



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

P.O. Box 12157 • Austin, Texas 78711 • (512) 539-5735 • (800) 803-9202 • FAX (512) 539-5736
industrialized.buildings@license.state.tx.us • www.license.state.tx.us

Building Site Inspection Program
Effective April 12, 2010

REFERENCES.....1
PURPOSE.....1
FOUNDATIONS.....2
UNIQUE ON-SITE CONSTRUCTION DETAILS.....3
RESPONSIBILITY FOR BUILDING SITE CONSTRUCTION3
SITE INSPECTIONS OF HOUSING AND BUILDINGS INSTALLED OUTSIDE THE JURISDICTION OF A MUNICIPALITY OR
WITHIN A JURISDICTION WITHOUT A BUILDING INSPECTION DEPARTMENT4
HOUSING AND BUILDINGS INSTALLED WITHIN THE JURISDICTION OF A MUNICIPALITY6
REPORTING TO THE DEPARTMENT.....7
REMEDIAL ACTIONS.....9

REFERENCES

- (a) A person responsible for the installation of an industrialized house or building shall be familiar with Texas Occupations Code, Chapter 1202, Industrialized Housing and Buildings; Chapter 70, Industrialized Housing and Buildings Rules; and the mandatory building codes.
- (b) Specific sections of Texas Occupations Code, Chapter 1202, that are applicable to building site inspections include, but are not limited to, the following:
 - (1) § 1202.203, On-site Inspections;
 - (2) § 1202.251, Reservation of Municipal Authority;
 - (3) § 1202.252, Municipal Regulation of Industrialized Housing and Buildings; and
 - (4) § 1202.253, Municipal Regulation of Single-Family and Duplex Industrialized Housing.
- (c) Specific sections of the rules governing Industrialized Housing and Buildings that are applicable to building site inspections include, but are not limited to, the following:
 - (1) § 70.50, Reporting Requirements for Manufacturers, Industrialized Builders, REF Builders, and Permit Holders
 - (2) § 70.25, Permits
 - (3) § 70.62, Responsibilities of the Local Building Official – Inspections;
 - (4) § 70.70, Responsibilities of the Registrants – Manufacturer’s Design Package and REF Builder’s Construction Documents;
 - (5) § 70.73, Responsibilities of the Registrants – Building Site Construction and Inspections;
 - (6) § 70.90, Sanctions—Administrative Sanctions/Penalties
 - (7) § 70.100, Mandatory Building Codes;
 - (8) § 70.101, Amendments to Mandatory Building Codes; and
 - (9) § 70.102, Use and Construction of Codes.

PURPOSE

Site inspections of industrialized housing and buildings are performed to ensure that:

Building Site Inspection Program

Effective April 12, 2010

- (a) the installation of industrialized housing and buildings is completed in accordance with the mandatory building codes, and the approved design package or construction documents, and approved on-site construction documentation (manufacturer's installation instructions);
- (b) the installation of industrialized housing and buildings is completed in accordance with the foundation system design and any unique on-site details that have been sealed by a Texas licensed engineer or architect; and
- (c) all tests required by approved on-site construction documentation (manufacturer's installation instructions) and the mandatory building codes are performed.

