RULES OF

Department of Commerce and Insurance

Division 4240—Public Service Commission

Chapter 123—Modular Units

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TITLE 20 — DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240 — Public Service Commission
Chapter 123 — Modular Units

20 CSR 4240-123.010 Definitions

PURPOSE: This rule defines the terms used in this chapter.

(1) The following definitions, as well as those set out in section 700.010, RSMo, and 20 CSR 4240-127, apply to this chapter:

(A) Application means an application for a seal;

(B) Replacement seal means a seal which has been issued to replace a lost, mutilated, or otherwise unserviceable seal or approved insignia; and

(C) Seal as defined by section 700.010, RSMo, includes replacement seal.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.010. Original rule filed Aug. 16, 1979, effective Dec. 15, 1979. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983. Amended: Filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.010, effective Aug. 28, 2019. Amended: Filed April 29, 2026, effective Nov. 30, 2026.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.020 Administration and Enforcement

PURPOSE: This rule delegates the responsibility for administering and enforcing the code, this chapter, and Chapter 700, RSMo, as it relates to modular units or homes.

(1) The following commission powers and responsibilities under Chapter 700, RSMo, are delegated to the manager:

(A) The issuance of notices of annual registration;

(B) The processing of annual registrations;

(C) The development and implementation of inspection processes;

(D) The issuance of seals;

(E) Approval of manufacturing programs consistent with the provisions of 20 CSR 4240-123.040;

(F) Daily monitoring and administration of reasonable fees which are sufficient to cover all costs incurred in the administration of Chapter 700, RSMo; and

(G) Consumer complaint handling and remedial actions up to and including the dispute resolution process of section 700.689, RSMo.

(2) The following commission powers and responsibilities under Chapter 700, RSMo, are the exclusive authority of the commission and not delegated to the manager:

(A) Establishing, changing, or eliminating the amount of fees for seals or inspections, or both;

(B) Denying, refusing to renew, suspending, revoking, or placing on probation a registration for any reason under section 700.090, RSMo; and

(C) Other duties as outlined under Chapter 700, RSMo, or these rules not specifically delegated.

(3) Manufacturers shall be responsible for all necessary repairs due to nonconformance of standards regardless of their selling agent.

(4) The dealer or selling agent shall assume responsibility of repairs due to nonconformance of standards if the manufacturer either goes out of business, avoids service of process, files bankruptcy, fails to satisfy a judgment, or becomes insolvent.

(5) In the event the dealer or selling agent either goes out of business, avoids service of process, files bankruptcy, fails to satisfy a judgment, or becomes insolvent, the manufacturer shall become responsible for arranging for the setup of the modular unit in accordance with the manufacturer's installation manual, unless the purchaser or his or her authorized agent has executed a written waiver of that service.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.020. Original rule filed Aug. 16, 1979, effective Dec. 15, 1979. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.020, effective Aug. 28, 2019. Amended: Filed April 29, 2026, effective Nov. 30, 2026.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.030 Seals

PURPOSE: This rule describes the modular unit to which seals or approved insignia must be affixed and the standards and procedures which relate to the issuance of seals and the removal of seals and approved insignia.

(1) No modular unit which entered the first stage of production after July 1, 1976, shall be rented, leased, or sold or offered for rent, lease, or sale in this state unless a seal or approved insignia is properly affixed to it.

(2) An application for a seal shall be submitted to the manager and it shall be executed on a form which shall be provided by the manager. One (1) form may be used to apply for all seals required at a given time.

(3) To be complete, an application for seals to be affixed to modular units manufactured or to be manufactured under an approved manufacturing program shall be executed by the manufacturer (or the manufacturer's agent if the manufacturer is a corporation) of the modular unit to which the requested seals will be affixed and shall include –

(A) An affidavit of the applicant or the applicant's agent if the applicant is a corporation, certifying that each requested seal will be affixed only to modular units manufactured under an approved manufacturing program and that each modular unit to which a requested seal will be affixed will comply with the code at the time it is rented, leased, sold, or offered for rent, lease, or sale by the applicant. Each new modular unit sold or placed in the state must contain the applicable seal as specified in this section; and

(B) A nonrefundable fee of two hundred twenty dollars ($220) for each seal requested.

