector as granted by ICC; or
 - (3) a combination inspector as granted by ICC.
- (d) Third Party Inspector** – Documentation shall include a resume that demonstrates a minimum of 1 year experience in building code enforcement, compliance control inspection, or building experience; a minimum education level equivalent to a high school diploma; and certification as a residential energy inspector as granted by ICC, a commercial energy inspector as granted by ICC, and as:
 - (1) a residential combination inspector as granted by ICC; or
 - (2) a commercial combination inspector as granted by ICC; or
 - (3) a combination inspector as granted by ICC; or
 - (4) a commercial building inspector, commercial mechanical inspector, commercial electrical inspector, and/or commercial plumbing inspector as granted by ICC. One inspector is not required to have certifications in all four areas of inspection. However, all 4 areas of certification must be represented unless the agency employs inspectors whose certifications are in accordance with clauses (1), (2), and (3) above. Inspectors may only inspect in the area for which they are certified.

AGENCY DOCUMENTATION

The application for registration as a Texas approved third party inspection agency for the Texas Industrialized Housing and Buildings program shall include complete documentation to substantiate the TPIA's ability to perform in-plant and on-site construction inspections and follow up inspections to determine the compliance of a building manufacturer with the standards and rules. The application will include the following.

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- (a) A formal description of the agency's supervision and training program for inspectors.
- (b) Performance records of manufacturers.
- (c) Examples of inspection reports.
- (d) Agreements or contracts with manufacturers.
- (e) Any other pertinent information.

NOTARIZED STATEMENT OF CERTIFICATION

The application shall include a properly notarized statement of certification signed by the agency manager or chief executive officer that:

- (a) its board of directors, as a body, and its managerial and inspection personnel, as individuals, are free to exercise independence of judgment in the performance of their duties within the agency;
- (b) its activities pursuant to the discharge of responsibility as a third party inspection agency will not result in financial benefit to the agency via stock ownership or other financial interest in any producer, supplier, or vendor of products involved, other than through standard fees for services rendered;
- (c) the agency will consistently and uniformly implement the policies and determinations of the Council with regard to interpretations of the standards and rules;
- (d) the agency will not provide design services or prepare compliance control manuals for manufacturers for whom it acts as a third party inspection agency;
- (e) all information contained in the application for approval as a third party inspection agency is true, timely, and correct; and
- (f) all future changes will be immediately communicated to the Department.

COUNCIL APPROVAL

- (a) The Department has been authorized by the Texas Industrialized Building Code Council to grant interim approval to any applicant that complies with the criteria for approval of third party inspection agencies and third party inspectors. The Department will recommend approval of the applicant to the Council at their next scheduled meeting after granting of interim approval. A certificate of registration will not be released to the applicant until the Council has granted approval.
- (b) A written explanation shall be forwarded to any applicant that has not been granted interim approval with the reasons for the disapproval. The applicant may appeal the Department's decision to the Council.
- (c) A written explanation shall be forwarded to any applicant that has not been approved by the Council with the reasons for the disapproval. The applicant may request an administrative hearing to determine if the application should be denied.

APPENDICES

Copies of the forms in the appendices can also be found on the agency web site at <http://www.license.state.tx.us/ihb/ihbforms.htm#Applications>.

Appendix A – Form #TDLR 055ihb, Design Review Agencies and Third Party Inspection Agencies Application for Registration (2 pages)

Appendix B – Form #TDLR 054ihb, Third Party Inspector Application for Registration (1 page)

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Appendix C – Form #TDLR 010ihb, Checklist of Application Requirements – Third Party Inspection Agency, General Requirements (1 page)

Appendix D – Form #TDLR 011ihb, Checklist of Application Requirements – TPIA Manager and Supervisor of Inspections (1 page)

Appendix E – Form #TDLR 013ihb, Checklist of Application Requirements – Third Party Inspector (1 page)

Appendix A

Form #TDLR 055ihb – Design Review Agencies and Third Party Inspection Agencies
Application for Registration (2 pages)



