

Texas Department of Licensing and Regulation

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INDUSTRIALIZED HOUSING AND BUILDINGS

**DESIGN REVIEW AGENCY GUIDE TO DECISIONS AND
INTERPRETATIONS OF THE TEXAS INDUSTRIALIZED BUILDING CODE
COUNCIL**

Design Review Agency Guide

Revised November 16, 2005

This document is intended as a guide to the procedures for approving design packages and construction documents for the Texas Industrialized Housing and Buildings (IHB) program and to the interpretations and decisions of the Texas Industrialized Building Code Council as they affect plan review and approval. This guide is not intended as a replacement for the statute and rules governing the Texas IHB program. It is the responsibility of each registrant to review the actual statute and rules to assure a complete understanding of the requirements of the Texas IHB program as they relate to design review agencies (DRA's).

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Part I – General

What is a Design Review Agency (DRA)?

Department rule 70.10 defines a design review agency as an approved organization, private or public, determined by the Council to be qualified by reason of facilities, personnel, experience, demonstrated responsibility to review designs, plans, specifications, and building system documentation, and to certify compliance to these IHB statute and rules and mandatory building codes by affixing the Council's stamp of approval.

Who is the Council?

The Council is the Texas Industrialized Building Code Council. The Council was created by Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings and has the authority as follows.

1. To establish criteria for approval, and approve accordingly, all third-party inspectors and design review agencies
2. To adopt the latest edition of the mandatory building codes if the Council finds that use of these codes is in the public interest and consistent with the purposes of the statute
3. To adopt amendments to the mandatory building codes – amendments shall be applied uniformly on a statewide basis
4. To determine all questions raised by a municipality in connection to the review of designs, plans, and specifications of industrialized housing and buildings
5. To determine all questions concerning alternative materials or methods of construction
6. To determine all questions concerning code equivalency
7. To establish procedures for inspecting the construction and installation of industrialized housing and buildings

The decisions, actions, and interpretations of the Council are binding on the Department, third-party inspectors, design review agencies, and municipalities and other political subdivisions.

Registration Requirements and Criteria for Approval of DRA's

Reference Department rules 70.21 and 70.22 for the registration requirements and criteria for approval of DRA's. A complete guide to the application requirements and criteria for approval of DRA's is available on the Department's web site at <http://www.license.state.tx.us/ihb/039IHB.htm>.

Council Approval

The Council has authorized the Department to grant interim approval to any application that complies with the criteria for approval of design review agencies. The Department will recommend approval of applications that comply with the criteria for approval to the Council at their next scheduled meeting after granting of interim approval. A certificate of registration will not be released until the Council has granted approval.

Registration Renewal

A DRA's registration shall be continuous provided the applicant complies with the following.

1. Changes in status are reported to the Department within 10 days as required by Department rule 70.21(c). Changes in status include the following.
 - o The name of the agency is changed
 - o The address of the agency is changed
 - o A partnership or corporation is created or exists or there is a change in 25% or more of the ownership of the business entity within a 12-month period
 - o There are changes in principle officers or key supervisory personnel of the DRA
 - o There are changes in the key technical personnel or changes in the certifications of the technical personnel of the DRA. Changes in technical personnel or in their qualifications must be submitted to the Department for review for conformance to the criteria for approval of DRA's [reference Department rule 70.22] and are not effective until approved by the Department.

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2. The annual registration fee is paid. Reference Department rule 70.80 for registration fees and rule 70.81 for late renewal fees.
3. The applicant continues to comply with the criteria for approval established by the Council as set forth in Department rule 70.22.
4. The applicant presents evidence, at the time of renewal of the DRA's registration, that the code certifications required by Department rule 70.22 are current with the International Code Council (ICC). Participation in the ICC Renewal Program or Certification Maintenance Program is required to keep an ICC code certification current. DRA's shall present evidence of compliance for each plan reviewer identified in the DRA's organization chart.
5. The applicant submits an up to date organization chart in accordance with Department rule 70.22 at the time of renewal of the DRA's registration.

Choosing a DRA

Manufacturers

The manufacturer is responsible for choosing a DRA from the list of Council approved DRA's and designating his choice to the Department in writing [reference Department rule 70.70(a)(1)]. A manufacturer may elect to use more than one approved DRA for review and approval of his Texas design package. However, the manufacturer cannot have one DRA do the initial review and approval on a project or model and another DRA review and approve revisions, or additions, to that project or model without written approval from the Department. In addition, the manufacturer cannot have one DRA begin the review and approval process for a project or model and switch DRA's before the project or model has been approved without prior written approval from the Department.

Industrialized Builder and Installation Permit Holders

The industrialized builder or installation permit holder shall select a DRA from the list of Council approved DRA's to review alteration or recertification construction documents [reference Department rule 70.74]. A different DRA may be chosen for different projects. The industrialized builder or installation permit holder may not change DRA's for a project once the plan review has begun without prior written approval from the Department.

Requirements for Engineer's Seals

Information is provided as a guide only – for complete requirements please reference Chapter 1001 of the Occupations Code, Texas Engineering Practice Act and the Rules Concerning the Practice of Engineering (can be found at the Texas Board of Professional Engineers web site at <http://www.tbpe.state.tx.us/>).

Responsibilities of the DRA

Public officials of this State, or a political subdivision of this State, who is responsible for enforcing laws that affect the practice of engineering may accept a plan, specification, or other related document only if the plan, specification or other document was prepared by an engineer licensed to practice in Texas, as evidenced by the engineer's seal, unless exempted by Chapter 1001 of the Occupations Code [reference section 1001.402 of the Occupations Code]. DRA's are acting for the Department and the Council when they approve design packages and construction documents for the IHB program and must assure that any of these documents accepted for review are in compliance with Chapter 1001 of the Occupations Code.

In addition to the requirements of the Texas Engineering Practice Act, the mandatory building codes also contain requirements for certain types of documents to be prepared by, or for certain types of designs to be prepared by, a design professional. For example, section 2303.4.1 of the IBC requires metal-plate-connected wood truss documents to be prepared by a design professional and section R301.1.3 of the IRC requires that structural elements that exceed the limits of the code be designed in accordance with accepted engineering practice. It is the responsibility of the DRA to assure that documents are sealed by the responsible design professional where required by the mandatory building code prior to approval of these documents.

Engineer's Seals

Reference section 137.33, *Sealing Procedures, of the Rules Concerning the Practice of Engineering* – License holders shall only seal work done by them, performed under their direct supervision, or shall be standards or general guideline specifications that they have reviewed and selected. License holders shall affix an unobscured seal and original signature with date or electronic signature to the originals of all documents containing the final version of any engineering work before such work is released from their control, including the original title sheet of bound engineering reports, specifications, details, calculations or estimates, and each original sheet of plans or drawings regardless of size or binding. Work performed by more than one license holder shall be sealed in a manner such that all engineering can be clearly attributed to the responsible license holder.