(4) The manager is authorized to refuse to issue a seal under any of the following circumstances:

(A) If the modular unit to which the seal is to be affixed does

not comply with the code which was in effect when it entered the first stage of production;

(B) If the manager has not approved the applicant's manufacturing program;

(C) If the manager's approval of the applicant's manufacturing program has lapsed, expired, or been withdrawn pursuant to 20 CSR 4240-123.040;

(D) If at the time of application the manager has reason to believe that the applicant is failing to abide by Chapter 700, RSMo;

(E) If the manager has reason to believe that the seal will be placed on a unit which is not a complete modular unit.

(5) A seal or a written refusal to issue a seal shall be issued by the manager within ten (10) working days after s/he has received a complete application. A notice of refusal shall specify the reason for refusal.

(6) Seals may be delivered by one (1) of the following methods:

(A) By prepaid certified mail, requesting a return receipt signed by addressee only, sent to the applicant's place of business; or

(B) By delivery to an applicant in person at the office of the commission's manufactured housing and modular units program. Upon delivery of seals by this method, the applicant shall provide to the manager a written acknowledgement of receipt.

(7) A seal shall be affixed to the electric panel box of a completed modular unit. A seal shall be located so that person(s) shall have an unobstructed view of seal.

(8) Within thirty (30) days of the discovery that a seal issued to him/her has become lost, mutilated, or otherwise unserviceable, a dealer or manufacturer shall provide written notice of such to the manager.

(9) Any person to whom a seal has been issued or who owns a modular unit to which a seal or approved insignia has been affixed may apply for the replacement of such seal or approved insignia if it becomes lost, mutilated, or otherwise unserviceable. Applications for replacement seals shall be made on the same forms and in the same manner as applications for seals are made under this rule. A fee of forty dollars ($40) shall be charged for a replacement seal.

(10) Seals and approved insignia may be removed by the manager from any modular unit which is found to be in violation of the code which was in effect when it entered the first stage of production. Seals issued to a person who manufactures modular units under an approved manufacturing program must be returned to the manager immediately if the approval is withdrawn by the manager.

(11) If the manager removes a seal or approved insignia from a modular unit, s/he shall provide written notice of such action to the owner of the unit. The notice shall be mailed within ten (10) working days of the removal and shall be sent by prepaid certified mail, requesting a return receipt signed by addressee only, to the last known address of the owner. The notice shall state the reason for the removal.

(12) When a seal or approved insignia is removed by the manager, s/he shall place a prohibited sale notice in the location specified for the seal in section (7) of this rule. A prohibited sale notice shall state that the rental, lease, or sale or the offering for rent, lease, or sale of the modular unit to which the notice is attached is prohibited under section 700.015, RSMo. The prohibited sale notice shall also state that further information may be obtained from the manager, whose name, address, and telephone number shall be listed on the notice. A copy of the prohibited sale notice shall be on file in the office of the manufactured housing and modular units program of the commission.

(13) The manager may issue a seal to any registered dealer or owner who has acquired a pre-owned modular unit without a seal, if proof is submitted to the manager that the unit meets the requirements of the existing International Building Code (IBC) or International Residential Code (IRC) as recognized by the commission pursuant to section 700.021, RSMo. Proof may include verification that the unit meets the applicable code from an approved third-party inspection agency or other entity approved by the commission. The dealer or owner must make any changes required to bring the unit into compliance with the applicable code. The manager may issue a seal once all the requirements of Chapter 700, RSMo, and 20 CSR 4240-123 are met, required inspections are completed, and the applicable seal fee is submitted.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.030. Original rule filed Aug. 16, 1979, effective Dec. 15, 1979. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983. Amended: Filed June 12, 2001, effective Jan. 30, 2002. Emergency amendment filed Jan. 24, 2003, effective Feb. 3, 2003, expired Aug. 1, 2003. Amended: Filed Feb. 27, 2003, effective July 30, 2003. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.030, effective Aug. 28, 2019. Amended: Filed July 29, 2021, effective Feb. 28, 2022. Amended: Filed April 29, 2026, effective Nov. 30, 2026.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.040 Approval of Manufacturing Programs

