

INDUSTRIALIZED HOUSING AND BUILDINGS AT A GLANCE

Statutes: Chapter 1202, Occupations Code

Rules: Title 16 T.A.C. Chapter 70

Practice Act? Yes

Title Act? No

Number of Licensees: 805 (FY 22)

Webpage: <https://www.tdlr.texas.gov/ihb/ihb.htm>

Inspections? Yes

Facilities? Yes

Equipment? No

Individuals? Yes



Overview:

The IHB program covers structures constructed in one or more modules at a location other than the installation site and designed to be used as a commercial structure or permanent residential structure when installed. The buildings are closed construction and cannot be inspected at the installation site without disassembling the building or destroying a portion of the building.

Commercial

Buildings that are regulated include permanent commercial structures and commercial structures designed to be transported from one commercial site to another commercial site, but do not include the following:

- A commercial building that is installed on a temporary foundation and that is either:
 - not open to the public; or
 - less than 1,500 square feet in total area and used as other than a school or a place of religious worship.
- Construction site buildings. A construction site building is a commercial structure that is not open to the public and is used for any purpose at a commercial site by a person constructing a building, road, utility, or other infrastructure or improvement to real property.

Residential

Industrialized housing is designed for one or more families, is constructed in one or more modules or using one or more modular components built at a location other than the permanent site; and is designed to be used as a permanent residential structure when it has been transported to the permanent site and installed on a permanent foundation system. Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems.

Industrialized housing does not include:

- housing constructed of a sectional or panelized system that does not use a modular component; or
- a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.

Manufacturers cannot release an industrialized house or building to someone who does not have either an industrialized builder registration or an installation permit issued by TDLR. Someone purchasing or leasing an industrialized house or building for their own use, or their company's use, may file for an installation permit in lieu of registering as an industrialized builder.

What is the difference between Industrialized (modular) Homes and Manufactured Homes?

The primary differences between an industrialized (modular) home and a manufactured home are:

- The codes to which the homes are built. Modular housing in the state of Texas is constructed to the same codes as site-built housing. Manufactured housing is constructed to federal HUD code standards.
- Modular homes must be installed on a permanent foundation system.
- Titles are not issued for modular homes. Once installed the home becomes part of the real property.
- A municipality may not differentiate between modular homes built under the Texas IHB program and site-built homes.

Types of IHB Registrants

- **IHB Manufacturer**

An Industrialized Housing and Building (IHB) manufacturer constructs or assembles modules or modular components at a manufacturing facility and then offers those modules or modular components for sale or lease, or otherwise used.

- **Industrialized Builder**

A person who is a retailer of industrialized housing or buildings, or who is responsible for the assembly, connection, and on-site construction and erection of an industrialized house or building for someone other than themselves must be registered as an industrialized builder.

- **Design Review Agency**

A Design Review Agency (DRA) is an approved organization, private or public, determined by the Texas Industrialized Building Code Council to be qualified to review designs, plans, specifications, and building systems documentation, and to certify compliance to the code by affixing the council's stamp.

- **REF Builder**

A person who constructs a Relocatable Education Facility (REF) at the first installation site. A person who assembles REFs constructed in a manufacturing facility is not an REF builder.

- **Third-Party Inspector**

An approved person determined by the council to be qualified by reason of experience, demonstrated reliability, and independence of judgment to inspect industrialized housing, buildings, site-built REFs, and portions thereof for compliance with the approved plans, documentation, compliance control program, and applicable code. A third party inspector works under the direction of a third party inspection agency or TPIA.

- **Third-Party Inspection Agency.**

A Third-Party Inspection Agency (TPIA) is an approved person or entity determined by the council to be qualified by reason of facilities, personnel, experience, demonstrated reliability, and independence of judgment to inspect industrialized housing, building, site-built REFs, and portions thereof for compliance with the approved plans, documentation, compliance control program, and applicable codes.

- **Third-Party Site Inspector**

An approved person determined by the council to be qualified by reason of experience, demonstrated reliability, and independence of judgment to inspect construction of REF's or the foundation and installation of industrialized housing, buildings, and portions thereof for compliance with the approved plans or engineered plans and the applicable code.

- **Installation Permit**

An Installation Permit is a registration issued by the department to a person who purchases an industrialized house or building for the person's own use and who assumes responsibility for all or part of the construction related to the installation of the house or building.

Oversight

The **Industrialized Housing and Building Code Council** has 12 members serving staggered two-year terms, including:

- three members who represent the industrialized housing and building industries;
- three members who represent municipal building officials from municipalities with a population of more than 25,000;
- three members who represent general contractors who construct housing or buildings on-site;
- one member who is an engineer licensed in this state who acts as a structural engineer;
- one member who is an engineer licensed in this state who acts as an electrical engineer; and
- one member who is an architect registered in this state.

The Governor appoints the members of the council.

Registration	Fees
Manufacturer	\$750
REF Builder	\$750
Industrialized Builder	\$325
Design Review Agency	\$300
Third-Party Inspection Agency	\$150
Third-Party Site Inspector	\$100
Installation Permit (business or individual)	\$75