Electronic Seals and Sealing Requirements

Reference section 137.35, *Electronic Seals and Sealing Requirements, of the Rules Concerning the Practice of Engineering* – Engineering work transmitted in an electronic format that contains a computer generated seal shall be accompanied by the following text or similar wording: "The seal appearing on this document was authorized by (Example: Leslie H. Doe, P.E. 0112) on (date)." Unless accompanied by an electronic signature. A license holder may use a computer-generated representation on his or her seal on electronically conveyed work. However, the final hard copy of such engineering work must contain an original signature of the license holder and date or the documents must be accompanied by an electronic signature. A scanned image of an original signature shall not be used in lieu of an original signature or electronic signature.

An electronic signature is a digital authentication process attached to or logically associated with an electronic document and shall carry the same weight, authority, and effects as an original signature. The electronic signature, which can be generated by using either public key infrastructure or signature dynamics technology, must be unique to the person using it, capable of verification, under the sole control of the person using it, and linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.

Public Works

Reference section 1001.053, *Public Works, of the Occupations Code* – The following work is exempt from Texas Engineering Practice Act.

1. Public work that involves electrical or mechanical engineering, if the contemplated expense for the completed project is \$8,000 or less
2. Public work that does not involve electrical or mechanical engineering, if the contemplated expense for the completed project is \$20,000 or less

Reference section 1001.407, *Construction of Certain Public Works, of the Occupations Code* – The engineering plans, specifications, and estimates of public work involving engineering in which the public health, welfare, or safety is involved shall be prepared by an engineer licensed to practice in this State.

Buildings Exempted

Reference section 1001.056, *Construction or Repair of and Plans for Certain Buildings, of the Occupations Code* – A person, sole proprietorship, firm, partnership, joint stock association, or private corporation is exempt from the licensing requirements if the person or entity is drawing plans or specifications for any of the following.

1. A private dwelling
2. Apartments not exceeding eight units for each building in the case of one-story buildings
3. Apartments not exceeding four units for each building and having a maximum height of two stories
4. Garage or other structure pertinent to a building a private dwelling or apartment as described above
5. A private building to be used exclusively for farm, ranch, or agricultural purposes
6. A private building to be used exclusively for storage of raw agricultural commodities
7. A building having no more than one story that is not a building exempt from the requirements of section 1001.053 (Public Works) of the Occupations Code or section 1001.047 (Construction of Certain Public Works). If the building is exempt under this item, but contains a clear span greater

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- than 24 feet, then only the trusses, beams, or other roof supporting members must be engineered or pre-engineered
8. A building having no more than one story that has a total floor area of not more than 5,000 square feet. If the building is exempt under this item, but contains a clear span greater than 24 feet, then only the trusses, beams, or other roof supporting members must be engineered or pre-engineered
 9. A building having no more than one story that does not contain a clear span between supporting structures greater than 24 feet on the narrow side

Requirements for Architect's Seals

Information is provided as a guide only – for complete requirements please reference Chapter 1051 of the Occupations Code, Regulation of Architecture and the Rules Regulating the Practice of Architecture (can be found at the Texas Board of Architectural Examiners web site at <http://www.tbae.state.tx.us/active/home.html>).

Responsibilities of the DRA

Public officials of this State, or a political subdivision of this State, who is responsible for enforcing laws that affect the practice of architecture may accept an architectural plan, specification, or other related document only if the plan, specification or other document was prepared by an architect, or a person acting under the supervision of an architect, licensed to practice in Texas, as evidenced by the architect's seal, unless exempted by Chapter 1051 of the Occupations Code [reference section 1051.551 of the Occupations Code]. DRA's are acting for the Department and the Council when they approve design packages and construction documents for the IHB program and must assure that any of these documents accepted for review are in compliance with Chapter 1051 of the Occupations Code.

In addition to the requirements of the Chapter 1051 of the Occupations Code, the mandatory building codes also contain requirements for certain types of documents to be prepared by a design professional. It is the responsibility of the DRA to assure that documents are sealed by the responsible design professional where required by the mandatory building code prior to approval of these documents.

Architect's Seals

Reference Subchapter F, *The Architect's Seal*, of the Rules Regulating the Practice of Architecture – License holders shall only affix or authorize the affixation of his/her seal to documents prepared by the Architect or under the Architect's Supervision and Control. License holders shall affix the Architect's seal with the Architect's signature (across the face of the seal's image or directly under or adjacent to the seal's image) and with the date of signing before the document is issued by or under the authority of the Architect. The seal, signature, and date must be affixed in a manner that will be clearly visible and legible on each document. Documents may be issued electronically or in any other format selected by the Architect whose seal and signature are affixed to the documents. An Architect's seal and signature and date of signing may be affixed electronically or through any other means selected by the Architect so long as the seal, signature, and date will produce a clearly visible and legible image on any copy or reproduction of the document to which they are affixed. Construction documents requiring a seal, signature, and date include the following.

1. Each sheet of drawings or electronic equivalent of a sheet of drawings
2. Each specification – if a specification is included in a bound grouping of specifications that includes a table of contents or index listing each individual specification, the seal must be placed in at least one copious location in the bound document. Any individual specification sheet or electronic equivalent that is issued separately must be sealed individually
3. Each sheet or electronic equivalent of a sheet that identifies the project and provides a list of sealed documents, such as a title sheet, table of contents, or index
4. Each architectural drawing or specification that is part of addenda, change order, construction change directive, or other supplemental document

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Plans or Specifications to be Prepared Only by Architect

Reference section 1051.703, *Certain Plans or Specifications to be Prepared Only by Architect, of the Occupations Code* – Architectural plans or specifications for any of the following may be prepared only by an Architect.

1. A new building or modification of an existing building intended for occupancy on a 24-hour basis by persons who are receiving custodial care from the proprietor or operator of the building, regardless of the number of stories or square footage of the building
2. A new building having construction costs exceeding \$100,000 that is to be constructed and owned by a state agency, a political subdivision of this state, or any other public entity in this state
3. A new building having construction costs exceeding \$100,000 that is to be used for education, assembly, or office occupancy
4. An alteration or addition having construction cost exceeding \$50,000 that is to be made to an existing building that is owned by a state agency, a political subdivision of this state or any other public entity in this state and requires the removal, relocation, or addition of a wall or partition or the alteration or addition of an exit
5. An alteration or addition having construction costs exceeding \$50,000 that is to be made to an existing building that is or will be used for education, assembly, or office occupancy and requires the removal, relocation, or addition of a wall or partition or the alteration or addition of an exit

Buildings Exempted

Reference section 1051.606, *Activities of Certain Persons Not Represented to be Architects, of the Occupations Code* – Persons who prepare plans and specifications for the following are not covered by this statute.