FOUNDATIONS

- (a) **General** – All foundations shall be designed and constructed in accordance with the mandatory building codes. A permanent foundation system is one that is designed to meet the applicable building code as set forth in department rules §§ 70.100 and 70.101. All foundations shall be designed by a Texas licensed engineer or architect. **Industrialized housing is required by law and rules to be installed on a permanent foundation.** Industrialized buildings may be installed on a temporary foundation system if authorized by a municipality or other authority having jurisdiction.
- (b) Foundation system designs – The manufacturer and the REF builder shall provide critical load points for attachment of the house or building or component to the foundation. The industrialized builder or installation permit holder shall have a licensed professional engineer or architect design and seal the foundation designs for each industrialized house or building in accordance with Department rule § 70.73. The design shall comply with the mandatory building codes referenced in Department rules §§ 70.100 and 70.101. Review by a DRA is not needed or required. The foundation system design shall contain complete details for the construction of the foundation and for the attachment of the house or building, including, but not limited to the following.
 - (1) Address or area for which foundation is suitable.
 - (2) Minimum load specifications, including wind loads, seismic design loads, soil bearing capacity, and if the foundation is designed for expansive soils.
 - (3) Site preparation details.
 - (4) Material specifications.
 - (5) Requirements for corrosion resistance, protection against decay, and termite resistance.
 - (6) Size, configuration, and depth below grade of all footings, piers, and slabs including, but not limited to, details of concrete reinforcement, spacing of footings and piers, capping of piers, and mortar or concrete fill requirements for piers.
 - (7) Fastening requirements, including, but not limited to, size, spacing, and corrosion resistance.
 - (8) Requirements for surface drainage.
 - (9) Details for enclosure of the crawl space including details for ventilation and access.
- (c) Ground anchors. The use of ground anchors in the installation of industrialized housing is not permitted. The use of ground anchors in the installation of industrialized buildings is allowed if deemed appropriate by a municipality or other political subdivision. The foundation design shall

Building Site Inspection Program

Effective April 12, 2010

be prepared by a licensed professional engineer and shall contain complete details for the construction and attachment of the building on the foundation, including, but not limited to, the following.

- (1) Address or area for which the foundation is suitable, including a soil investigative report prepared by a qualified engineer or a description of the soil type for which the anchoring system is suitable.
- (2) Minimum load specifications, including wind loads, seismic design loads, soil bearing capacity, and if the system is designed for expansive soils.
- (3) Site preparation details.
- (4) Material specifications.
- (5) Requirements for corrosion resistance, protection against decay, and termite resistance.
- (6) Size, configuration, and depth below grade of all footings and piers including spacing of footings and piers.
- (7) Specification and installation requirements for the tie-down systems, including specifications for corrosion resistance for the ground anchors and associated tie-down system.
- (8) Requirements for surface drainage.
- (9) Details for enclosure of the crawl space, including details for ventilation and access.

UNIQUE ON-SITE CONSTRUCTION DETAILS

Unique on-site construction details are construction details that are not part of, or that differ from, the manufacturer's approved on-site construction details or REF builder's approved construction plans. Unique on-site construction details include additions that may affect the code compliance of the house or building such as car ports, garages, porches, decks, and stairs. The details shall be designed and sealed by a licensed Texas professional engineer or architect. Review by a DRA is not needed or required. The details shall comply with the mandatory building codes. A municipality may require and review the details for compliance with the mandatory building codes.

RESPONSIBILITY FOR BUILDING SITE CONSTRUCTION

- (a) The industrialized builder or installation permit holder shall ensure that the installation of an industrialized house or building complies with the manufacturer's or REF builder's on-site construction specifications or documentation that have been approved in accordance with rule § 70.70, any unique on-site construction details in accordance with rule § 70.73, the engineered foundation plan, and the mandatory building codes. The term installation shall include construction of the foundation and all related accessory construction such as porches, stairs, ramps, car-ports, and garages that affect the code compliance of the structure. The industrialized builder or installation permit holder shall make a copy of the approved on-site construction specifications or documentation, unique on-site construction details, and the engineered foundation plan available at the installation site for the construction crews and inspectors.

