



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner



August 7, 2019

Dear Manufactured Home (HUD Unit) Interested Party:

As of August 5, 2019, the Department adopted amendments to the Uniform Construction Code (UCC), N.J.A.C. 5:23, to discontinue its status as a State Administrative Agency for manufactured homes under the jurisdiction of Housing and Urban Development (HUD). This means the Federal government is responsible for the oversight of the installation of manufactured homes in the State of New Jersey. Installation contractors are required to be licensed by HUD and attend continuing education classes as required by HUD. Installations are inspected by third-party inspectors approved by HUD. A certification that the installation meets the requirements of the Federal installation standards must be completed. In addition, any complaints regarding the installation of a manufactured home are to be referred to HUD for resolution.

This decision was made based on HUD's assertion of jurisdiction for the installation of manufactured homes in New Jersey back in May, 2016. Until August 5, 2019, installers were required to meet the requirements under the UCC, as well as comply with the Federal program. While this arrangement is allowed under Federal law, it was a duplication of effort that increased the cost of installation on a segment of the residential market that is often an affordable housing option. Also, because there are, on average, only about 300 to 400 manufactured homes installed annually Statewide, it became apparent that New Jersey should no longer be involved with this Federal program.

Because the Federal government is now the sole entity responsible for oversight of the installation of manufactured homes in the State of New Jersey, they are responsible to govern the gas and electrical connections to the homes and inspections; these items are considered part of the initial installation of a manufactured home, and are under HUD's jurisdiction.

Therefore, as of August 5, 2019, the Department no longer has any jurisdiction over the initial installation of a manufactured home, including the utility connections. This also means that local enforcing agencies will no longer perform plan review, issue permits, or issue cut-in-cards for any utility connections. Owners will be required to obtain zoning approval and comply with HUD regulations. Utility companies are advised to contact HUD regarding cut-in-card procedures.

Should you have any questions, please contact me at (609) 984-7609.

Respectfully,

Keith Makai

Keith Makai
Code Assistance Unit



WESTLAW

New Jersey Administrative Code
 Title 5. Community Affairs
 Chapter 23. Uniform Construction Code (Rafe & Annos)
 5:23-2.2 Matter covered
 NJAC 5:23-2.2 New Jersey Administrative Code (NJAC) 5:23-2.2
 Subchapter 2.7 Administration and Enforcement; Process

N.J.A.C. 5:23-2.2

5:23-2.2 Matter covered

Currentness

(a) The provisions of the regulations shall apply to all buildings and structures and their appurtenant construction, including vaults, area and street projections, and accessory additions; and shall apply with equal force to municipal, county, State, and private buildings, except where such buildings are otherwise specifically provided for by the regulations.

1. Manufacturing, production, and process equipment, as defined at N.J.A.C. 5:23-1.4, is not under the jurisdiction of the Uniform Construction Code. Equipment, processes, or operations involving combustible dust as defined by the building subcode shall not be considered manufacturing, production, or process equipment, and, therefore, shall be subject to the requirements of this chapter.

2. Manufactured homes constructed and installed under 24 CFR Parts 3280 and 3285, respectively, is not under the jurisdiction of the Uniform Construction Code. The relocation or rehabilitation of manufactured homes is under scope of the Uniform Construction Code.

(b) A building or structure shall not be constructed, extended, repaired, removed, renovated, altered or reconstructed in violation of these provisions, except that no permit shall be required for ordinary maintenance as provided herein, and except further that the raising, lowering or moving of a building or structure on the same lot, as a unit, necessitated by a change in legal grade or widening of a street, shall be permitted, provided the building or structure is not otherwise altered or its use or occupancy changed.

1. Any new work, such as foundations or utility connections shall, however, be in accordance with the regulations.

(c) Any requirement essential for structural, fire or sanitary safety of a building or structure, or essential for the safety of the occupants thereof, and which is not specifically covered by the regulations, shall be determined by the construction official, and appropriate subcode official.

(d) The continuation of occupancy or use of a building or structure, or of a part thereof, contrary to the provisions of the regulations, shall be deemed a violation and subject to the remedies prescribed in this subchapter.

(e) Where provisions herein specify requirements for structural, fire and sanitary safety, no provision of any municipal zoning or other municipal code shall conflict, govern or have effect. Where the provisions herein specify requirements with respect to location, use, permissible area and height, and the municipal zoning code establishes requirements as well, then the more restrictive requirements of this code or the zoning code shall govern.

Credits

Amended by 1981 d.134, effective May 7, 1981; R 1988 d.28, effective January 5, 1988; R.2003 d.473, effective December 15, 2003; R 2013 d.081, effective June 3, 2013; R 2018 d 021, effective January 18, 2018 Amended by 51 N J R 1289(a) R 2019 d 083, effective August 5, 2019

CHAPTER EXPIRATION DATE

<Chapter 23, Uniform Construction Code, expires on March 26, 2022.>

Current through amendments included in the New Jersey Register, Volume 61, Issue 18, dated October 7, 2019.

N.J.A.C. 5:23-2.2, NJ ADC 5:23-2.2

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