1. Privately owned building used primarily for farm, ranch, or agricultural purposes
2. Privately owned building used primarily for storage of raw agricultural commodities
3. Single-family or dual-family dwelling or building or appurtenance associated with the dwelling
4. Multifamily dwelling not exceeding a height of two stories and not exceeding 16 units per building
5. Commercial building that does not exceed a height of two stories or a square footage of 20,000 square feet
6. Warehouse that has limited public access

Part II – Plan Review and Approval

Plan Review

A design package [reference Department rule 70.10] is the aggregate of all plans, designs, specifications, and documentation required by the Department rules to be submitted by the manufacturer to the DRA, or required by the DRA for compliance review, including the compliance control manual and the on-site construction documentation. Construction documents [reference Department rule 70.10] are the aggregate of all plans, specifications, calculations, and other documentation required to be submitted to the DRA for compliance review to the mandatory building code.

Manufacturer's Design Package

The minimum documentation required to be submitted by the manufacturer is outlined in Department rule 70.70(b), (c), and (d). However, the DRA shall obtain from the manufacturer all information as necessary to assure that the manufacturer's design package is in compliance with the mandatory building codes.

An approved DRA shall review the manufacturer's design package to assure compliance with the mandatory building codes in accordance with the interpretations, instructions, and determinations of the Council [reference Department rule 70.70(a)]. The reviews shall be performed or directly supervised by the DRA's certified plan reviewers for the discipline as listed and approved in the agency's organization chart.

The DRA shall complete the "*Data Plate and Compliance Control Manual Checklist*," form #TDLR 016ihb, for each review of a new or revised data plate and for each review of a new compliance control manual or of a significant revision to a previously approved compliance control manual. Significant revisions to a compliance control manual shall include, but not be limited to, changes in

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inspection procedures, changes in the inspection checklists, changes in testing procedures, or changes in the construction process and plant layout.

The DRA shall assure that all documents approved and forwarded to the Department comply with the following.

1. Each document bears the Council's stamp of approval and the approval stamp is an inked stamp – no copies allowed
2. All table of content pages, index pages, and cover or first page of a set of plans, calculations, specifications, etc. bear the original Council stamp of approval [reference Department rule 70.70(a)(4)]
3. The signature on the original Council stamp of approval is the signature of the manager or chief executive officer of the DRA as indicated in the DRA's application for approval [reference Department rule 70.70(a)(4)]. The manager or chief executive officer must be a Texas licensed engineer or architect [reference Department 70.22(2)(A)]
4. The signature on the original Council stamp of approval is an original signature [reference Department rule 70.70(a)(4)]. A signature stamp is accepted if approved by the signatory and applied in his/her presence
5. The DRA's registration number, the code to which the documents have been reviewed and approved, and the date of approval are entered on every Council stamp of approval on each page of the documents
6. Each document is identified with the manufacturer's name and address [reference Department rule 70.70(a)(3)]. If the documents have been approved for more than one facility, then the address of each facility must be identified on each document
7. The floor plan or cover or title sheet for each model or project contains the following information in a title block format
 - o Name and date of applicable codes
 - o Identification of permissible type of gas for appliances
 - o Maximum snow load (roof) in psf
 - o Maximum wind speed in mph
 - o Wind exposure group
 - o Seismic design criteria
 - o Occupancy/use group type
 - o Construction type
 - o Special conditions and/or limitations
 - o The location of the data plate on the building or dwelling unit
 - o The location of the decal or insignia on each module or modular component

Non-site Specific Buildings

On **October 18, 1989**, the Council adopted a rule, Department rule 70.70(f), concerning site specific details for non-site specific buildings, also known as "portable" buildings, "temporary" buildings, or "leased" buildings – buildings where the specific site may not be known at the time of construction. The rule permits the manufacturer, in lieu of providing the site specific construction details or typical site construction details as required by Department rule 70.70(d), to provide special conditions and/or limitations on the placement of the building. These special conditions and/or limitations will alert the building official of items not in the DRA approved construction documents that may need to be verified for conformance to the mandatory building codes by the local officials. Certain site related details, such as module to module connections, must still be provided by the manufacturer – it is the responsibility of the DRA to verify that such site related details are included in the construction documents prior to approval of the document.

Alteration Construction Documents for Industrialized Housing and Permanent Industrialized Buildings

Reference Department rule 70.74 and the Council approved "Alteration Procedures" for complete requirements for the review and approval of construction documents for alterations to industrialized housing and permanent industrialized buildings – these procedures will not be duplicated in this document. A copy of the alteration procedures may be found on the Department's web site at

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<http://www.license.state.tx.us/ihb/alteration.htm> and are also included as an appendix to this document.

An approved DRA shall review and approve the construction documents for the alteration of industrialized housing and permanent industrialized buildings to assure compliance with the mandatory building codes in accordance with the interpretations, instructions, and determinations of the Council. The reviews shall be performed or directly supervised by the DRA's certified plan reviewers for the discipline as listed and approved in the agency's organization chart.

Recertification Construction Documents for Industrialized Buildings Designed to be Moved

Reference Department rule 70.74 and the Council approved "Recertification Procedures" for complete requirements for the review and approval of construction documents for the alteration/recertification of industrialized buildings designed to be moved – these procedures will not be duplicated in this document.

An approved DRA shall review and approve the construction documents for the alteration/recertification of industrialized buildings designed to be moved to assure compliance with the mandatory building codes in accordance with the interpretations, instructions, and determinations of the Council. The reviews shall be performed or directly supervised by the DRA's certified plan reviewers for the discipline as listed and approved in the agency's organization chart. A copy of the recertification procedures may be found on the Department's web site at <http://www.license.state.tx.us/ihb/recertification.htm> and are also included as an appendix to this document.

Council Stamp of Approval

The DRA will signify approval of an IHB document by applying the Council's stamp of approval to each document in the manufacturer's design package or the alteration/recertification construction documents [reference Department rule 70.70(a)(4) and 70.74]. The stamp shall not be placed on any documents that do not meet the requirements of the mandatory building codes, the IHB statute, or the Department rules governing industrialized housing and buildings.

Manufacturer's Design Package

The original Council stamp of approval shall be placed on all table of contents pages, index pages, and cover or first page of a model or project in the manufacturer's design package that are approved by the DRA. Either the original Council stamp of approval or the alternate stamp of approval shall be placed on all other documents in the manufacturer's design package that are approved by the DRA [reference Department rule 70.70(a)(4)].

The following information shall be completed on each Council stamp of approval.

