

**State of Illinois**

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**Department of Public Health**

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# Regulation of Factory Built Structures in Illinois

2007

## **Regulation of Factory Built Housing in Illinois**

There are many terms used to describe housing units that are constructed at a factory. These terms include trailers, mobile homes, manufactured homes, sectionalized homes, panelized homes, modular homes, Department of Housing and Urban Development (HUD) homes, industrialized housing and factory built homes. Because of the similarity of these terms, there often is much confusion to potential or actual owners of these units, dealers, building and zoning officials, and lending and taxing agencies. Since one-third of all homes built in the country today are manufactured at a factory away from the final site of the home, it is important that there be a correct understanding of the terminology and regulations of the product.

In general, the construction of all factory built housing located in Illinois must be approved by either the U.S. Department of Housing and Urban Development or the Illinois Department of Public Health.

### **Manufactured Homes**

All mobile type homes constructed after June 15, 1976, must comply with the National Manufactured Home Construction and Safety Standards. These standards apply uniformly across the country and it is illegal for a local unit of government to require additional construction requirements. A red metal label must be permanently affixed to the rear of each towable unit. The federal standard refers to such a unit as a "manufactured home" which is defined as "a structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. . ." Local jurisdictions may regulate the location to these homes in their community and the on-site installation of the home.

This type of unit is an evolution from the "trailer," "trailer coach" and more recently, the "mobile home." These units often are also called "HUD homes" since the Department of Housing and Urban Development (HUD) establishes the construction standards.

### **Modular Homes**

The second type of factory built housing is regulated by the Illinois Department of Public Health. This type of unit is called a "manufactured housing unit" or "modular dwelling" and is defined as "a building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilating and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation, on the building site, with a permanent foundation."

A permanent foundation means a closed perimeter formation consisting of materials such as concrete or concrete block which extends into the ground below the frost line.

These types of units may be either panelized (floor, wall and roof panels are assembled at the final site) or sectional (the home is shipped as a box-like configuration). These units are often called modular homes.

The state-approved manufactured housing unit/modular dwelling must comply with the Manufactured Housing and Mobile Home Safety Act (430 ILCS 115) and the Illinois Modular Dwelling and Mobile Structures Code (77 Ill. Admin. Code 880). This code references the International Code Council 2003 series of codes including the International Residential Code, International Building Code, International Energy Conservation Code, International Fuel Gas Code. All factory built structures must conform to the 2004 Illinois State Plumbing Code.

An approved manufactured housing unit will have a yellow seal on the electrical panel box of the home or on the inside of the kitchen sink cabinet.

Unlike manufactured homes, the local building official may require additional items other than the minimum state requirements to be incorporated into the construction.

Units that are manufactured at a factory, without the installation of the utilities such as the plumbing, electrical and heating systems are subject only to local regulations like a site-built home.

### **Other Structures**

Commercial mobile structures such as classrooms and offices are also regulated by the Illinois Department of Public Health if the units are larger than 8 feet by 32 feet and transported to the site on their own wheels. The construction of commercial modular type units which are not transported to the final site on their own wheels is not subject to regulation under the Illinois Manufactured Housing and Mobile Home Safety Act. The local unit of government is responsible for regulating these units. Modular condominiums, apartments, and hotels are, however, subject to regulation by the Department of Public Health as they are considered dwelling units.

It also should be noted that neither the state nor the federal government regulates the construction of recreational vehicles.

### **Differences in Construction Codes**

Some of the major differences between the federal construction code for manufactured homes and the Illinois code for modular dwellings are as follows:

1. A permanent perimeter foundation extending below the frost line is required for modular dwellings. The federal code for manufactured homes allows the home to be supported by concrete blocks located underneath the I-beams. State law does require that the manufactured homes be tied down to prevent possible personal and property damage.

