



February 21, 2023

Wisconsin Department of Safety and Professional Services Requirements for Delegated Health Departments

Congratulations on your certification for licensing and regulating manufactured home communities within your jurisdiction. For a seamless transition from the Department of Safety and Professional Services (The Department) to your agency, we have compiled the requirements of your delegation below and enclosed links for forms to be submitted by your agency to The Department.

Enforcement

- Enforce the requirements of Wis. Admin. Code § SPS 326, Subchapters I-III. Manufactured Home Community facilities shall not be operated until properly licensed under [Wis. Admin. Code § SPS 326.08](#).
- Inspections shall be made by persons knowledgeable of Wis. Admin. Code § SPS 326. Upon The Department's written approval, you may contract with other local agencies to perform these inspections or other enforcement responsibilities.
- Any changes to your roster of inspectors, agency contact, enforcement plan, or inspection report forms shall be provided to The Department within 30 days of the change.
- If at any time the primary inspector for your agency is unavailable due to absence, conflict of interest, etc., ensure a backup inspector is available to fulfill the responsibilities of this delegation. You may also request The Department's assistance.
- Identify appropriate enforcement actions in response to significant public health hazards and non-compliance with applicable sanitary codes.
- Any employee deemed to have a conflict of interest shall be prohibited from conducting inspections. A conflict of interest exists whenever:
 - An employee's action, or failure to act, could produce a private benefit for the employee or the immediate family or business with which the employee is associated.
 - The manufactured home maker is associated with the employee or the employee's immediate family or business.
 - The matter is one in which the employee in a private capacity, or a member of the employee's immediate family or business with which the employee is associated, has an interest.

Permits

- Issue permits to manufactured home communities in accordance with [Wis. Stat. § 101.935\(2\)\(a\)](#).
 - Permits shall be for a 2-year period for which the agency may collect the permit fee in two annual installments.
 - All permits shall expire on June 30 of the 2-year period for which they were issued.
 - Ensure the permit is placed in a prominent location at the manufactured home community and is readily visible to the public.

Inspections

- Inspections Required:
 - Pre-Licensing Inspections. Required for all new manufactured home communities, manufactured home community expansions, and manufactured home communities having a change of operator during the fiscal year (July 1 through June 30). These inspections must be completed before the new or changed operator may open the manufactured home community for business.
 - Routine Inspections. During each fiscal year, a regular inspection of each manufactured home community shall be made by adhering to the checklist on Form SBD-10701, Manufactured Home Community Inspection Report.
 - Complaint Inspections. Inspections shall be conducted to investigate complaints.
 - Follow-Up Inspections. If a pre-licensing, routine, or complaint investigation indicates corrections are needed and that a return visit is appropriate to ensure that compliance has been achieved, follow-up inspection(s) shall be made.
- Pre-Licensing Inspections and emergency Complaint Inspections shall take priority over Routine and Follow-Up Inspections.

Documentation and Record Keeping

- Keep records of all revenue retained under this delegation.
- Retain copies of orders, inspection reports, and any documentation supporting this delegation for, at minimum, 3 years from the date of the inspection or issuance, as appropriate. Ensure to follow appropriate statutes and local ordinances for document retainage.
- Make available, for use by the inspector(s) and the public, copies of all pertinent statutes, administrative codes, local ordinances, and enforcement procedures.
- Make available, for use by The Department and the public, procedures for investigations and follow-up of citizen complaints about facilities regulated by this delegation.

Fees and Submissions to The Department

- Provide a report within 10 business days of taking any enforcement action involving permit suspension, revocation, or court order.
- Electronically provide the [Agent Report](#) roster (.xlsx file) by October 1 of each year, to identify all manufactured home community permits issued during the previous fiscal year.
- No later than October 1 of each year, reimburse The Department for each mobile home community permit issued under your jurisdiction, in accordance with [Wis. Admin. Code § SPS 302.33\(3\)\(c\)](#). Complete [Form SBD-5524-EMH](#) for the following annual fee amount:

For a mobile home community with 1 to 20 sites	\$92.50
For a mobile home community with 21 to 50 sites	\$166.50
For a mobile home community with 51 to 100 sites	\$259.00
For a mobile home community with 101 to 175 sites	\$333.00
For a mobile home community with more than 175 sites	\$370.00

- You are responsible for setting and collecting revenue for permitting and inspections. Revenue collected from mobile home communities under this delegation shall not exceed direct program annual costs.
- If your agency relinquishes jurisdiction of these responsibilities, fees due to The Department will be prorated the amount for the remainder of the fiscal year for all manufactured home community fees that would have been charged if the manufactured home communities had been issued permits by The Department for the fiscal year.
- Submissions to be provided electronically shall be sent to: DspsSbManfHomes@wi.gov
- Fees and hard copy submissions shall be sent to:
Department of Safety and Professional Services
Manufactured Home Unit
P.O. Box 8935
Madison, WI 53708-893

Department Contacts

- For questions about the code or your responsibilities under this delegation, contact the Uniform Dwelling Code Consultant assigned to your county: <https://dsps.wi.gov/Documents/Programs/Maps/UDC.pdf>
- For questions about fees and submissions to The Department, contact: DspsSbManfHomes@wi.gov
- For questions about the delegation process or your delegation status, contact: etta.strey@wisconsin.gov