1. DRA's registration number
2. Code or codes to which the document has been reviewed and approved
3. The date of approval

In addition to the above, the original Council stamp of approval shall bear an original signature of the manager or CEO of the DRA as indicated in the DRA's application for approval. The manager or CEO must be a Texas licensed engineer or architect.

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Original Council Stamp of Approval

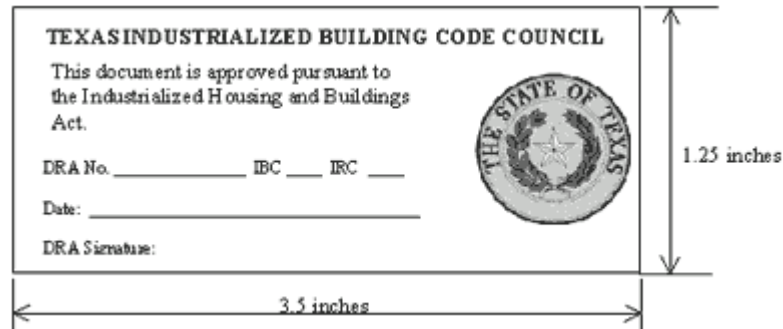
At their meeting of **August 23, 2001**, the Council approved changes to the design of the stamp. The design was revised to eliminate reference to the article or chapter designation of the Texas Industrialized Housing and Buildings statute and to change the codes to which the documents have been reviewed and approved. The codes were changed because of the adoption of the 2000 International Codes in place of the 1997 Uniform and Standard Codes. The new design, pictured below, became effective February 20, 2002.

IBC = International Building Code

IRC = International Residential Code

Original Council Stamp of Approval

Effective February 20, 2002



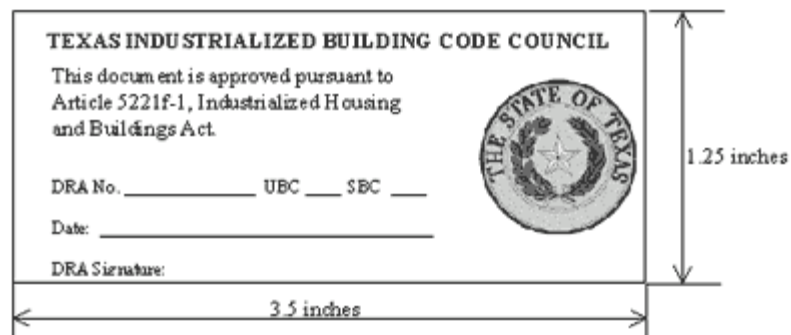
The original Council stamp as it existed prior to February 20, 2002 is pictured below.

UBC = Uniform Building Code Group

SBC = Standard Building Code Group

Original Council Stamp of Approval

Prior to February 20, 2002



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Alternate Council Stamp of Approval

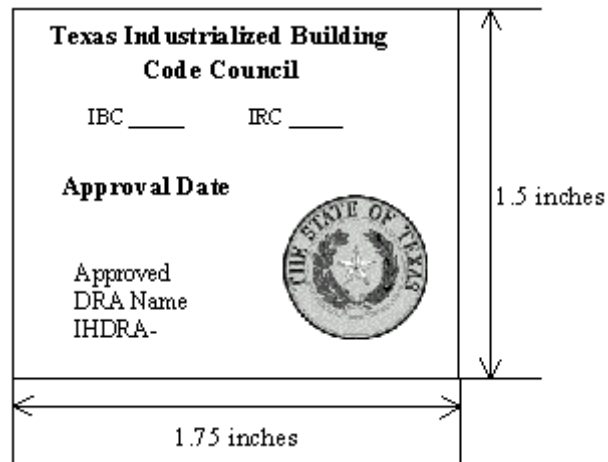
At their meeting of **August 23, 2001**, the Council approved changes to the design of the stamp. The design was revised to change the codes to which the documents have been reviewed and approved. The codes were changed because of the adoption of the 2000 International Codes in place of the 1997 Uniform and Standard Codes. The new design, pictured below, became effective February 20, 2002.

IBC = International Building Code

IRC = International Residential Code

Alternate Council Stamp of Approval

Effective February 20, 2002



The alternate Council stamp of approval as it existed prior to February 20, 2002 is pictured below.

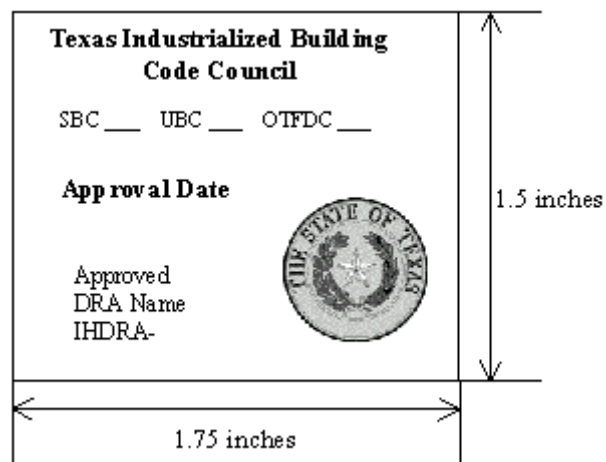
SBC = Standard Building Code Group

UBC = Uniform Building Code Group

OTFDC = One and Two Family Dwelling Code

Alternate Council Stamp of Approval

Prior to February 20, 2002



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Alteration Construction Documents for Industrialized Housing and Permanent Industrialized Buildings

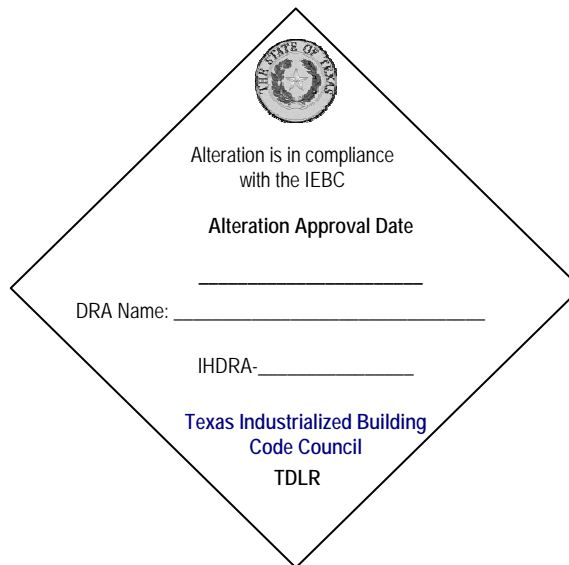
The original Council stamp of approval and the alternate Council stamp of approval will be used to signify approval of alteration construction documents for industrialized housing and permanent industrialized buildings. The construction documents shall be clearly marked to indicate that the documents are for an alteration and are not the original construction documents from the manufacturer's design package.

