

Adopt Inst 300, previously effective 4/14/2012 (Document #10115), and expired 4/15/2022, to read as follows:

CHAPTER Inst 300 LICENSING REQUIREMENTS

PART Inst 301 INSTALLATION LICENSE

Inst 301.01 License Required. No person shall install a manufactured house in New Hampshire without a license.

Inst 301.02 Qualification for Licensure. [(a)] An applicant seeking to install manufactured housing in New Hampshire shall:

[(1)](a) Be 18 years of age;

[(2)](b) Have 2 years' experience as an installer of manufactured housing under the direction of a licensed manufactured housing installer, or equivalent housing construction experience; and

[(3)](c) Have successfully completed an initial 6-hour board approved training program, pursuant to RSA 205-D:8, III, completed within the immediately preceding 3 years of the date of submission of the initial application for licensure.

Inst 301.03 Application Requirements.

(a) An applicant shall submit the information described in Plc 304.03 (a), (c), (d), and (e) on the "Universal Application for Initial Licensure".

(b) In addition to the information required in (a) above the applicant for initial licensure shall provide the following information on the "Installation Standards Addendum to the Universal Application for Initial Licensure" form:

(1) All names the applicant has ever been known by;

(2) Applicant's employment history for the immediately preceding 5 years, including:

- a. Employer's name and address;
- b. Dates of employment; and
- c. Nature of employer's business; **and**

(3) Names, addresses, and phone numbers of 3 references of persons unrelated to the applicant who:

- a. Has personal knowledge of the applicant's professional character or reputation;
- b. Can attest to the reputation, character, honesty, ethics, and technical competence of the applicant; and
- c. Is related to the manufactured housing, building construction, banking, or other relevant field[;].

Commented [R1]: How is this determined objectively?

Commented [R2]: Why is this needed? What objective qualification does this satisfy?

(c) The application for initial licensure shall be processed in accordance with Plc 30[0]4.06 through **Plc304.10**.

(d) An applicant shall submit the following with the applications for initial licensure:

- (1) Documentation of education as follows:
 - a. Any proof of formal education beyond high school in the form of a copy of transcripts or proof of graduation; and
 - b. Any proof of special training classes attended in the form of a certificate[?];
- (2) Proof of 2 years of actual installation of manufactured homes, under the direction of a licensed manufactured housing installer, or equivalent experience;
- (3) Proof of financial responsibility, pursuant to Inst 302;
- (4) Proof of successful completion of an initial 6 hour of board approved training program, pursuant to RSA 205-D:8, III, completed within the immediately preceding 3 years of the date of submission of the application; and
- (5) Applicable application fee required by Plc 1002.23.

Inst 301.04 **Background Check**. Each applicant for initial licensure shall submit a criminal background check in accordance with Plc 304.01(b).

Inst 301.05 **Denial of Initial License Application**.

(a) The following shall constitute grounds for[?] denying a license or refusing to renew the license of a person licensed under this chapter:

- (1) Incomplete application **after having been contacted to provide any necessary information to complete the application**;
- (2) Fraud or deceit, specifically the practice of fraud or deceit in obtaining a license under this chapter or in connection with service rendered within the scope of the license issued;
- (3) Conviction of a crime which involves dishonesty or false statement, or which relates directly to the practice for which the licensee is licensed, or which is enumerated in this chapter, or conviction of any crime for which incarceration for one year or more is imposed;
- (4) Violation of the RSA 205-D or Inst 300 and Inst 600;
- (5) Engaging in unlicensed installation practice; or
- (6) Incompetence in the practice for which the license is held.

(b) For the purposes of (a)(6) above, a licensee shall be deemed incompetent if the licensee has engaged in conduct which:

Commented [R3]: How is this determined objectively?
Above, "equivalent housing construction experience" is used. If this remains, use consistent terminology.

Commented [R4]: By the office?

- (1) Evidences a lack of ability; or
- (2) Evidences a lack of knowledge to apply principles and skills to carry out installation.

Inst 301.06 **Reporting Requirements**. A licensee shall report any changes in name, address, phone number, e-mail address, or other material changes in the conditions or qualifications set forth in the original application to the office of professional licensure and certification in writing no later than 30 days after the change.

Commented [R5]: Do we care about discipline in other jurisdictions?

PART Inst 302 FINANCIAL RESPONSIBILITY

Inst 302.01 **Proof of Financial Responsibility**.

(a) Pursuant to RSA 205-D:9, I every applicant for the installation of manufactured housing shall provide a \$25,000 bond or letter of credit.

(b) Cancellation of the bond or letter of credit may occur upon the **surety** company providing 30 days written notice to the board **through the OPLC**.

(c) The bond shall be under the condition that the licensee shall not violate any laws or regulations governing installation of manufactured **house-houses** and to guarantee any fines issued against the licensee.

(d) Any [~~licensee~~] **applicant** who fails to file a bond or letter of credit required pursuant to [~~302.04~~]
 (a) **above** shall be denied a license.

(e) A surety bond shall not be accepted unless it is with a surety company authorized to do business in New Hampshire.

(f) The surety bond shall name as obligee [e] “Treasurer, State of New Hampshire and any person aggrieved under RSA 205-D”.

Commented [R6]: Why removed? I think this is correct.

APPENDIX

RULE	STATUTE
Inst 301.01	RSA 205-D:7
Inst 301.02	RSA 205-D:8
Inst 301.03	RSA 205-D:10
Inst 301.04	RSA 205-D:10, III
Inst 301.05	RSA 205-D:13
Inst 301.06	RSA 205-D:7; RSA 305-D:20, III
Inst 301.09	RSA 205-D:7 & 205-D:20, III
Inst 302.01	RSA 205-D:9, I