PURPOSE: This rule establishes the procedure under which a manufacturing program may be approved and the circumstances under which an approval of a manufacturing program will lapse, expire, or be withdrawn.

(1) To have a manufacturing program considered for approval, the manufacturer who will use the program for which approval is sought shall submit a completed application, along with the following, to the manufactured housing and modular units program. The application may be obtained from the manager upon request, or from the commission's website at www.psc.mo.gov:

(A) One (1) copy of the quality control manual under which the manufacturing program will be implemented. The manual shall at least include a description which is sufficient to demonstrate compliance with the applicable code(s) for every procedure relating to the manufacturing of modular units for which the code contains a requirement;

(B) Third-party inspection for compliance with required codes; and

(C) One (1) copy of detailed manufacturer's installation instructions for the assembly of the modular components for

each modular unit shall be furnished with each modular unit to the dealer or selling agent, and one (1) set shall be submitted with each model plan for approval, such instruction shall reflect detailed instructions for the assembly of the unit(s), including the fastening of dormers if applicable, roof installation details, floor fastening, end wall fastening, king post installation, and any other on-site assembly of manufacturer supplied components.

(2) Both dealer or selling agent and manufacturer shall register with the Public Service Commission's Manufactured Housing and Modular Units Program before any sales are made by either party. A nonrefundable fee as set forth in section 700.090, RSMo, shall accompany each request for an approval or re-approval of such registration. The registration must be renewed annually.

(3) Approval of a manufacturing program shall be evidenced by the manager's stamp of approval on the quality control manual and detailed plans which comprise the program. Upon approval of a manufacturing program the manager shall return to the manufacturer a copy of the plan approval form for the quality control manual and any plans approved which bear the manager's stamp of approval. A copy of the original of such approved quality control manual and detailed plans shall be retained at each location where the manufacturing program which they comprise is implemented.

(4) The manager has ten (10) days to consider a request for approval of a manufacturing program submitted pursuant to sections (1)–(3) above. A notice of refusal shall specify the reason for refusal.

(5) Modifications to, or variances from, any commission-approved plan that are related to the code under which a plan was approved shall be submitted in writing to the manager for written approval. The submission shall include a demonstration that the modifications or variances comply with the code. All unapproved modifications or variances from the commission-approved plan are grounds for revocation of approval of the commission-approved plan and may result in the manager filing a complaint with the commission.

(6) Approval of a manufacturing program shall expire when the code under which such program was approved is revised or replaced. Reapproval of a manufacturing program whose approval has expired shall be obtained in the same manner that approval of a manufacturing program is originally obtained.

(7) The manager shall file with the commission a request to withdraw approval of a manufacturing program if the manager finds –

(A) A manufacturer is failing to abide by this chapter or Chapter 700, RSMo;

(B) Seals issued under an application for seals for modular units to be produced under an approved manufacturing program have been affixed to modular units which were not manufactured under an approved manufacturing program; or

(C) Seals have been affixed to modular units after the approval for the manufacturing program for the units has lapsed or expired.

(8) The commission may withdraw approval of a manufacturing program if the commission finds –

(A) A manufacturer fails to comply with annual registration requirements; and

(B) A manufacturer fails to renew plans of units produced under the manufacturing program; or

(C) If the commission finds there are unapproved modifications or variances from a commission-approved plan.