TEXAS DEPARTMENT OF LICENSING AND REGULATION
COMPLIANCE DIVISION – INDUSTRIALIZED HOUSING AND BUILDINGS

P.O. Box 12157 • Austin, Texas 78711 • (512) 463-7353 • (800) 803-9202 • FAX (512) 475-4364

industrialized.buildings@license.state.tx.us • www.license.state.tx.us

**APPLICATION FOR REGISTRATION
DESIGN REVIEW AGENCIES AND THIRD PARTY INSPECTION AGENCIES**

Pursuant to the Texas Occupations Code, Chapter 1202, Industrialized Housing and Buildings
A SEPARATE APPLICATION MUST BE SUBMITTED FOR EACH REGISTRATION

PLEASE TYPE OR PRINT

1. NAME OF BUSINESS TO BE LICENSED:			
2. **E-MAIL ADDRESS (not required):		3. CONTACT NAME (required):	
4. PHYSICAL BUSINESS ADDRESS:			5. COUNTY
NUMBER AND STREET	CITY	STATE	ZIP
6. BUSINESS MAILING ADDRESS:			
NUMBER AND STREET		CITY	STATE ZIP
7. PHONE NUMBER:	8. FAX NUMBER:	9. BUSINESS TYPE (Check One): <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor	
10. FEDERAL TAX ID NUMBER:		11. BIRTH DATE (Sole Proprietor only):	

12. For what type of registration are you applying? (Check one)	
<input type="checkbox"/> Design Review Agency - \$300	<input type="checkbox"/> Third Party Inspection Agency - \$150

13. Late renewal fees – if registration has expired the following late fee in addition to the above renewal fee is required.			
Registration expired 90 days or less:	<input type="checkbox"/> Design Review Agency - \$150	<input type="checkbox"/> Third Party Inspection Agency - \$75	
Registration expired < 1 year, but over 90 days:	<input type="checkbox"/> Design Review Agency - \$300	<input type="checkbox"/> Third Party Inspection Agency - \$150	

14. List Corporate Officers or Partners. List the name, title, birth date and percentage of ownership for each (attach an additional sheet if necessary):

Name (full name)	Title	% of Ownership (partnerships)

** The Department will add your address to the IHB email notification list, which automatically provides information from the Department on matters affecting the IHB program. Your email address is confidential pursuant to the Texas Public Information Act and the Department will not share it with the public. See additional information at the following link:
<http://www.license.state.tx.us/newsletters/TDLRnotificationLists.asp>

Application is continued on back of form. Signature of applicant is required on back of form. For partnership the applicant's signature must be a managing partner. For a corporation the applicant's signature must be an officer of the corporation.

15. Check if registration is new or if it is a renewal: NEW RENEWAL If renewal, enter registration number: _____
16. If new registration, did you attach documentation to show compliance with the criteria for approval of design review agencies or third party inspection agencies in accordance with Department rules 70.22 or 70.23? YES NO
17. If renewal registration, did you attach a copy of an up to date organization chart in accordance with Department rule 70.22 or 70.23? Did you attach copies of documentation showing that code certifications required by criteria for approval are current with the International Code Council? Participation in the ICC Renewal Program or Certification Maintenance Program is required to keep an ICC code certification current. YES NO
18. Do you owe any taxes to the State of Texas? YES NO
19. Have you or a corporate officer or a partner ever been convicted of or pleaded guilty or no contest (nolo contendere) to a MISDEMEANOR or FELONY, other than a minor traffic violation, or is there any such charge now pending? YES NO

If you answered yes to item #19, then please answer the questions at the bottom of this page.

I certify that I have read the Occupations Code, Chapter 1202, and the current Department of Licensing and Regulation rules promulgated thereunder. If the registration is issued, I agree to furnish to the Department of Licensing and Regulation any change in information on this form and all attached documents within TEN (10) DAYS of the change.

Registration is subject to revocation if the department is not notified, in writing, of any changes in the information given on this application or if there is a rule or law violation.

With knowledge of the penalties for false statements, I certify that I believe all information submitted on this form and on all attached documents is true and correct.