Recertification Construction Documents for Industrialized Buildings Designed to be Moved

The DRA will signify approval of a document by the application of the council's stamp of approval for altered or recertified buildings [reference Department rule 70.74(f)(6)]. At their meeting of **March 31, 2005**, the Council approved a design for this stamp. The Council stamp of approval for altered or recertified buildings is pictured below.

Council Stamp of Approval for Altered or Recertified Buildings

Effective May 1, 2005



The stamp is a diamond-shaped form with a black border. At the top center is the official seal of the State of Texas, featuring a five-pointed star surrounded by the words "THE STATE OF TEXAS". Below the seal, the text "Alteration is in compliance with the IEBC" is centered. Underneath that is the label "Alteration Approval Date" followed by a horizontal line for a signature. To the left of the diamond, the text "DRA Name:" is followed by a horizontal line. Below the signature line is the label "IHDRA-" followed by a horizontal line. At the bottom of the diamond, the text "Texas Industrialized Building Code Council" is centered in blue, with "TDLR" centered below it in black.

Red Lining Procedures

At their meeting of **May 8, 1986**, the Council approved the use of red line corrections by DRA's to documents approved by the DRA [reference Department rule 70.70(a)(8)].

Limitations

DRA's may make red line corrections to documents when the corrections meet all of the following criteria.

1. Corrections are limited to corrections of minor deviations
2. The corrected items can be verified by reference to prescriptive code requirements
3. The change does not involve any change of design or require design
4. The red ink correction is valid for 10 working days and may not be extended
5. The corrections must be numbered and initialed by the DRA and the statement "**As noted with _____ (number) corrections**" shall appear near the Council stamp of approval with the number of corrections entered

Disbursement of Approved Documents

Manufacturer's Design Package

The DRA shall forward one copy of all approved documents, including additions and revisions, to the manufacturer and shall forward one copy of all approved documents, including additions and revisions, with a copy of the "*Transmittal Sheet for Texas Approved Documents*," form #TDLR 046ihb, to the Department within 5 days of approval [reference Department rule 70.70(a)(4)]. A completed "Data Plate and Compliance Control Manual Checklist," form #TDLR 016ihb, shall be enclosed with the approved documents for each new or revised data plate, for each new compliance control manual, and for each significant revision to a previously approved compliance control manual.

Transmittal Sheet for Texas Approved Documents

All documents shall be accompanied by a transmittal sheet – documents will not be accepted without the transmittal sheet. The DRA shall complete the following information on the transmittal sheet.

1. The DRA's name and Texas registration number
2. The manufacturer's name, plant location, and Texas registration number. Include all plant locations and Texas registration numbers if the documents have been approved for more than one location for that manufacturer
3. A DRA contact name, phone number and/or email address
4. Indicate if the documents are new or a modification to a project, model, compliance control manual, or other previously approved document. Do not check modification if submittal is due to the adoption of later editions of the mandatory building codes. If a modification, enter the original approval date of the document being modified – the original approval date can not be prior to the adoption of the latest editions of the mandatory building codes.
5. The approval date of the documents submitted – do not submit documents with different approval dates with the same transmittal sheet
6. The codes to which approved, either the International Building Code or the International Residential Code
7. Indicate if the submittal is in response to a DRA Monitoring Review [see Part III of this document] and provide the file number of the review as assigned by the Department
8. A description of the documents submitted. The description should include all information necessary to fully identify the documents, such as model #, project name, project number, compliance control manual revisions, etc.
9. The signature of each responsible plan reviewer and the area of review for which they are responsible [reference Department rule 70.70(a)(2)]. Approvals forwarded to the Department without the signature of the plan reviewers shall not be considered valid.

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Alteration Construction Documents for Industrialized Housing and Permanent Industrialized Buildings

Reference Department rule 70.74 and the Council approved "Alteration Procedures" for the complete procedures for review and approval of alteration construction documents.

The DRA shall forward a completed copy of the "*Alteration Transmittal Form*," form #TDLR 057ihb, to the Department upon approval of the alteration construction documents. A copy of the alteration construction documents for a project will be supplied to the Department upon request.

The DRA shall forward a completed copy of the "*Alteration Transmittal Form*" and one approved copy of the alteration construction documents to the industrialized builder or installation permit holder.

Recertification Construction Documents for Industrialized Buildings Designed to be Moved

Reference Department rule 70.74 and the Council approved "Recertification Procedures" for the complete procedures for review and approval of recertification construction documents.

The DRA shall forward a completed copy of the "*Recertification Transmittal Form*," form #TDLR 069ihb, to the Department upon approval of the recertification construction documents. A copy of the recertification construction documents for a project will be supplied to the Department upon request.

The DRA shall forward a completed copy of the "*Recertification Transmittal Form*" and one approved copy of the recertification construction documents to the industrialized builder.

DRA Records

Manufacturer's Design Package

The DRA shall keep a copy on file of all approved documents for a minimum of five years from the date that these documents are superseded by adoption of later editions of the mandatory building codes and make a copy of these documents available to the Department upon request [reference Department rule 70.70(a)(4)].

Alteration Construction Documents for Industrialized Housing and Permanent Industrialized Buildings

Reference Department rule 70.74 and the Council approved "Alteration Procedures" for the complete procedures for review and approval of alteration construction documents.

The DRA shall maintain a copy of the "*Alteration Transmittal Form*" and of all construction documents pertinent to the alteration review and approval for a minimum of five years from the date of approval of these documents.

Recertification Construction Documents for Industrialized Buildings Designed to be Moved

Reference Department rule 70.74 and the Council approved "Recertification Procedures" for the complete procedures for review and approval of recertification construction documents.

The DRA shall maintain a copy of the "*Recertification Transmittal Form*" and of all construction documents pertinent to the recertification review and approval for a minimum of five years from the date of approval of these documents. These records shall include, where applicable, documents demonstrating compliance with the requirements of Chapter 12 of the International Existing Building Code.

Withdrawal of Approval

A DRA shall withdraw approval of any document whenever the approval is later found to be in violation of the mandatory building codes or the Department rules [reference Department rule 70.70(a)(6)]. Notice of withdrawal shall be made in writing to the Department and the manufacturer, industrialized builder, or installation permit holder. The notice shall state the reasons for withdrawing approval. Any withdrawal of approval will have prospective effect only, except for life safety items.

Part III – DRA Monitoring

Objectives

Monitoring reviews are technical reviews, performed by the Department, of DRA approved documents forwarded to the Department by the DRA. The objective of these reviews is to ensure the following.