(D) Approval of simple modular unit plan revisions that do not include changes in systems or the manner of construction that do not take the unit out of compliance with the code and do not include the examples in subsection (11)(C) require approval by the manager, but do not require payment of a fee. Examples of such changes include, but are not limited to, addition or deletion of an entry way closet, installation of fake dormers, movement of an approved stairwell, reversal of a previously approved floor plan, or movement of a non-load-bearing interior wall.

(9) An entity which produces modular units under an approved manufacturing program shall mail or deliver to the manager, by the tenth day of each month, a report which identifies the dealer's name and location; the make, model, and serial number of each modular unit to which seals have been affixed since the previous report; and the seal number of each unit since the last report.

(10) To receive approval of a manufacturing program the manufacturer must also submit one (1) copy of detailed plans and installation diagrams for each type of modular unit which will be produced under the manufacturing program. Such detailed plans shall at least include, for every part or component for which the code contains a requirement, a description which is sufficient to demonstrate compliance with the code.

(11) All subsequent modular unit plans and installation diagrams including foundation plans, if applicable, for each additional type of modular unit (or model) to be manufactured must also be submitted to the manager for approval. Modular unit plan approvals shall be annually submitted for renewal on all models still in production. Each submittal shall include –

(A) A nonrefundable fee of one hundred fifty dollars ($150) shall accompany each request for approval of a modular unit plan;

(B) Each modular unit plan must be identifiable by model name or number or a combination of both;

(C) Approval of a new set of detailed plans is required for any change in the systems of an existing modular unit plan, such as electric, plumbing, gas, or change in the manner of construction to ensure the unit remains in compliance with the code. Request for approval shall be accompanied by the applicable fee. Examples of such changes include, but are not limited to, adding or deleting a bathroom, utility room, living room, or other structural changes in the roof or other exterior design of the unit; or

(D) Approval of simple modular unit plan revisions that do not include changes in systems or the manner of construction that do not take the unit out of compliance with the code and do not include the examples in subsection (11)(C) require approval by the manager, but do not require payment of a fee. Examples of such changes include, but are not limited to, addition or deletion of an entry way closet, installation of fake dormers, movement of an approved stairwell, reversal of a previously approved floor plan, or movement of a non-load-bearing interior wall.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.040. Original rule filed Aug. 16, 1979, effective*

Dec. 15, 1979. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983. Amended: Filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.040, effective Aug. 28, 2019. Amended: Filed July 29, 2021, effective Feb. 28, 2022. Amended: Filed April 29, 2026, effective Nov. 30, 2026.

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.050 Inspection of Manufacturer's Books, Records, Inventory and Premises

PURPOSE: This rule sets forth the extent to which manufacturer's books, records, inventory and premises are subject to inspection by the manager.

(1) The manager may inspect the books, records, including a copy of the data plate and all service records for each modular unit, inventory, and premises of a manufacturer during normal business hours to ascertain —

(A) If the manufacturer is complying with this chapter and Chapter 700, RSMo;

(B) If the manufacturing program is being implemented according to the quality control manual and detailed plans which comprised it when it was approved;

(C) If grounds exist to withdraw the approval of a manufacturing program; and

(D) If grounds exist under section 700.100, RSMo to file a complaint with the commission to reject an application for registration filed under section 700.090, RSMo or to refuse to renew, suspend, revoke, or place on probation a registration which has been made under section 700.090, RSMo.

(2) Should a manufacturer sell directly to a consumer, the manufacturer shall maintain a copy of the bill of sale in its files for no less than five (5) years at the location where it sold the modular unit to the purchaser, if possible; otherwise at its principal office.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.050. Original rule filed Aug. 16, 1979, effective Dec. 15, 1979. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.050, effective Aug. 28, 2019.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.060 Inspection of Dealer's Books, Records, Inventory and Premises

PURPOSE: This rule sets forth the extent to which dealer's books, records, inventory, and premises are subject to inspection by the manager.

(1) The manager may inspect the books, records, inventory, and premises of a dealer from time-to-time during normal business hours to ascertain if grounds exist under 700.100, RSMo to file a complaint with the commission to reject an application for registration filed under section 700.090, RSMo or to refuse to renew, suspend, revoke, or place on probation a registration which has been made under section 700.090, RSMo.