Signature of Applicant, Managing Partner, or Officer if Incorporated

Date

Applicant's Name Printed

If you answered yes to item #19, please complete the following in the spaces provided or attach a separate sheet with your answers:

1. Crime you were convicted of: _____

Date of conviction: _____ Case number: _____

County where convicted: _____ Court where convicted: _____

2. What is your probation or parole status? (Include specific conditions, if applicable, and the name and phone number of your reporting officer).

3. List your work activities since the conviction:

4. If applicable please provide the following:
(if not applicable enter N/A)

a. Certified copy of indictment or information: _____

b. Certified copy of judgment and sentence: _____

c. Certified copy of the order of probation: _____

d. Certified copy of the order revoking probation: _____

Signature of person approving registration

Date

DEPARTMENT USE ONLY

Appendix B

Form #TDLR 054ihb – Third Party Inspector Application for Registration (1 page)

Texas Department of Licensing and Regulation

Industrialized Housing & Buildings Program
920 Colorado, Austin, TX 78701 - PO Box 12157, Austin, TX 78711
(512) 463-7353 [(800) 803-9202 - In Texas Only] FAX: (512) 475-4364

THIRD PARTY INSPECTOR APPLICATION FOR REGISTRATION

Internet address: www.license.state.tx.us; email address: industrialized.buildings@license.state.tx.us

PURSUANT TO THE OCCUPATIONS CODE, CHAPTER 1202, TEXAS INDUSTRIALIZED HOUSING & BUILDINGS
A SEPARATE APPLICATION MUST BE SUBMITTED FOR EACH REGISTRATION
PLEASE TYPE OR PRINT

1. Inspector's Name		2. *Social Security Number :		3. Gender: (check one) Male <input type="checkbox"/> Female <input type="checkbox"/>	
4. Agency Name(s) & Registration #'s that employ you:			5. **E-Mail Address: (not required)		
6. Date of Birth		7. Mailing Address		8. City	
9. ST	10. Zip	11. County	12. Phone		13. Fax #:

*The Social Security number disclosure is required by Section 321.302(1) of the Texas Family Code in order to obtain a registration. Your social security number is subject to disclosure to an agency authorized to assist in the collection of child support payments. For more information regarding child support payments, contact the Texas Attorney General at (512) 460-6000 or (800) 252-8014.

14. Check if registration is new or if it is a renewal. New Renewal If renewal, enter registration number _____

Note: Registration fee for Third Party Inspector is \$100.00

If registration has expired the following late fee **in addition to the above renewal fee is required.**

Registration expired **90 days or less: \$50.00** Registration expired **<1year, but over 90 days \$100.00**

Please be aware that if you apply for renewal while you are in arrears on a guaranteed student loan your license will not be renewed. For more information please call Texas Guaranteed Student Loan Corporation at (512) 219-5700, (800) 845-6267, or Internet Address CUST.ASSIST@TGSLC.ORG.

15. Have you ever been convicted of or pleaded guilty or no contest (nolo contendere) to a MISDEMEANOR or FELONY, other than a minor traffic violation, or is there any such charge now pending? YES NO

If you answered YES to question #15 please answer the following:

1. Crime you were convicted of: _____ Date of conviction: _____

Case number: _____ County where convicted: _____

Court where convicted: _____

What is your probation or parole status? (Include specific conditions, and the name and phone number of your reporting officer).

3. List your work activities since the conviction: _____

4. If applicable please provide the following: (if not applicable enter N/A)

a. Certified copy of indictment or information: _____ b. Certified copy of judgment and sentence: _____

c. Certified copy of the order of probation: _____ d. Certified copy of the order revoking probation: _____

** The Department will add your address to the IHB email notification list, which automatically provides information from the Department on matters affecting the IHB program. Your email address is confidential pursuant to the Texas Public Information Act and the Department will not share it with the public. See additional information at the following link: <http://www.license.state.tx.us/newsletters/TDLRnotificationLists.asp>

With knowledge of the penalties for false statements, I certify that I believe all information submitted on this application and on all attached documents is true and correct.