Building Site Inspection Program

Effective April 12, 2010

- (b) The industrialized builder or installation permit holder is responsible for ensuring that tests required by the approved on-site documentation and the mandatory building codes are completed.
- (c) The industrialized builder or installation permit holder shall ensure that all sub-contractors are licensed as required by Texas state law and shall provide the name and license number of the subcontractor to the inspector or shall post the name and license number of the subcontractor at the installation site.
- (d) The industrialized builder is not responsible for construction performed by the installation permit holder as specified on the installation permit application submitted to the Department. Construction at the installation site not covered by the installation permit is the responsibility of the industrialized builder.
- (e) Foundation. The industrialized builder or installation permit holder shall ensure that the concrete for the foundation shall not be poured before the required inspection has been completed, all violations have been corrected and approved by the inspector, and that the concrete pour complies with the following.
 - (1) Concrete shall be poured within a reasonable construction time frame as determined by the inspector to ensure continued compliance.
 - (2) Total quantity of concrete less than 50 yd³: A copy of the trip ticket from the concrete supplier shall be given to the inspector. The trip ticket shall be retained as part of the inspection report.
 - (3) Total quantity of concrete greater than 50 yd³: Concrete testing shall be performed in accordance with ACI 318, *Building Code Requirements for Structural Concrete*.
- (f) The industrialized builder or installation permit shall not permit occupancy of the house or building, or release the house or building for occupancy, until all violations have been corrected. Exception: Occupancy of the house or building may be permitted and approved with outstanding items provided that the items are not in violation of the mandatory building codes.

SITE INSPECTIONS OF HOUSING AND BUILDINGS INSTALLED OUTSIDE THE JURISDICTION OF A MUNICIPALITY OR WITHIN A JURISDICTION WITHOUT A BUILDING INSPECTION DEPARTMENT

- (a) When are site inspections required?
 - (1) Site inspections are required for the first installation of all industrialized housing and permanent industrialized buildings. Exception: Site inspections are not required for the installation of unoccupied industrialized buildings not open to the public, such as communication equipment shelters, that are not also classified as a hazardous occupancy by the mandatory building code.
 - (2) Site inspections are required for industrialized buildings designed to be moved from one commercial site to another commercial site if the building is used as a school or place of religious worship.
- (b) **Inspection personnel** – Site inspections of IHB units shall be performed by a Council approved inspector. The use of the term inspector anywhere in this document shall mean Council approved inspector.
 - (1) Council approved inspectors include any of the following.

Building Site Inspection Program

Effective April 12, 2010

- (A) A third party inspector or inspection agency registered with this Department and approved by the Council.
 - (B) A third party site inspector registered with this Department and approved by the Council.
 - (C) An engineer or architect licensed to practice in the State of Texas.
- (2) A list of Council approved inspectors is available from the Department and may be downloaded from the agency's web site at <http://www.license.state.tx.us/databases.htm#ihblists>.
- (3) The engineer or architect shall complete an application certifying that they have the requisite experience, education, or training necessary to ensure compliance of the construction and the mandatory building codes adopted in rule §§ 70.100 and 70.101.
- (4) The industrialized builder, or installation permit holder, may use a different inspector for different projects, but may not change the inspector for a project once started without the written approval of the Department. Exception: The set and final inspection may be performed by a different inspector in cases where a licensed engineer or architect is only responsible for the foundation inspection.
- (c) Scheduling of inspections – The industrialized builder, or installation permit holder, is responsible for scheduling inspections and ensuring that the inspector is given a minimum of 48 hours notice of the need for an inspection.
- (1) The industrialized builder or installation permit holder shall schedule site inspections to ensure that construction is observed in at least the following phases.
 - (A) **Foundation** – After forms are constructed, steel reinforcement is installed, but before concrete is poured.
 - (B) **Set Inspection** – When the modules or modular components are connected and fastened to the foundation.
 - (C) **Final inspection** – When utility services are connected and tests are performed.
 - (2) These inspections are minimum requirements and shall not limit the scope of the inspections that may be necessary to adequately inspect the installation. Additional inspections shall be scheduled as required for larger structures or projects and to inspect construction performed to correct violations identified during an inspection.
 - (3) The final inspection shall be completed within 180 days of the start of construction. The Department may grant an extension upon receipt of a written request that demonstrates a justifiable cause.
- (d) Minimum Inspection Requirements.
- (1) The inspector shall inspect all construction for compliance with the approved on-site construction documentation (manufacturer's installation instructions), the engineered foundation design, the unique on-site construction details, and the mandatory building codes.
 - (2) The inspector shall verify compliance of all construction at the installation site, including additions that may affect the code compliance of the house or building such as car ports, garages, porches, decks, and stairs.

