

Clearinghouse Rule 08-008

SECTION 1. Chapter Comm 156 is created to read:

Chapter Comm 156

MANUFACTURED HOUSING REHABILITATION AND RECYCLING

Comm 156.10 Authority and Purpose. Under the authority in s. 560.285 (3), Stats., this chapter establishes a grant program for rehabilitation and recycling of manufactured housing.

Comm 156.20 Definitions. In this chapter:

(1) “Abandoned manufactured home” means a manufactured home that has not been legally occupied for at least four months; or is a wrecked, partially dismantled, or derelict manufactured home that has been left unprotected from the elements. This term includes substantially damaged mobile homes.

(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. This rehabilitation is intended to ensure that the home is decent, safe, and sanitary.

(4) “Department” means the department of commerce.

(5) “Eligible homeowner” means an individual who owns and resides in a manufactured home that is in need of critical repairs – and who’s 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 s. 101.91 (2), Stats., “manufactured home” means a mobile home or other 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.

(8) “MHRR” means manufactured housing rehabilitation and recycling.

(9) “Rehabilitation” means a permanent improvement to an owner-occupied manufactured home – including, but not limited to, installation or replacement of windows, doors, roofing, plumbing, water heaters, heating systems, insulation, tie downs, footings and foundations.

Comm 156.30 Eligible applicants. The department shall accept applications for funding under this chapter only from nonprofit organizations that are identified as tax exempt under sec. 501(a) of the Internal Revenue Code.

Comm 156.32 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.

Comm 156.34 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 lease for a period of at least 1 year.

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

Comm 156.36 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.

Comm 156.40 Applying for a grant. All applications 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 7970, Madison, WI, 53707; and may be available by accessing the department's Web site at www.commerce.wi.gov, and searching for the manufactured housing rehabilitation and recycling program.

Comm 156.50 Evaluation criteria. The department may adjust an award amount from an amount requested in an application, 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.

Comm 156.60 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.

Comm 156.70 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.

(END)

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (intro.), Stats., these rules shall become effective on the first day of the month commencing after publication in the Wisconsin administrative register.

File reference: Comm 156/rules 2007ph