



Ohio Administrative Code

Rule 4781-7-05 Certified third party plans review agencies and certified third party inspection agencies.

Effective: January 20, 2020

(A) The division may contract with certified third-party inspection agencies to perform inspections or plan reviews. Trained division inspectors may also perform these functions.

(B) To become certified, third-party inspection agencies must provide the following information to the division:

(1) The name, address, and telephone number of the third-party inspection agency; names and addresses of all owners, shareholders, partners, limited liability companies, and/or directors with a five per cent share or larger of the business. If any of the owners, shareholders, partners, limited liability companies, and/or directors are corporately owned, the names and addresses must include the real persons' names through each layer of ownership.

(2) Provide notification of any felony conviction(s) to the division for all owners, partners, directors, and shareholders with a five per cent share or larger, as required by the division on a form provided by the division. The division may deny certification as a third-party inspection agency to any business with an owner, partner, director, and/or shareholder who has a felony conviction.

(3) Provide notification of any owners, shareholders, partners, limited liability companies, and/or directors who also have a five per cent share or larger in any manufactured home installation company, manufactured home retail lot, manufactured home development, manufactured home park, manufactured home manufacturer, or manufactured home equipment supplier. If any of the owners, shareholders, partners, limited liability companies, and/or directors are corporately owned, the names and addresses must include the real persons names through each layer of ownership. The division may limit the jurisdictional area where the third-party inspection agencies may perform plan review or inspections of manufactured homes or deny certification as a third-party inspection agency based upon a conflict of interest.

(C) Third-party inspection agencies shall apply to the division for certification on a form approved



by the division. Principals of a third-party inspection agency are required to have at least two years' experience in inspecting manufactured homes, have inspected at least fifteen manufactured homes, which must be verified by a previous employer who is certified as an inspection agency with the division, or other experience as approved by the division.

(D) Each third-party inspection agency shall be required to provide, within twenty-four hours of issuing a permit, updates to the seal report or any other information that is requested by the division as it relates to activities pursuant to this chapter for public viewing on the department's website at www.com.ohio.gov.

(E) Any third-party agency that enforces division rules shall notify the division of changes in personnel within thirty calendar days after such personnel changes have been made. Each third-party agency must have a minimum of one inspector certified by the division, a back-up inspector certified by the division, and an ESI as either employees or under contract.

(F) Third-party inspectors.

(1) Inspectors for certified third-party inspection agencies are subject to all the requirements for inspectors in rule 4781-7-02 of the Administrative Code. Inspectors for certified third-party inspection agencies can inspect the installation of a manufactured home and any elements that deal with installation of a manufactured home that are under the jurisdiction of the division and conduct plans reviews of the installation of manufactured homes.

(2) Third-party inspectors shall be held to the ethics standards for inspectors in accordance with rule 4781-7-06 of the Administrative Code. Third-party agencies that are not subject to the standards of the state ethics laws, including Chapter 102. of the Revised Code, shall be held to rule 4781-7-06 of the Administrative Code.

(G) A third-party inspection agency's certification is effective for three years. Each certified third-party inspection agency shall apply for renewal and pay a nonrefundable renewal fee in an amount set forth in paragraph (K) of this rule prior to the expiration date of the certification. All applications for renewal of expired certifications shall be processed as renewals during the one-year period following expiration. All applications for renewal of expired certifications submitted more than one



year following the expiration shall be processed as a new application. The agency shall not perform any duties for which a certification is required while expired.

(H) A third-party inspection agency must maintain insurance and/or bonding requirements as prescribed by the division during the duration of the certification period. Failure to do so will cause the certification to be placed on inactive status, during which the agency shall not perform any duties for which a certification is required.

(I) No certified third-party inspection agency may contract with any political subdivision within the state to be the sole provider of manufactured home installation inspections or manufactured homes plan review.

(J) After an investigation, if a finding of facts establishes that a third-party inspection agency or any of its employees has not complied with Chapter 4781. of the Revised Code or the rules promulgated thereunder, the division may suspend or revoke the third-party agency's certification. The division may initiate an investigation on its own motion or upon receipt of a complaint. If the division proposes to suspend or revoke the agency's certification, the division shall conduct a hearing pursuant to Chapter 119. of the Revised Code. If the division finds that the third-party employee inspector or the third-party inspection agency has violated the rules, the division may suspend, revoke, issue a fine, or do a combination thereof. Any fine imposed cannot exceed one thousand dollars per day per violation. A third-party inspection agency shall return any certification and identification cards to the division within three business days after receipt of the division's order of revocation.

(K) Fees.

(1) The non-refundable fee for application or renewal for certification of a third-party inspection agency shall be three hundred dollars for each.

(2) Fees shall be made payable by check or money order to "Treasurer, State of Ohio," or by credit card. Any payment of fees may be subject to a convenience fee as charged to the division.