Signature of Applicant

Date

Appendix C

Form #TDLR 010ihb – Checklist of Application Requirements – Third Party Inspection Agency, General Requirements (1 page)



TEXAS DEPARTMENT OF LICENSING AND REGULATION

Industrialized Housing & Buildings Program

P.O. Box 12157 Austin, Texas 78711 (512)463-7353 (800)803-9202 FAX (512)475-4364
Email Address: industrialized.buildings@license.state.tx.us Internet Address: www.license.state.tx.us

Checklist of Application Requirements – Third Party Inspection Agency (TPIA) General

TPIA Name: _____ Reg #IHA- _____

Reviewed by: _____ Date Reviewed: _____

- Application indicates agency's address and telephone number (must be provided for each office through which inspections are coordinated).

Address: _____

Phone # () - _____ Fax # () - _____

- An organization chart is provided with the names of managerial and technical personnel responsible for inspections for Texas.
- Complete documentation to substantiate the agency's ability to perform inspections to determine compliance of a manufacturer with the rules and standards is provided. The application includes the following:
 - a formal description of the agency's supervision and training programs;
 - performance records of manufacturers.
 - examples of inspection records, agreements, or contracts with manufacturers; and
 - other pertinent information.
- A properly signed and notarized statement of certification is provided by the agency manager or chief executive officer that:
 - its board of directors, as a body, and its managerial and inspection personnel, as individuals, are free to exercise independence of judgment in the performance of their duties within the agency.
 - its activities pursuant to the discharge of responsibility as a third party inspection agency will not result in financial benefit to the agency via stock ownership, or other financial interest in any producer, supplier, or vendor of products;
 - the agency will consistently and uniformly implement the policies and determinations of the Council with regard to interpretations of the standards and rules;
 - the agency will not provide design services or prepare compliance control manuals for manufacturers for whom it acts as a third party inspection agency;
 - all information contained in the application for approval as a third party inspection agency is true, timely, and correct; and
 - all future changes will be immediately communicated to the Department.
- A list of states in which the agency is currently approved to provide product certification or validation or third party inspection services and a complete description of each system and program involved is provided.

NOTES: _____

Reference Department rule 70.23 for the complete criteria that must be met by a third party inspection agency prior to approval by the Industrialized Building Code Council. The Council has authorized the Department to grant interim approval to anyone that meets the criteria as outlined in the rules. Anyone wishing an exception to the criteria must present their case to the Council. Also see form #'s TDLR 011ihb and 013ihb for criteria that must be met by managerial and technical staff.

Appendix D

Form #TDLR 011ihb – Checklist of Application Requirements – TPIA Manager and Supervisor of Inspections (1 page)



TEXAS DEPARTMENT OF LICENSING AND REGULATION

Industrialized Housing & Buildings Program

P.O. Box 12157 Austin, Texas 78711 (512)463-7353 (800)803-9202 FAX (512)475-4364
Email Address: industrialized.buildings@license.state.tx.us Internet Address: www.license.state.tx.us

Checklist of Application Requirements – TPIA Manager and Supervisor of Inspections

TPIA Name: _____ Reg #IHA- _____

Applicant Name: _____

Reviewed by: _____ Date Reviewed: _____

Resume submitted with application **OR** Resume on file

MANAGER

Engineer or Architect *License Number: _____

Minimum 5 years experience in building code enforcement or compliance control of building systems

Minimum of 1 year experience in responsible technical project planning and management

*Enter Texas license number as professional engineer or architect

SUPERVISOR OF INSPECTIONS

Applicant has minimum of a high school diploma or equivalent.