(2) The dealer shall maintain a copy of the bill of sale in its files at the location where it sold the modular unit to the purchaser, if possible; otherwise at its principal office for no less than five (5) years.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.060. Original rule filed Aug. 16, 1979, effective Dec. 15, 1979. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.060, effective Aug. 28, 2019.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.065 Modular Unit Dealer or Selling Agent Setup Responsibilities

PURPOSE: This rule sets forth the extent to which modular unit dealers are responsible for proper initial setup of modular units.

(1) Modular Unit Dealer Setup.

(A) A dealer who sells a modular unit shall arrange for the proper initial setup of the modular unit unless the dealer obtains from the purchaser or the purchaser's authorized agent a written waiver of that service as described in section 700.100.3(6), RSMo.

(B) As used in this rule, "proper initial setup" means installation and setup of the modular unit in accordance with the installation manual provided by the manufacturer of the modular unit and in complete compliance with the code and with all of the provisions regarding setup in sections 700.010 to 700.115, RSMo.

(C) If a dealer, unless the dealer obtains the waiver of initial setup referred to in subsection (A) above, fails to arrange for the proper initial setup of a modular unit, the commission may discipline the dealer's registration by suspending it, revoking it, or placing it on probation, pursuant to the provisions of section 700.100, RSMo, if the manager provides evidence to the commission, incident to an inspection under subsections (2)(B) or (2)(C), of setup deficiencies.

(2) Modular Unit Inspections.

(A) Dealers shall submit to the manufactured housing and modular units program a property locator indicating the destination of the new residential modular unit(s) or new or used classroom modular unit(s) within five (5) business days to the date the unit leaves the dealer's location or the manufacturer's location if the unit is shipped direct to the consumer. For multi-section new residential or new or used classroom modular unit(s) the five (5) business days begins when the first section leaves the dealer's or manufacturer's location. The dealer shall use the property locator form provided by the manufactured housing and modular units program.

1. The manager, in consultation with the commission staff director, after attempting to contact the entity involved and documenting consideration of potential mitigating factors, including, but not limited to, the number of similar non-compliance issues, circumstances beyond the entity's control, and the entity's responsiveness to commission requirements, may assess a fifty dollar ($50) per home inspection fee to dealers who fail to submit the property locator within five (5) business days from the due date. The manager will track fees assessed or waived under this provision, along with any documented consideration of mitigating factors, and compile a quarterly report summarizing such information for review by the commission.

2. The manager may commence an action to discipline a dealer's registration for failure to timely report property locators or make payment upon property locator home inspection fees if the commission has assessed no fewer than two (2) property locator home inspection fees against the dealer within the previous twelve (12) months of the due date of the property locator at issue.

(B) For dealers selling residential one (1) and two (2) family modular units built pursuant to the International Residential Code (IRC) to consumers, the manager will have a period of one (1) year from the date the unit is installed to conduct the initial set up inspection of the home setup.

(C) Within two (2) years of the delivery date of the home to the consumer, if no initial inspection was performed pursuant to subsection (2)(B) of this rule, the manager may conduct an initial inspection of the home for setup and code violations upon the receipt of a formal written complaint by the consumer.

(D) A copy of an inspection report from a routine inspection of a modular unit that occurs prior to the occupation by a purchaser, and does not arise from a consumer complaint, shall be transmitted to the manufacturer, installer, or dealer, or each responsible entity, within ten (10) days from the date of the inspection. Should an inspection occur as a result of a consumer complaint, copies of the inspection report will be provided to the complainant and to the manufacturer or dealer, or each responsible entity, within ten (10) days from the date of the inspection.

