

## Chapter SPS 368

## MANUFACTURED HOUSING REHABILITATION AND RECYCLING

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**Note:** Chapter Comm 156 was renumbered chapter SPS 456 under s. 13.92 (4) (b) 1., Stats., Register December 2011 No. 672; **Chapter SPS 456 was renumbered chapter SPS 368 under s. 13.92 (4) (b) 1., Stats., Register November 2017 No. 743.**

**SPS 368.10 Authority and purpose.** Under the authority in s. 101.934 (3), Stats., this chapter establishes a grant program for rehabilitation and recycling of manufactured housing.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08; correction made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672.

**SPS 368.20 Definitions.** In this chapter:

(1) "Abandoned manufactured home" means a manufactured home that is either of the following:

(a) Vacant or in need of extensive repair.

(b) An unreasonable danger to public health, safety, welfare or the environment.

(2) "Administrative costs" means the expenses incurred by a grantee in providing funds to or on behalf of participating households. This includes staff costs, office expenses, and costs for printing, mailing, travel, training, accounting, auditing and reporting.

(3) "Critical repair" means permanent, essential rehabilitation to an owner-occupied manufactured home, that is intended to ensure that the home is decent, safe, and sanitary.

(4) "Department" means the department of safety and professional services.

(5) "Eligible homeowner" means an individual who owns and resides in a manufactured home that is in need of critical repairs; and whose income, when combined with all other members of the household, does not exceed 80 percent of the median annual household income, as established by the US department of housing and urban development, in the county where the household is located.

(6) "Household" means one or more persons occupying a manufactured home.

(7) "Manufactured home" has the meaning given in s. 101.91 (2), Stats.

**Note:** Under section 101.91 (2) of the Statutes, "manufactured home" means either (1) a structure which is designed to be used as a dwelling with or without a permanent foundation, and which is certified by the federal Department of Housing and Urban Development as complying with the standards established under 42 USC 5401 to 5425; or (2) a mobile home. Under section 101.91 (10) of the Statutes, "mobile home" means a vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile home" includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.

(8) "MHRR" means manufactured housing rehabilitation and recycling.

(9) "Municipality" means any city, village, town, county or federally recognized American Indian tribe or band in this state.

(10) "Rehabilitation" means a permanent improvement to an owner-occupied manufactured home; including installation or replacement of windows, doors, roofing, plumbing, water heaters, heating systems, insulation, tie downs, footings and foundations.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08; correction in (4) made under s. 13.92 (4) (b) 6., Stats., Register December 2011 No. 672.

**SPS 368.30 Eligible applicants.** The department shall accept applications for administration of funding under this chapter only from nonprofit organizations that are identified as tax exempt under section 501(a) of the Internal Revenue Code.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08.

**SPS 368.32 Eligible activities.** MHRR funds may only be used for the following activities:

(1) To assist eligible homeowners with critical repairs of their primary residence.

(2) To assist municipalities, organizations and persons involved in disposal of abandoned manufactured homes, and for the purpose of supporting environmentally sound disposal.

(3) To offset costs for administering an MHRR program.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08.

**SPS 368.34 Eligible property.** (1) For all eligible-homeowner activities, the property shall be a manufactured home that will serve as the owner's principal residence. The home shall be located either on land that is owned by the homeowner, or on land for which the homeowner has a written lease as defined in s. 710.15 (1) (ag), Stats.

**Note:** Section 710.15 (1) (ag) of the Statutes reads as follows: "'Lease' means a written agreement between an operator and a resident establishing the terms upon which the mobile home or manufactured home may be located in the community or the resident may occupy a mobile home or manufactured home in the community."

(2) For all disposal activities, the property shall be an abandoned manufactured home.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08.

**SPS 368.36 Eligible costs.** (1) Any administrative costs, including project-related soft costs, may not exceed ten percent of the total housing activity funds requested, except payments for relocation services may be excluded from this ten-percent portion.

(2) Contracted administrative costs shall be eligible for MHRR funding only when incurred through a request-for-proposal process.

(3) The cost of critical repairs for an owner-occupied manufactured home is eligible for MHRR funding.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08.

**SPS 368.40 Applying for a grant from the department.** All applications for administration of funding under this chapter shall be in a format prescribed by the department and shall include proof of tax-exempt status.

**Note:** The format that is currently prescribed can be obtained from the department at MHRR, P.O. Box 8935, Madison, WI 53708-8935; and may be available by accessing the department's Web site at <http://dps.wi.gov> and searching for the manufactured housing rehabilitation and recycling program.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08.

**SPS 368.50 Evaluation criteria.** The department may adjust an award amount from an amount requested in an application submitted under s. SPS 368.40, based on the following criteria:

(1) The applicant's capacity to complete the proposed activities.

(2) The technical expertise of the applicant's staff, with manufactured housing.

(3) Geographic coverage of activities.

(4) The applicant's performance and progress in any other housing program.

(5) Financial-audit results from any other housing program.

(6) The extent to which the applicant will direct program funding to actual repairs for homeowners who are most in need of the financial assistance, rather than to inspections, appraisals and administrative costs.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08; correction in (intro.) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672; correction in (intro.) made under s. 13.92 (4) (b) 7., Stats., Register November 2017 No. 743.

**SPS 368.60 Contracts.** (1) Each recipient of a grant

award from the department shall enter into a contract with the department for eligible activities.

(2) The department shall release the funds for an award upon signing of the contract by all parties, and submission of any required contract information.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08.

**SPS 368.70 Completions.** (1) Upon completion of any repairs to a manufactured home that are funded under this chapter, the home shall be connected to permanent utility hook-ups, and shall meet all applicable state and local building codes, rehabilitation standards and ordinances, and zoning ordinances.

(2) Abandoned manufactured homes shall be disposed of utilizing environmentally sound disposal practices.

**History:** CR 08-008: cr. Register August 2008 No. 632, eff. 9-1-08.