Minimum of 1 year experience in building code enforcement, compliance control inspection, or building experience

Check the type of inspector certification (1, 2, or 3) – Certification must be current with the International Code Council (ICC)

- | | |
|----|---|
| 1. | <input type="checkbox"/> Residential Combination Inspector – Certification must be current with ICC |
| | <input type="checkbox"/> Residential Energy Inspector – Certification must be current with ICC |
| | <input type="checkbox"/> Commercial Energy Inspector – Certification must be current with ICC |

- | | |
|----|--|
| 2. | <input type="checkbox"/> Commercial Combination Inspector – Certification must be current with ICC |
| | <input type="checkbox"/> Residential Energy Inspector – Certification must be current with ICC |
| | <input type="checkbox"/> Commercial Energy Inspector – Certification must be current with ICC |

- | | |
|----|--|
| 3. | <input type="checkbox"/> Combination Inspector – Certification must be current with ICC |
| | <input type="checkbox"/> Residential Energy Inspector – Certification must be current with ICC |
| | <input type="checkbox"/> Commercial Energy Inspector – Certification must be current with ICC |

Notes:

See form #TDLR 010ihb for a checklist of general application requirements for a third party inspection agency.
See form #TLDR 013ihb for a checklist of application requirements for a third party inspector.

Reference Department rules for Industrialized Housing and Buildings, Section 70.23, for the complete criteria that must be met by a third party inspection agency prior to approval by the Texas Industrialized Building Code Council. The Council has authorized the Department to grant interim approval to anyone that meets the criteria outlined in the rules. Anyone wishing an exception to the criteria must present their case to the Council.

Appendix E

Form #TDLR 013ihb – Checklist of Application Requirements – Third Party Inspector
(1 page)



TEXAS DEPARTMENT OF LICENSING AND REGULATION

Industrialized Housing & Buildings Program

P.O. Box 12157 Austin, Texas 78711 (512)463-7353 (800)803-9202 FAX (512)475-4364
Email Address: industrialized.buildings@license.state.tx.us Internet Address: www.license.state.tx.us

Checklist of Application Requirements – Third Party Inspection Agency (TPIA) Third Party Inspectors

TPIA Name: _____ Reg #IHA- _____

Inspector Name: _____ Reg #IHI- _____

Reviewed by: _____ Date Reviewed: _____

- Resume submitted with application **OR** Resume on file
- Applicant has minimum of a high school diploma or equivalent.
- Minimum of 1 year experience in building code enforcement, compliance control inspection, or building experience.

Check the type of inspector certification (1, 2, 3, or 4) – Certifications must be current with the International Code Council (ICC).

1.	<input type="checkbox"/> Combination Dwelling Inspector – Certification must be current with ICC <input type="checkbox"/> Residential Energy Inspector – Certification must be current with ICC <input type="checkbox"/> Commercial Energy Inspector – Certification must be current with ICC
2.	<input type="checkbox"/> Commercial Combination Inspector – Certification must be current with ICC <input type="checkbox"/> Residential Energy Inspector – Certification must be current with ICC <input type="checkbox"/> Commercial Energy Inspector – Certification must be current with ICC
3.	<input type="checkbox"/> Combination Inspector – Certification must be current with ICC <input type="checkbox"/> Residential Energy Inspector – Certification must be current with ICC <input type="checkbox"/> Commercial Energy Inspector – Certification must be current with ICC
4.	<input type="checkbox"/> Commercial Building Inspector – Certification must be current with ICC <input type="checkbox"/> Commercial Mechanical Inspector – Certification must be current with ICC <input type="checkbox"/> Commercial Electrical Inspector – Certification must be current with ICC <input type="checkbox"/> Commercial Plumbing Inspector – Certification must be current with ICC <input type="checkbox"/> Residential Energy Inspector – Certification must be current with ICC <input type="checkbox"/> Commercial Energy Inspector – Certification must be current with ICC

Notes:

Reference Department rule 70.23 for the complete criteria that must be met by a third party inspection agency prior to approval by the Industrialized Building Code Council. The Council has authorized the Department to grant interim approval to anyone that meets the criteria as outlined in the rules. Anyone wishing an exception to the criteria must present their case to the Council. Also see form #TDLR 010ihb for a checklist of general application requirements for a third party inspection agency (TPIA) and form #TLDR 011ihb for a checklist of application requirements for the TPIA Manager and Supervisor of Inspections.