(E) If an initial inspection identifies no code violations or any re-inspection verifies that corrections have been made to address code violations identified on an initial inspection report, the manager will issue, within twenty (20) days of the final inspection or re-inspection, a notice of completion to each responsible entity, and the complainant if the initial inspection occurs subsequent to a consumer complaint, indicating no outstanding issues remain to be addressed. This notice is intended to notify parties when the manager has completed an inspection process, but does not serve to indemnify any responsible party from any future liability.

(3) Every dealer of a modular unit shall provide to the purchaser at the time of sale a purchase agreement or bill of sale containing at least the following:

(A) The purchaser name and address;

(B) Make of the unit;

(C) Serial number;

(D) Date of sale;

(E) Model and size;

(F) The total price of the unit and its contents;

(G) A list of all furniture and appliances in the unit;

(H) Any other items which will be the responsibility of the purchaser, such as transportation, handling, setup, or installation; and

(I) If the unit is new or used and if the unit has incurred any damages.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.065. Original rule filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed Aug. 15, 2013, effective March 30, 2014. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.065, effective Aug. 28, 2019.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.070 Monthly Report Requirement for Registered Modular Unit Dealers

PURPOSE: This rule outlines the information that registered modular unit dealers must file with the Missouri Public Service Commission and the form and manner of this filing.

(1) Each entity registered as a modular unit dealer shall file a monthly sales report with the manufactured housing and modular units program within ten (10) days of the end of each month.

(2) The modular unit dealer shall only use the commission's monthly sales reports form. Sales report forms may be obtained from the Missouri Public Service Commission, PO Box 360, Jefferson City, MO 65102, or at the website http://psc.mo.gov.

(3) A monthly sales report must be filed for each month or part of a month for which the dealer is registered to sell modular units by the Public Service Commission's Manufactured Housing and Modular Units Program. If no sales are made in a given month, the dealer must file the usual form within ten (10) days of the end of the month.

(4) The report must be signed by an officer of the dealership if the dealership is a corporation; by a partner of the dealership if the dealership is a partnership; or by an owner of the dealership if the dealership is neither a corporation nor a partnership.

(5) The manager of the manufactured housing and modular units program may reject monthly sales reports that are incomplete and require dealers to submit corrected reports.

(6) The manager, in consultation with the commission staff director, after attempting to contact the entity involved and documenting consideration of potential mitigating factors, including, but not limited to, the number of similar non-compliance issues, circumstances beyond the entity's control, and the entity's responsiveness to commission requirements, may assess a late submission fee of fifty dollars ($50) against a modular unit dealer for each monthly sales report filed sixty (60) days after the due date. The manager will track fees assessed or waived under this provision, along with any documented consideration, and compile a quarterly report summarizing such information for review by the commission.

(7) The commission may suspend the dealer's registration for any report not submitted within sixty (60) days of the due date.

(8) Failure to submit timely and complete monthly sales reports within ninety (90) days of the due date and/or to pay any assessed fees could result in revocation of the dealer's registration under section 700.098, RSMo.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.070. Original rule filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Aug. 15, 2013, effective March 30, 2014. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.070, effective Aug. 28, 2019.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.080 Code for Modular Units

PURPOSE: This rule establishes the code for modular units which entered the first stage of production after July 1, 1976 which are rented, leased, or sold or offered for rent, lease, or sale in this state.

PUBLISHER'S NOTE The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Any multiple units so designated as double wide, sectional, or modular, shall comply with HUD International Residential Code (IRC) and/or International Building Code (IBC) standards and regulations as well as state regulations and standards as set forth for modular unit construction and carry the appropriate seal or data plate.

(2) All modular units shall be built in accordance with the FHA Structural Engineering Bulletin and FHA Minimum Property standards and be eligible for long-term financing under section 203(b) of the National Housing Act, 12 U.S.C. 1701.

