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NOTICE TO MANUFACTURED HOME COMMUNITY OWNERS AND ENFORCING AGENCIES

LICENSING REQUIREMENTS (**REVISED**)

This letter is to clarify the letter sent on June 19, 2015, that informed the manufactured home community owners (owners) of the licensing requirements. The intention of this letter is to describe the necessary information to be obtained from the appropriate agencies and local governments, which then must be submitted by the owners, along with the renewal application, and applicable fee to the Department of Licensing and Regulatory Affairs (LARA) no later than October 1, 2015.

In accordance with MCL 125.2316(3) of the Mobile Home Commission Act, a 3-year license shall be granted and renewed by LARA based upon the certification and recommendation of the appropriate agencies and local governments with respect to their water and sewer systems. These certifications and recommendations are one component of renewal and do not entitle applicants to a renewal.

Be advised that a license renewal may not be issued without the appropriate certifications and recommendations, which also includes the most recent annual inspection of the community conducted by LARA. If a Manufactured Home Community (MHC) has not provided the required documentation, LARA may deny the MHC's license renewal application, subject to MHC's appeal and hearing rights under the Mobile Home Commission Act and the Administrative Procedures Act.

MANUFACTURED HOME COMMUNITY OWNERS:

Drinking Water Certifications and Recommendations

To obtain a certification and recommendation for the drinking water system within the MHC, determine what kind of drinking water system is within the MHC and contact the appropriate agency. The types of drinking water systems and the corresponding agencies are detailed below:

DEQ-Regulated:

Community Drinking Water Supply (Type I): These are located within a MHC that provides year-round drinking water to not fewer than 15 living units, and does not consist solely of customer site piping.

The DEQ's Office of Drinking Water and Municipal Assistance (ODWMA) will be sending a compliance information letter to each MHC and seasonal MHC owner with a Type I drinking water supply. These letters will be mailed in August and the owners do not need to contact the ODWMA to obtain this letter.

Local Health Department Regulated:

Non-community Drinking Water Supply (Type II): These are located within a MHC that provides drinking water to not fewer than 15 living units for less than a year, but not less than 60 days per year. A MHC with a Type II system should obtain a certification or recommendation letter from their local health department.

LARA Regulated:

Water Supply (Type III): These are located within a MHC that provides drinking water from its own well system, but does not meet the definition of a community or non-community water supply. A MHC with a Type III water supply will have been inspected as part of LARA’s annual inspection process and the annual inspection report and will serve as the certification and recommendation.

Customer Site Piping: These are located within a MHC that has underground piping owned and controlled by the owner, but receives drinking water from another source (usually a municipality) and the MHC does not incorporate treatment to protect public health. A MHC with private customer site piping should obtain a certification and recommendation letter from the appropriate local agency who oversees the state plumbing code. To find your local enforcing agency refer to LARA’s statewide jurisdiction list at www.michigan.gov/bcc. If the owner does not receive a response from the appropriate local agency, LARA will accept evidence of the owner’s good faith efforts to obtain the letter and at least three (3) of their most recent water invoices.

Sewerage System Certifications and Recommendations

To obtain a certification and recommendation for the sewer system and wastewater treatment system (sewerage system) within the MHC determine what type of sewerage system the MHC has and contact the appropriate agency. The types of sewerage systems and the corresponding agencies are detailed below:

DEQ Regulated:

DEQ-Permitted Wastewater Discharges: A MHC with a sewerage system that discharges its treated wastewater to the groundwater or surface waters of the state in accordance with a wastewater discharge permit issued by the DEQ.

Wastewater Discharges to the Groundwater between 6,000 gallons per day (GPD) and 10,000 (GPD): A MHC with a wastewater treatment system that discharges treated wastewater to the groundwater of the state, between 6,000 (GPD) and 10,000 (GPD) which are permitted under DEQ’s Rule 323.2216.

The Water Resources Division (WRD) of the DEQ will be providing compliance information directly to LARA for each MHC and seasonal MHC that has a wastewater discharge permit issued by the DEQ. The MHCs and seasonal MHCs that have wastewater discharge permits issued by the DEQ do not need to contact the WRD.

Local Health Department Regulated:

Wastewater Discharges to the Groundwater between 6,000 (GPD) and 10,000 (GPD): Communities with a wastewater treatment system that discharges treated wastewater to the groundwater of the state, between 6,000 (GPD) and 10,000 (GPD) that do not have a wastewater discharge permit from the DEQ. A MHC should obtain a certification or recommendation letter from their local health department.

Wastewater Discharges to the Groundwater less than 6,000 (GPD):

Communities with a wastewater treatment system that discharges less than 6,000 (GPD) treated wastewater to the groundwater of the state. A MHC should obtain a certification or recommendation letter from their local health department.

LARA Regulated:

Private Sewer Systems that Discharge Wastewater into a Different Sewerage System: Communities that discharge their wastewater into a municipally-owned collection system, or other owner's sewerage system, should contact the appropriate local agency who oversees the state plumbing code. To find your appropriate local agency refer to LARA's statewide jurisdiction list at www.michigan.gov/bcc. If the owner does not receive a response from the appropriate local agency, LARA will accept evidence of the owner's good faith efforts to obtain the letter and at least three (3) of their most recent sewer invoices.

APPROPRIATE AGENCIES AND LOCAL GOVERNMENTS:

Please be advised this does not require the DEQ, or local enforcing agency to conduct any additional inspections in accordance with MCL 125.2317.

Certifications and recommendations should be in letter format on official agency letterhead and be submitted with the MHC license renewal application and fee. A certification and recommendation letter should indicate that community is connected to water/sewer (if applicable), has no active complaints against the community, or open investigations. If a letter recommends to not renew a license, based on water and sewer issues, is issued to a MHC the document should include the reasons for the determination. Additionally, please copy LARA on these matters at PO Box 30254, Lansing, MI 48909.

Violations of a local rental ordinance established in accordance with Section 7(7) of the Mobile Home Commission Act will not be taken into consideration for licensing renewal by LARA. Therefore, it should not be included in a certification and recommendation letter.

For questions on licensing, please contact LARA's Building Division at (517) 241-9317, by email at bccbldg2@michigan.gov, or at the address below.

Providing for Michigan's Safety in the Built Environment

LARA is an equal opportunity employer
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
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