2. The code for the manufactured homes requires a minimum 6 foot 2 inch by 2 foot 8 inch entrance door, whereas the modular code requires the door to be at least 6 foot 8 inch by 3 foot.
3. The manufactured home code requires hallways to be a minimum width of 28 inches whereas the state code requires a minimum width of 36 inches for modular dwellings.
4. Regarding the plumbing system, there are several differences between the federal code for manufactured homes and the Illinois Plumbing Code for modular units. Some of the pipe material approved by the federal code does not meet the Illinois Plumbing Code requirements. The Illinois code requires that the drainage system be vented to the outside atmosphere whereas the code for manufacture homes allows the use of "quick vents" which obtain their air from within the home. A backflow protection device for hose faucets is required by the Illinois Plumbing Code for modular dwellings.
5. The federal code allows the floor system to deflect vertically 1/240th of the span as opposed to the state requirements of 1/360th of the span.
6. The roofs of modular homes must be designed for a minimum load of 30 pounds per square foot. The code for manufactured homes requires that homes located in Illinois be designed for a minimum 20 pound per square foot load.

### **Zoning Restrictions**

Before purchasing a factory built home, the local zoning requirements should be determined. Because modular dwellings are required to be placed on a permanent perimeter foundation like a site-built home, there generally is not a problem locating these homes in residentially zoned areas. The location of manufactured homes, however, is often more difficult. In several areas of the state, zoning ordinances have restricted the location of the manufactured homes to manufactured home communities; however, zoning ordinances across the country are becoming less restrictive.

### **Financing and Taxing**

Financing options for manufactured housing units/modular dwellings are generally the same as those for site-built homes and include Veterans Administration, Federal Housing Authority, and Farmers Home Administration loans, in addition to banks, savings and loans, credit unions and commercial financing companies.

While the financing for the manufactured home traditionally has been limited to installment loans for a maximum length of 12 years, 15-year financing is now becoming more popular.

Unless supported by a permanent perimeter foundation, manufactured homes are taxed as personal property, whereas modular dwellings are taxed as real estate.

## **Misrepresentation**

Because a HUD-approved manufactured home and a state-approved modular dwelling may look identical on the outside, and because there are taxing, zoning, and financing advantages of a modular unit, it is possible that a dealer of factory built homes may attempt to misrepresent a HUD-approved home. It is a federal offense to remove the red label on the exterior of the home. If you are aware of a factory built home constructed after June of 1976 that does not have either the HUD label on the exterior of the home or the Illinois seal on the interior of the home, please contact the Illinois Department of Public Health at 217-782-5830.

## **Further Assistance**

Any general questions about factory built housing or specific questions regarding approved modular dwellings or commercial mobile structures should be addressed to:

Illinois Department of Public Health  
Division of Environmental Health  
525 West Jefferson Street  
Springfield, Illinois 62761  
217-782-5830

Questions regarding manufactured homes approved by the federal Department of Housing and Urban Development should be addressed to:

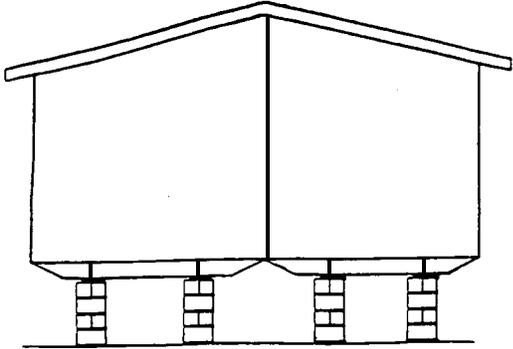
Department of Housing and Urban Development  
Manufactured Home Construction Standards Division  
451 - 7th Street Southwest  
Washington D.C. 20410  
202/708-6423

Also, the following organizations may be of assistance for questions pertaining to zoning, taxing and financing of manufactured homes.