1. That design packages for Industrialized Housing and Buildings modules and modular components conform to the mandatory building codes, the Industrialized Housing and Buildings statute, and the rules governing the IHB program
2. That the DRA consistently and uniformly implements the policies and procedures of the Council with regard to interpretations of the mandatory building codes
3. That the compliance control manuals and associated revisions are compatible with the designs to be constructed in each manufacturing facility and commit the manufacturer to make adequate inspections and tests of every part of every module and modular component
4. That the DRA does not provide design services or prepare compliance control manuals for manufacturers for whom it acts as a design review agency

Contents of Monitoring Reports

Each report shall be assigned a file number for tracking purposes. The report shall contain the following information.

1. The name and registration number of the manufacturer whose documents were reviewed
2. The name and registration number of the DRA responsible for review and approval of the documents
3. The name and phone number of the Department reviewer responsible for the report
4. A description of the documents reviewed, including the approval date of each document
5. The code section or other reference which the Department reviewer believes has not been met
6. A description of the deviation or nonconformance

A cover letter sent with the report will set the time limit for responding to the report. A copy of the letter and report shall be also forwarded to the manufacturer.

Responses to Monitoring Reports

The DRA shall respond to the report within the time frame set. Approved documents submitted in response to the report shall be transmitted to the Department with a “Transmittal Sheet for Texas Approved Documents” in accordance with Part II – Plan Review and Approval. The file number of the report as assigned by the Department will be included on all correspondence from the DRA and on the “Transmittal Sheet for Texas Approved Documents” submitted to the Department in response to the monitoring report.

The response shall address each deviation in the report in accordance with one of the following options.

1. Provide evidence that the deviation conforms to the mandatory buildings codes, Department rules, the IHB statute, or Council interpretations or directives
2. Provide approved revised documents that conform to the mandatory buildings, Department rules, the IHB statute, or Council interpretations or directives
3. Indicate that the manufacturer has been required to revise the document or documents in questions to conform to the mandatory building codes, Department rules, the IHB statute, or Council interpretations or directives. Revisions shall be made in a timely manner and the response shall indicate a date by which all revisions will be completed and how compliance will be assured during the interim
4. Rescind approval of the documents if the manufacturer refuses to bring them into compliance

Failure to Respond to a Monitoring Report

A complaint case shall be opened with the Department’s Enforcement Division on any DRA who fails to respond to a DRA Monitoring Report.

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Unsatisfactory Response

If the Department and the DRA can not reach a consensus on an item questioned on a DRA monitoring report, then the report shall be forwarded to the Council for disposition. A complaint case shall be opened with the Department's Enforcement Division if the Council finds in favor of the Department and the DRA fails to comply with the Council's decision within the time frame set by the Council.

Failure to Comply with Council Interpretations, Decisions, or Directives

Upon identification of approved documents that indicates that a DRA has failed to enforce interpretations, decisions, or directives of the Council, the DRA shall be given 20 days to show how the questioned documents comply or to have the manufacturer bring the documents into compliance prior to opening a complaint case with the Department's Enforcement Division.

Part IV – Council Decisions and Interpretations

This section outlines the decisions and interpretations of the Council as they relate to the services provided by DRA's. The date of the Council decision or interpretation and the editions of the mandatory building codes in effect at the time of the decision or interpretation are indicated at the beginning of each section. Adoption of later code editions may affect these decisions.

Legend to codes referenced:

IBC = International Building Code
IPC = International Plumbing Code
IMC = International Mechanical Code
IECC = International Energy Conservation Code
IOTF = International One and Two Family Dwelling Code
UBC = Uniform Building Code
UPC = Uniform Plumbing Code
UMC = Uniform Mechanical Code

IRC = International Residential Code
IFGC = International Fuel Gas Code
NEC = National Electrical Code
IEBC = International Existing Building Code
COTF = CABO One & Two Family Dwelling Code
SBC = Standard Building Code
SPC = Standard Plumbing Code
SMC = Standard Mechanical Code

Fire Sprinklers

Texas Commission on Jail Standards

June 30, 1988

1985 UBC with 1986 amendments, 1985 SBC with 1986 amendments

The Council granted a permanent variance to the Texas Commission on Jail Standards in regards to sprinkler systems in jails. This variance applies only to jails built to the Minimum Jail Standards. This variance does not apply to prisons. A sprinkler system will not be required in modular jail facilities if the jail meets the requirements of the Minimum Jail Standards established by the Texas Commission on Jail Standards. The jail must be in conformance with the jail standards requirements for smoke and fume evacuation as well as other requirements concerning smoke detection, flame retardant equipment, furnishings, bedding, etc. The Texas Commission on Jail Standards will be responsible for ascertaining that a proposed facility meets their requirements. DRA's will be responsible for reviewing the construction documents for proposed modular jail facilities to the mandatory codes governing the IHB program.

Anchoring Systems

July 27, 1989

1988 UBC, 1988 SBC

The Council approved the use of ground anchors as an alternate method of construction subject to the acceptance of the approving agency. The Council determined that ground anchors may be acceptable where a building is placed at a temporary location. It is the intent of the Council to allow the approving agency to decide if the use of ground anchors is appropriate in each case. Industrialized housing cannot be located at a temporary location – the use of ground anchors in the installation of industrialized housing is not permitted.

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The following information shall be included in the construction documents for a foundation anchoring system before acceptance and approval.

1. A soil investigation report prepared by a qualified engineer, or if the exact site location is unknown, then a description of the soil type for which the anchoring system is suitable
2. Structural calculations and related plans prepared by a qualified engineer
3. Specifications for adequate corrosion protection for the anchors and associated tie-down system

Water Heaters

Termination of Drain from Pressure Relief Valves

October 18, 1988

1985 UPC with 1986 amendments, 1985 SPC with 1986 amendments

The Council interpreted the "outside of the building" as it pertains to the termination of the drain from a pressure relief valve to mean through an exterior wall to the outside of the building, not under the building.

Shear Walls

Hardwood Plywood

February 22, 1990

1988 UBC and SBC

The Council denied a request for approval to use hardwood plywood as a structural material for shear wall design and construction. The codes do not recognize the use of hardwood plywood as a structural member in shear walls. The Council suggested that anyone wishing to use this product either attempt to change the code through the code change process or obtain a code evaluation report from the evaluation services provided through the code groups or from the National Evaluation Service.

Exits

Intersecting Corridors

August 8, 1991

1988 UBC and SBC

The Council interpreted the code to require that intersecting corridors constitute a single corridor system and must be considered accessible to all tenant spaces with doors exiting into the corridor. Where required by code these corridors must be of fire-resistive construction.

