

**§ 3286.809**

state's request for a presentation of views must be submitted to the Secretary within 60 days after the Secretary has provided notification that the state's recertification of its installation program has been rejected.

**§ 3286.809 Withdrawal of qualifying installation program status.**

(a) *Voluntary withdrawal.* Any state that intends to withdraw from its responsibilities to administer a qualifying installation program should provide the Secretary with a minimum of 90 days notice.

(b) *Involuntary withdrawal.* Whenever the Secretary finds, after affording notice and an opportunity for a hearing in accordance with subpart D of part 3282 of this chapter, that a state installation program fails to comply substantially with any provision of the installation program requirements or that the state program has become inadequate, the Secretary will notify the state of withdrawal of acceptance or conditional acceptance of the state installation program. The HUD-administered installation program will begin to operate in such state at such time as the Secretary establishes in issuing the finding.

**§ 3286.811 Effect on other manufactured housing program requirements.**

A state with a qualifying installation program will operate in lieu of HUD with respect to only the installation program established under subparts B through H of this part. No state may permit its installation program, even if it is a qualified installation program under this part, to supersede the requirements applicable to HUD's Manufactured Housing Construction and Safety Standards and enforcement programs. Regardless of whether a state has a qualified installation program:

(a) *Construction and safety standards.* Any responsibilities, rights, and remedies applicable under the Manufactured Home Construction and Safety Standards Act in part 3280 of this chapter and the Manufactured Home Procedural and Enforcement Regulations in part 3282 of this chapter continue to apply as provided in those parts; and

**24 CFR Ch. XX (4-1-20 Edition)**

(b) *Dispute resolution.* For any defect in a manufactured home that is reported during the one-year period beginning on the date of installation defined in § 3286.115, any responsibilities, rights, and remedies applicable under the HUD dispute resolution program as implemented in part 3288 of this chapter continue to apply as provided in that part.

**§ 3286.813 Inclusion in state plan.**

If a state installation program is included in a state plan approved in accordance with § 3282.302 of this chapter, the state installation program is subject to all of the requirements for such a state plan, including annual review by HUD.

**PART 3288—MANUFACTURED HOME DISPUTE RESOLUTION PROGRAM**

**Subpart A—General**

- Sec.
- 3288.1 Purpose and scope.
- 3288.3 Definitions.
- 3288.5 Retailer notification at sale.

**Subpart B—HUD Manufactured Home Dispute Resolution Program in HUD-Administered States**

- 3288.10 Applicability.
- 3288.15 Eligibility for dispute resolution.
- 3288.20 Reporting a defect.
- 3288.25 Initiation of dispute resolution.
- 3288.30 Screening of dispute resolution request.
- 3288.33 Notice of dispute resolution.
- 3288.35 Mediation.
- 3288.40 Nonbinding arbitration.
- 3288.45 HUD review and order.

**Subpart C—Alternative Process in HUD-Administered States**

- 3288.100 Scope and applicability.
- 3288.105 Time when Alternative Process is available.
- 3288.110 Alternative Process agreements.

**Subpart D—State Dispute Resolution Programs in Non-HUD-Administered States**

- 3288.200 Applicability.
- 3288.205 Minimum requirements.
- 3288.210 Acceptance and recertification process.
- 3288.215 Effect on other manufactured home program requirements.