(3) The structure shall be manufactured in accordance with and meet the requirements of the most recently commission-adopted building codes: except as provided in subsections (A) and (B) below, *International Building Code*-2021; *International Plumbing Code*-2021; *International Mechanical Code*-2021; *International Residential Code*-2021; *International Fuel Gas Code*-2021; and *National Electric Code NFPA* 70-2020. Manufacturers will have six (6) months in which to update to the new code after the effective date of this rule as notified by the manager for all units built on or after that date. The codes are hereby incorporated by reference and made a part of this rule. The referenced codes do not include any later amendments or additions. (For a copy of the International Code publication, contact the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. For a copy of the *National Electric Code*, contact the national Fire Protection Association, One Batterymarch Park, Quincy, MA 02169-7471.)

(A) The requirement under section R313.2 of the *International Residential Code* requiring one- (1-) and two- (2-) family dwellings to be constructed with an automatic fire protection system shall not be mandatory; and

(B) Effective January 1, 2011, every dealer or manufacturer who sells a modular home to be placed in Missouri shall be required to have the purchaser of such modular unit sign and date an acknowledgement that the dealer or manufacturer has offered the fire sprinkler system in conjunction with the sale of the home. Such acknowledgement shall be contained in or attached to the purchase agreement or sales contract. The acknowledgement must be signed by both the purchaser and the dealer or manufacturer or his/her legal representative. The purchaser of a modular unit is responsible for the cost of any fire sprinkler system installed in the home.

(4) This rule incorporates by reference the full text of the material listed in section (3).

(5) All modular units shall meet or exceed the Seismic Zone requirements (A, B, C, D1, D2, or E as defined in the applicable code in section (3) above) for the area in which the modular unit is placed. Modular unit plans submitted by a manufacturer under 20 CSR 4240-123.040 shall specify the Seismic Zone for which the unit is built as well as the location where the unit will be placed. If a unit is built for open placement throughout the state of Missouri, the manufacturer and the dealer or dealer's agent is responsible to ensure the unit is placed in the proper seismic area for which the unit is built.

(6) Each modular unit shall bear a data plate affixed in a permanent manner near the main electrical panel or other readily accessible and visible location. Each data plate must be covered with a material that will make it possible to clean the data plate of ordinary dirt without obscuring the information. Each data plate shall include the following information at a minimum: name and address of manufacturer, serial and model number of the unit, date the unit was manufactured, code the unit was built to, seismic zone listing, name and address of the third-party engineering agency that reviewed and approved the plans submitted by the manufacturer under 20 CSR 4240-123.040.

(7) All modular units manufactured on or after July 1, 1976, shall be set up or installed according to the manufacturer's installation manual and approved foundation plans.

(8) The manufacturer's installation manual must be approved by the third party for all field installed components and any other process relating to the assembly of the modular unit(s), and any completed unit may be subject to on-site field inspection.

AUTHORITY: sections 700.010 and 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.080. Original rule filed Aug. 16, 1979, effective Dec. 15, 1979. Emergency amendment filed July 3, 1989, effective July 13, 1989, expired Nov. 9, 1989. Amended: Filed July 3, 1989, effective Nov. 1, 1989. Amended: Filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed Oct. 4, 2010, effective April 30, 2011. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.080, effective Aug. 28, 2019. Amended: Filed April 24, 2024, effective Nov. 30, 2024.*

**Original authority: 700.010, RSMo 1973, amended 1976, 1978, 1982, 1984, 1994, 1999, 2008, 2010, and 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.090 Complaints and Review of Manager's Action(s)

PURPOSE: This rule provides for the manner in which complaints may be filed and the procedure by which commission review of the decisions, directives, and interpretations of the manager may be obtained.

(1) Any person aggrieved by a violation of this chapter or Chapter 700, RSMo, as it relates to modular homes and the manufacturers or dealers of modular homes, may file a formal or informal complaint with the commission under 20 CSR 4240-2.070.