Electrical

Dielectric Test Equipment

August 23, 2001

1999 NEC

The Council approved the use of a DC dielectric tester as an alternate to the use of an AC dielectric tester. The applied test voltage for testing with a DC tester shall be 1.414 times the value of the equivalent AC test voltage.

Exterior Wall Coverings

Veneers Not Recognized by the Mandatory Codes

January 4, 1993

1991 UBC, SBC

The Council approved a motion to allow the use of veneers not otherwise recognized by the codes in accordance with one of the following.

1. An evaluation report exists for the product and the product is used in accordance with that report
2. The building design is totally independent of the material on the outside, i.e., the building will meet all the building code requirements without the veneer.

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3. The material has been tested by an independent recognized laboratory and/or meets the standards of a legitimate trade association and that these test or standards prove that this product is capable of carrying certain loads, either laterally or vertically, when attached in a certain fashion. Alternately, a structural engineer may design and certify, through calculations and valid test reports, a material's ability to perform in accordance with the code criteria.

The veneer shall be used in accordance with the conditions of use for that product as set out by the evaluation report, testing agency, legitimate trade association standard or listing, or structural engineer. Acceptance by the DRA of a product based on a report from a recognized testing laboratory or on standards of a trade association may require the DRA to evaluate the tests and the product to assure compliance with the code criteria.

Roofs

Ventilation Requirements

February 2, 2000

1997 UBC, SBC

The Council was asked to determine when ventilation of rafter or attic spaces was required in accordance with section 2309.7 of the 1997 SBC and section 1505.3 of the 1997 UBC. The Council determined that the DRA's should interpret when this section applies on a case by case basis. DRA's shall check local requirements for site specific buildings and document those requirements for their files. For plans on non-site specific buildings approved without ventilation of the rafter or attic spaces, the manufacturer shall include a note under special conditions or limitations that the ventilation of the rafter or attic space shall be in accordance with the requirements of the local building official.

Membrane Roof Coverings

Guidelines

August 23, 2001

1997 UBC and SBC, 2000 IBC

The Council set guidelines for plan reviews and inspections of buildings utilizing membrane roofing systems. The guidelines are as follows.

1. DRA's shall review calculations and construction documents and specifications of buildings utilizing membrane roofing systems for conformance to the listing on the roofing system and the applicable code sections in chapter 15 of the IBC. Calculations are required for all wind speeds, not just those that may be considered high wind areas. Acceptable listings include code evaluation reports, UL listings, FM listings, or listings from other recognized agencies approved to evaluate and list such systems. Listing reports or information shall include documentation indicating compliance with the requirements of section 1504.1 (wind uplift), section 1505 (fir classification) and section 1507 (material specifications and weather resistance) of the 2000 IBC for membrane roofing systems. The listing reports or information shall be a part of the approved documents.
2. Third party inspectors (TPI's) shall inspect to the approved documents in accordance with Texas in plant inspection procedures. The listing report information is a part of the approved documents. The requirements of the listing report or information governs over what may be required by the manufacturer's installation instructions for the membrane roofing system. TPI's shall assure that the component parts of the roofing system are identified in accordance with the listing on the system. TPI's shall assure that the installer of the roofing membrane is licensed or approved in accordance with the requirements of the listing on that product or the manufacturer's installation instructions for the roofing system.
3. Membrane roofing systems used on buildings that meet all code requirements without the roofing system will only have to meet the fire classification requirements of the code. The membrane roofing system must be listed for installation in the way that it will be used. For example, the fire classification listing for a membrane roofing system to be used on a concrete equipment shelter must be listed for installation directly to the concrete roof.

Load Bearing

Compression Strips

**September 21, 2000
1998 IOTF**

The Council was asked if gypsum board is an acceptable compression strip in accordance with section 802.5 of the IOTF. This code section permits a compression strip to be installed between the top plate of the load bearing walls and the roof trusses or ceiling joists provided the compression strength of the material is adequate to withstand the loads transferred through it. The Council approved the use of gypsum as a compression strip in accordance with this section as long as substantiating calculations are provided and these calculations take into account the effects of the temperature and humidity conditions where the buildings are to be located.

This decision applies only to one- and two-family residential structures. There is no similar allowance for the use of a compressions strip in the UBC or SBC.

The compression values from Gypsum Association GA-235-98 may be used for these calculations. However, the calculations must take into account the temperature and humidity conditions where the building will be located. The values reported in GA-235-98 are based on tests performed at 70 degrees F and 50% humidity. The Gypsum Association was unable to supply any data on the effects of temperature and humidity on these compression values. Without further information, the use of gypsum as a compression strip in the State of Texas is limited to areas where the average temperature is 70 degrees F and the average humidity is 50%. Use of data from other sources will not be permitted without a code evaluation report or approval of the Council.

Any manufacturer that uses gypsum as a compression strip per the above guidelines must include a note on the data plate and plan cover page or floor plan that the dwelling may only be sited in areas where the average temperature is 70 degrees F and the average humidity is 50%.

Plumbing Fixtures

Unoccupied Buildings

**February 2, 2000
1997 IPC**

The Council determined that unoccupied buildings such as equipment shelters do not need to meet the requirements of the IPC concerning the minimum number of plumbing fixtures. This determination applies only to buildings that are normally not occupied. Please note that equipment shelters classified as a Group H occupancy would still need to comply with any requirements for emergency showers and eyewash stations.

Occupied Buildings

**February 2, 2000
1997 IPC**

All occupied buildings must comply with the requirements of the IPC for minimum plumbing fixtures. However, manufacturers may continue to specify on the plans and data plate of non-site specific buildings without the minimum number of required fixtures that the minimum plumbing fixtures in accordance with the code requirements are required to be located in another building on the installation site.

Service Sinks

**June 30, 2003
2000 IPC**

Table 704.1 of the IPC requires a service sink in most building occupancies. The Council does not feel that a kitchen sink would be an appropriate substitution for a service sink. It is the Council's interpretation, however, that in commercial industrialized buildings with areas of 1,800 square feet or less, a lavatory and water closed would be an acceptable substitution.

The design for commercial modular buildings with areas less than 1,800 square feet that contain plumbing shall comply with one of the following.

1. Have a service sink as required by code

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2. Have a lavatory and water closet, thus eliminating the need for a designated service sink
3. Contain a note in the special conditions/limitations section of the plans and data plate that a service sink must be available in another building on the installation site or that it will be added as required by local officials

The design for commercial modular buildings with areas greater than 1,800 square feet shall either have a service sink as required by code or contain a note in accordance with the subparagraph on **Plumbing Fixtures, Occupied Buildings** in Part IV of this guide.