Building Site Inspection Program

Effective April 12, 2010

- (A) The industrialized builder shall post a copy of installation permits issued by the Department at the job site or provide a copy of the permit to the inspector. The inspector is not responsible for the inspection of construction covered by the installation permit if not also contracted by the permit holder to inspect this construction.
 - (B) The inspector shall document on the inspection report any construction completed by the installation permit holder that affects the compliance of the construction covered by the inspector's contract or work order.
 - (3) Final inspections shall include verification that all site installed and site connected systems are working correctly. Final inspections cannot be completed until utilities are connected and tests performed as required by the mandatory building codes and the manufacturer's approved on-site construction documentation (installation instructions). Failure of system testing shall be documented on the inspection report.
 - (4) The inspector shall notify the department in writing if the industrialized builder or installation permit holder fails to call for a final inspection within 180 days of the start of construction.
 - (5) The inspector shall notify the Department in writing if he/she becomes aware that the industrialized builder or installation permit holder fails to correct violations prior to occupation of the house or building. Exception: Occupancy of the house or building may be permitted and approved with outstanding items provided that the items are not in violation of the mandatory building codes.
- (e) Inspection Reports. The inspector shall document inspections on the forms and in the format required by the Department in accordance with any requirements set by the Council. Inspection forms may be downloaded from the TDLR web site at <http://www.license.state.tx.us/ihb/ihbforms.htm#Inspection>.
- (1) The inspector shall provide the industrialized builder or installation permit holder a copy of the inspection report upon completion of each phase or re-inspection. The report shall include a Violation Report with a list of any outstanding violations, if any, that shall be corrected before the next inspection phase or before the house or building may be released for occupation.
 - (2) The inspector shall keep a copy of each inspection report for a minimum of five years from the date of the inspection.
 - (3) The industrialized builder or installation permit holder shall keep a copy of the inspection reports for a minimum of ten years from the date of successful completion of the final inspection.
 - (4) The inspector shall make a copy of the inspection report available to the Department upon request.

HOUSING AND BUILDINGS INSTALLED WITHIN THE JURISDICTION OF A MUNICIPALITY

- (a) The industrialized builder, or installation permit holder, shall contact the local building official, or building inspection Department, for a site inspection in accordance with the procedures of the municipality or other political subdivision. A municipality, or other local political subdivision, shall not require or enforce any amendments to the mandatory building codes as a prerequisite for granting or approving any local building or construction permits or certificates of occupancy

Building Site Inspection Program

Effective April 12, 2010

except as provided in paragraph (c) below. A municipality, or other local political subdivision, may enforce local land use and zoning requirements, building setback requirements, side and rear yard requirements, site planning and development and property line requirements, subdivision control, and landscape architectural requirements, and any other requirements not in conflict with the IHB law or any other state law. A municipality that regulates the on-site construction or installation of industrialized housing and buildings may:

- (1) require and review, for compliance with mandatory building codes, a complete set of designs, plans, and specifications bearing the council's stamp of approval, a copy of the foundation system design, and a copy of all unique on-site details for each installation of industrialized housing or buildings in the municipality;
 - (2) require that all applicable local permits and licenses be obtained before construction begins on a building site;
 - (3) require that all modules or modular components bear an approved decal or insignia;
 - (4) establish procedures for the inspection of the erection and installation of industrialized housing or buildings to ensure compliance with the mandatory building codes and commission rules; and
 - (5) establish procedures for the inspection of all foundation and other on-site construction, to ensure compliance with the approved designs, plans, and specifications.
- (b) A municipality may also require a final inspection or test in accordance with the mandatory building codes and correction of any deficiency identified by the test or discovered in the final inspection.
- (c) Municipalities may also adopt regulations that require single-family or duplex industrialized housing to:
- (1) have a value equal to or greater than the median taxable value for each dwelling located within 500 feet of the lot where the industrialized house is to be located;
 - (2) have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the dwellings located with 500 feet of the lot where the industrialized house is to be located;
 - (3) comply with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to dwellings; or
 - (4) be securely fastened to a permanent foundation.