(2) Any person aggrieved by the manager's decisions, directives,

and interpretations of the code, this chapter, or Chapter 700, RSMo, as it relates to modular units, may file a written informal or formal complaint under 20 CSR 4240-2.070. In such a complaint, the manager shall be denominated as the respondent.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.090. Original rule filed Aug. 16, 1979, effective Dec. 15, 1979. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.090, effective Aug. 28, 2019. Amended: Filed April 29, 2026, effective Nov. 30, 2026.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*

20 CSR 4240-123.095 Re-Inspection and Re-Inspection Fee

PURPOSE: This rule outlines the procedure for the re-inspection of modular homes and third party requests for inspections pursuant to section 700.040, RSMo.

(1) Re-inspections subsequent to routine inspections of new modular homes.

(A) The manager may conduct re-inspections of new modular homes to verify corrections have been made to address code violations identified on the initial routine inspection report.

(B) The manager shall not assess the dealer, installer, or the manufacturer, or each entity, a fee for the first re-inspection.

(C) The manager, in consultation with the commission staff director, after attempting to contact the entity at issue and documenting consideration of potential mitigating factors, including, but not limited to, the number of similar non-compliance issues, circumstances beyond the entity's control, and the entity's responsiveness to commission requirements, may assess a two hundred dollar ($200) re-inspection fee(s) for any re-inspection subsequent to the first re-inspection. The fee is charged to the dealer, installer, or the manufacturer who was responsible for making the corrections and completing the corrections. The manager will track fees assessed or waived under this provision, along with any documented consideration, and compile a quarterly report summarizing such information for review by the commission.

(2) Re-inspections subsequent to a consumer complaint.

(A) The manager may conduct re-inspections of new modular homes when the required corrections have not been completed by the dealer, installer, or manufacturer within sixty (60) days of the initial inspection.

(B) The manager in consultation with the commission staff director, after attempting to contact the entity at issue and documenting consideration of potential mitigating factors, including, but not limited to, the number of similar non-compliance issues, circumstances beyond the entity's control, and the entity's responsiveness to commission requirements, may assess the dealer, installer, or the manufacturer, or each entity, a fee for the re-inspection(s) if the dealer, installer, or the manufacturer responsible for making the required corrections fails to complete the required corrections within sixty (60) days of receipt of a consumer complaint. The fee shall not be charged to the dealer, installer, or the manufacturer who was responsible for making the required corrections if, during the re-inspection, it is found that the required corrections have been corrected within sixty (60) days of receipt of the consumer complaint. The manager will track fees assessed or waived under this provision, along with any documented consideration, and compile a quarterly report summarizing such information for review by the commission.

(3) The re-inspection shall address all violations listed in the initial inspection report. A copy of the report shall be forwarded, within ten (10) days of the re-inspection, to the manufacturer, dealer, or both, and the customer, if applicable.

(4) The assessed fee shall be paid to the commission within twenty (20) working days from the date the re-inspection is completed. Each manufacturer and each dealer shall submit along with the fee a written plan of action to be taken by each to correct any remaining violations identified and, unless otherwise approved by the manager, corrections shall be completed within thirty (30) days of the re-inspection.

(5) The fee for all inspections requested by third parties four hundred dollars ($400). Requests for inspections by third parties must be submitted in writing to the manufactured housing and modular units program along with the associated fee. Licensed manufacturers or dealers are not considered third parties.

(6) If the manufacturer, installer, or dealer has not paid the re-inspection fee within thirty (30) days of the prescribed date, the manager may file a complaint and the commission may suspend the manufacturer, installer, or dealer certificate or registration.

(7) The following situations constitute grounds for commission denial, revocation, or placing on probation of a manufacturer or dealer certificate of registration:

(A) Failure to pay a re-inspection fee by the prescribed due date for two (2) consecutive months; or

(B) Failure to pay a re-inspection fee by the prescribed due date for any four (4) of the preceding twelve (12) months.

AUTHORITY: section 700.040, RSMo 2016. This rule originally filed as 4 CSR 240-123.095. Original rule filed June 16, 2004, effective Jan. 30, 2005. Amended: Filed Aug. 15, 2013, effective March 30, 2014. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-123.095, effective Aug. 28, 2019.

**Original authority: 700.040, RSMo, 1973 amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999.*