

4781-7-05

**Certified third party plans review agencies and certified third party inspection agencies.**

- (A) The commission may contract with certified third party plans review agencies for plans review services and/or certified third party inspection agencies to perform inspections. The commission may also hire staff to perform these functions.
- (B) The certified third party plans review and/or inspection agencies must provide the following information to the commission:
- (1) The name, address, and telephone number of the third party plans review and/or inspection agency; names and addresses of all owners, shareholders, partners, limited liability companies and/or directors with a five percent share or larger of the business. If any of the owners, shareholders, partners, limited liability companies and/or directors is corporately owned, the names and addresses must include the real persons' names through each layer of ownership.
  - (2) Provide notification of any felony conviction(s) to the commission for all owners, partners, directors and shareholders with a five per cent share or larger, as required by the commission on a form provided by the commission. Owners, partners, directors or shareholders having a felony conviction may be denied as third party plans review and/or inspection agency by the commission.
  - (3) Provide notification of any owners, shareholders, partners, limited liability companies and/or directors who also have a five percent share or larger in any manufactured home installation company, manufactured home retail lot, manufactured home development, manufactured home park, manufactured home manufacturer, or manufactured home equipment supplier. If any of the owners, shareholders, partners, limited liability companies and/or directors is corporately owned the names and addresses must include the real persons' names through each layer of ownership. The commission may limit the jurisdictional area where the third party plans review agency and/or third party inspection agencies may perform plan review or inspections of manufactured homes or deny certification as a third party plans review and/or inspection agency based upon a conflict of interest.
- (C) Third party plans review and/or inspection agencies shall apply to the commission for certification on a form approved by the commission. Principals of a third party plans review and/or inspection agency are required to have at least two years experience in inspecting manufactured homes or have inspected at least fifteen manufactured homes which must be verified by a previous employer who is certified as an inspection agency with the commission or other experience as approved by the commission.

- (D) Each third party inspection and/or plans review agency shall be required to provide computer website input for operational reporting regarding activities pursuant to this chapter within twenty-four hours of issuing a permit for public viewing on the OMHC website at [www.omhc.ohio.gov](http://www.omhc.ohio.gov).
- (E) Any third party agency who enforces these rules shall notify the commission of changes in personnel within thirty calendar days after such personnel changes have been made. A minimum of one inspector certified by the commission, a back-up inspector certified by the commission, and an electrical safety inspector (ESI) as employees or under contract are required.
- (F) Third party inspectors and plans reviewers.
- (1) Inspectors for certified third party inspection and/or plans review agencies shall meet and be subject to all the requirements for inspectors in rule 4781-7-02 of the Administrative Code.
  - (2) Third party inspectors and/or plans reviewers shall be held to the ethics standards for inspectors in accordance with rule 4781-7-06 of the Administrative Code. Third party agencies that are not subject to the standards of the state ethics laws, including Chapter 102. of the Revised Code, shall be held to rule 4781-7-06 of the Administrative Code.
- (G) Certification for all third party inspection and/or plans review agencies is effective for three years. If a third party agency fails to renew its certification on or before the expiration of its certification, the certification shall be placed on lapsed status. A third party agency can activate their certification within the first three years of the lapsed status by paying the renewal fee and late fee, if any, and complying with all other requirements.
- (H) A third party inspection and/or plans review agency must maintain insurance and/or bonding requirements as prescribed by the commission during the duration of the certification period. Failure to do so will cause the certification to be placed on inactive status.
- (I) No certified third party inspection agency may contract with any political subdivision within the state to be the sole provider of manufactured home installation inspections in any political subdivision of the state.
- (J) After an investigation, if a finding of fact establishes that a third party plan review agency and/or third party inspection agency or any of their employees has not complied with Chapter 4781. of the Revised Code or the rules promulgated

thereunder, the commission may decertify the third party agency. The commission may initiate an investigation on its own motion or upon receipt of a complaint. If the commission proposes to decertify a third party inspection and/or plans review agency or an inspector employed by or retained by a third party inspection agency and/or plans review agency, the commission shall conduct a hearing pursuant to Chapter 119. of the Revised Code. If the commission finds that the third-party employee inspector or the third-party inspection agency and/or plans review agency has violated the rules, the commission may decertify, suspend or issue a fine or a combination thereof. Any fine imposed cannot exceed ~~five hundred~~ one thousand dollars per day per violation. A third-party employee inspector or the third-party inspection agency and/or plans review agency shall return the certification and identification card to the commission within three business days after receipt of the commission's order.

(K) Fees.

- (1) The non-refundable fee for application or renewal for certification of a third party inspection agency and/or a third party plans review agency shall be three hundred dollars for each.
- (2) The non-refundable late fee for certification renewal shall be one hundred fifty dollars in addition to the renewal fee.
- (3) The non-refundable fee for the final inspection seal charged to a third party plans review and/or inspection agency shall be one hundred dollars and shall be paid for prior to issuing a permit.
- (4) Fees shall be made payable by check or money order to "Treasurer, State of Ohio," or by credit card. Any online credit card payments may be subject to a convenience fee as charged to the commission.

Effective: 12/01/2012

R.C. 119.032 review dates: 09/14/2012 and 12/01/2017

CERTIFIED ELECTRONICALLY

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Certification

11/20/2012

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Date

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