REPORTING TO THE DEPARTMENT

- (a) Industrialized builders – Each industrialized builder shall keep records of all industrialized housing, buildings, modules, and modular components that were sold, leased, or installed.
- (1) These records shall be kept for a minimum of ten years from the date of successful completion of the final site inspection. An industrialized builder who is not responsible for the installation of the house or building shall maintain the records for a period of five years from the date of sale or lease. The industrialized builder shall provide a copy to the Department upon request.

Building Site Inspection Program

Effective April 12, 2010

- (2) The Department shall conduct an annual audit of units sold, leased, or installed by the industrialized builder. The audit shall identify the modules or modular components by the name and Texas registration number of the manufacturer of each unit and the assigned Texas decal or insignia numbers and the corresponding identification, or serial, numbers as assigned by the manufacturer. The industrialized builder shall report or provide the following information to the Department for each unit identified in the audit, within the time frame set by the audit.
 - (A) Evidence of compliance with Department § 70.75 (relating to Responsibilities of the Registrants – Permit/Owner Information).
 - (B) The address where each unit was installed. If the industrialized builder is not responsible for the installation, then the address to where each unit was delivered. If the unit has not been installed, then the address where the unit is stored.
 - (C) Date construction began at the installation site. This is the date that work began on the foundation.
 - (D) Date of occupation by the owners or leasers or date released for occupancy, whichever occurs first.
 - (E) The occupancy use of each building containing modules or modular components. For example, is the building used as a classroom or school, a restaurant, a bank, an equipment shelter, single-family residence, etc.
 - (F) If the industrialized builder is responsible for the installation and site work, then the industrialized builder shall:
 - (i) keep a copy of the foundation plans;
 - (ii) keep a copy of any unique on-site construction plans;
 - (iii) keep a copy of the site inspection report or evidence of the city responsible for the site inspection such as a permit number or copy of a certificate of occupancy; and
 - (iv) give a copy of these documents or information to the Department upon request.
 - (G) If the industrialized builder is not responsible for all of the construction related to the installation and site work, then the industrialized builder:
 - (i) shall keep a copy of the engineered construction plans for that portion of the construction for which he is responsible;
 - (ii) shall keep a copy of the site inspection report for that portion of the construction work for which he is responsible or evidence of the city responsible for the site inspection, such as a permit number or copy of a certificate of occupancy; and
 - (iii) give a copy of these documents or information to the Department upon request.
 - (H) If the industrialized builder is not responsible for the installation and site work then he shall provide identification of the installation permit number, assigned

Building Site Inspection Program

Effective April 12, 2010

by the Department, or industrialized builder registration number of the person responsible.

- (l) If the industrialized builder transfers or sells the unit to another industrialized builder, then he shall provide written notification to the Department within 10 days of the transfer or sale.
- (b) **Installation permit holder** – An installation permit holder shall keep a copy of the foundation plans and other construction plans and a copy of the site inspection report for 10 years from the date of successful final inspection and shall provide a copy of these records to the Department upon request.

REMEDIAL ACTIONS

- (a) The industrialized builder or installation permit holder shall notify the Department within 10 days of any remedial actions. The industrialized builder or installation permit holder shall engage an engineer to evaluate and inspect remedial actions for the following.
 - (1) Failure to have industrialized housing installed on a permanent foundation.
 - (2) Failure to have the required site inspections performed.
- (b) Inspections required to complete the remedial actions shall be performed by an IHB program specialist or another qualified inspector approved by the Department. The industrialized builder or installation permit holder is responsible for all fees for the inspections.
 - (1) Fees for special inspections by IHB staff shall be in accordance with the requirements of Department rule § 70.80(j).
 - (2) Fees for special inspections performed by another qualified inspector shall be as specified by the inspector or inspection agency.
- (c) The industrialized builder or installation permit holder shall be responsible for ensuring the inspector access to the property to perform the special inspections necessary to complete the remedial actions.
- (d) In addition to the remedial actions, failure to comply with these procedures and applicable law and rules may also result in administrative penalties in accordance with rule § 70.90.