Illinois Manufactured Housing Association  
3888 Peoria Road  
Springfield, Illinois 62701  
217/528-3423

Illinois Affordable Housing Institute  
875 North Michigan Avenue Suite 3800  
Chicago, IL 60631  
773-434-8800

## MANUFACTURED HOMES

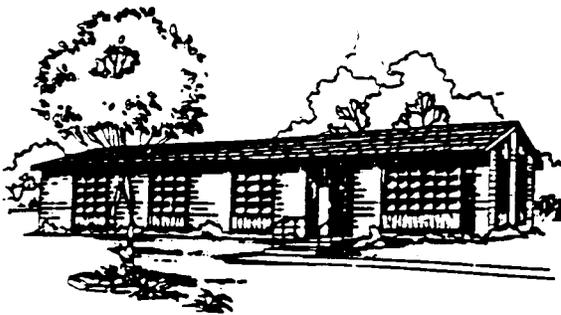


The construction of the mobile type dwellings, known as "manufactured homes," is regulated by the U.S. Department of Housing and Urban Development. State and local units of government are preempted from imposing any additional construction requirements. The installation of these homes must comply with the Illinois Manufactured Quality Assurance Act (430 ILCS 117) and the Manufactured Home Installation Code (77 Ill. Admin. Code 870). The location of these homes is subject to local zoning and covenant restrictions.

All manufactured homes must bear a red metal label on the exterior of the home located near the floor level at the end opposite the towing hitch.

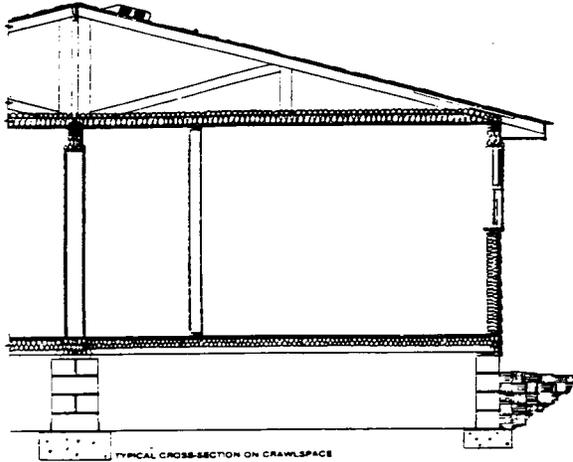
**AS EVIDENCED BY THIS LABEL NO. [REDACTED]**  
**THE MANUFACTURER CERTIFIES TO THE BEST OF THE MANUFACTURER'S KNOWLEDGE AND BELIEF THAT THIS MANUFACTURED HOME HAS BEEN INSPECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND IS CONSTRUCTED IN CONFORMANCE WITH THE FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE. SEE DATA PLATE.**

## COMMERCIAL MOBILE STRUCTURES



The Illinois Department of Public Health is responsible for regulating the construction of commercial mobile structures such as classrooms and offices. These units will have a seal on the electrical panel box like a modular dwelling.

## MODULAR DWELLINGS



Seal No. **17400**

Compliance Cert. No. \_\_\_\_\_

Manufacturer: \_\_\_\_\_

Date Manufactured: \_\_\_\_\_

Model: \_\_\_\_\_

Manufacturer's Serial No. \_\_\_\_\_

Department Plan Approval No. \_\_\_\_\_

Design Live Loads:

Roof: \_\_\_\_\_ PSF

Floor: \_\_\_\_\_ PSF

Design Wind Load: \_\_\_\_\_ PSF

Seismic Zone: \_\_\_\_\_

The manufacturer of this factory built structure certifies that this unit complies with the Illinois Manufactured Housing and Mobile Home Safety Act and rules promulgated by the Illinois Department of Public Health.

The construction of modular dwelling units located in Illinois is regulated by the Illinois Department of Public Health. These units include one and two family dwellings, apartments, and hotels. The units must be placed on a permanent perimeter foundation which extends below the frost depth. A yellow seal in the shape of the state of Illinois must be placed on the electrical panel box of each unit. Local jurisdictions can require more stringent construction regulations beyond the minimum state requirements.