Interior Finishes

Surfaces in public restrooms

February 2, 2000

1997 UBC and SBC

The Council was asked to determine the definition of public as it regards the code requirements for hard nonabsorbent surfaces in public restroom. The Council decided that a small office building with a single restroom containing a single water closet and lavatory could be considered private. The number of the plumbing fixtures in the building must be in compliance with the requirements of the IPC. This does not negate the requirements of the code sections requiring the use of water resistant gypsum backing board in wet areas, such as water closet compartment walls.

Surfaces around bathtubs in one and two family dwellings

September 20, 2000

1998 IOTF

The Council approved the use of the specifications found in appendix A.1 of GA-216-96 as a suitable alternate to the requirements of the International One and Two Family Dwelling Code. Section 702.4 requires bathtub walls to be finished with a smooth, hard and nonabsorbent surface a minimum of 6 feet above the floor. Appendix A.1 of GA-216-96 only requires the smooth, hard and nonabsorbent surface to extend 6 inches above the rim of the bathtub for bathtubs without shower heads. Gypsum board behind the surface is still required to be a water resistant gypsum backing board conforming to ASTM C630.

Gypsum Board

Adhesives

Request for approval of FoamNail adhesive as an alternate to FoamSeal adhesive

September 21, 2000 (revised October 3, 2001)

1997 UBC, SBC

The Council did not approve the use of FoamNail adhesive as an alternate to FoamSeal F2100 adhesive (reference old ICBO ER #4874, now ICC ES Report #ESR-1028) for the attachment of gypsum board to roof framing members. The Council indicated that FoamNail adhesive needed to be evaluated and approved through the code evaluation service to be accepted under the Texas IHB program.

Update October 3, 2001

A code evaluation report on FoamNail adhesive was issued by ICBO on May 1, 2001. The evaluation report limits the use of the adhesive to nonbearing interior or partition walls and ceilings (reference ICC ES Legacy Report #ER-5904).

Horizontal applications

September 21, 2000

1997 UBC, SBC

The Council was asked to determine if it was acceptable to attach ½" high strength ceiling board manufactured by National Gypsum parallel to framing members with mechanical fasteners when a water based texture finish is to be applied. Evaluation report #NER-496 lists the ½" high strength gypsum board as a suitable alternative to 5/8" regular gypsum board finished with water-based texture materials. The evaluation report requires the ceiling board to be applied perpendicular to the framing members when fastened mechanically, but permits it to be applied

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parallel to the framing members when fastened with FoamSeal F2100 adhesive. In modular plants the finished ceiling material is usually installed on the roof trusses prior to the installation of the ceiling assembly on the walls. Installing the gypsum board perpendicular to the trusses in this situation leads to a problem with cracking of the ceiling assembly when lifting it for installation on the module. The Council approved the application of the ½" high strength gypsum board parallel to the framing members attached with mechanical fasteners provided written authorization is obtained from the National Gypsum Company. Until such authorization is received, manufacturers may install the ½" high strength gypsum by National Gypsum Company parallel to framing members only when attached with FoamSeal F2100 adhesive.

Update October 3, 2001

As of this date no written authorization has been received from National Gypsum indicating that it is acceptable to attach its ½" high strength gypsum board parallel to the ceiling framing members with mechanical fasteners. Nor has evaluation report #NER-496 been updated to permit mechanical fastening when the material is applied parallel to the framing members or been updated to recognize the use of FoamNail adhesive as an alternate fastening method.

HVAC

Sizing of HVAC equipment

August 15, 2002

2000 IECC with 2001 Supplement and 2000 IRC with 2001 Supplement

The IECC and IRC require mechanical equipment to be sized no larger than what was calculated. DRA's are directed to assure that the manufacturer's assumptions in sizing the mechanical equipment are clear so that the local officials can determine if it is in compliance with the IECC for their area. DRA's and manufacturers are also reminded that the heat loss calculations can not be in conflict with the energy design features of the house or building. Manufacturers are required to clearly state the assumptions made as to orientation, occupancy load, and any other pertinent information that may affect the calculations use to size the equipment.

Appendices

The Alteration Procedures and Recertification Procedures are included as appendices to this guide.

Appendix A – Alteration Procedures

Appendix B – Recertification Procedures

Appendix A – Alteration Procedures



TEXAS DEPARTMENT OF LICENSING AND REGULATION
COMPLIANCE DIVISION – INDUSTRIALIZED HOUSING AND BUILDINGS

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Alteration Procedures
For Industrialized Housing and Permanent Industrialized Buildings

Revised effective May 1, 2005

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Marginal Markings – Solid vertical lines within the right hand margins of the procedures indicate a revision from the previous procedures.

REFERENCES

- (a) A person responsible for the alteration of an industrialized house or permanent industrialized building should be familiar with the Texas Occupations Code, Chapter 1202, Industrialized Housing and Buildings; Chapter 70, Industrialized Housing and Buildings Rules; and the mandatory building codes.
- (b) Specific sections of the Texas Occupations Code, Chapter 1202, that are applicable to alterations of industrialized housing and buildings include, but are not limited to, the following:
 - (1) § 1202.1535, Effect of Building Code Amendment;
 - (2) § 1202.154, Design Review;
 - (3) § 1202.201, Inspection Procedures;
 - (4) § 1202.202, Department Inspections; and
 - (5) § 1202.204, Rules Providing for Decals or Insignia
- (c) Specific sections of the rules governing Industrialized Housing and Buildings that are applicable to alterations of industrialized housing and buildings include, but are not limited to, the following:
 - (1) § 70.10, Definitions
 - (2) § 70.70, Responsibilities of the Registrants – Manufacturer’s Design Package;
 - (3) § 70.73, Responsibilities of the Registrants – Manufacturer’s Data Plate;
 - (4) § 70.74, Responsibilities of the Registrants – Alterations;
 - (5) § 70.75, Responsibilities of the Registrants – Permit/Owner Information;
 - (6) § 70.100, Mandatory Building Codes;
 - (7) § 70.101, Amendments to Mandatory Building Codes; and
 - (8) § 70.102, Use and Construction of Codes.

PURPOSE

The purpose of this document is to set procedures to assure that alterations of industrialized housing and permanent industrialized buildings that were originally constructed under the Texas industrialized housing and buildings program comply with the mandatory building codes adopted by Chapter 1202 of the Texas Occupations Code. Review and approval of alteration construction documents and inspections of alterations of industrialized housing and permanent industrialized buildings are performed to assure that the alterations are in compliance with the mandatory building codes and the requirements of the Texas Industrialized Building Code Council.

This document does not cover alterations to industrialized buildings designed to be moved from one commercial site to another commercial site.

Alterations after installation of industrialized housing or permanently installed industrialized buildings shall fall under the authority of the local building inspection officials. Such alterations are not covered in these procedures.

Alterations during installation of industrialized housing and permanently installed industrialized buildings within the jurisdiction of a municipality shall fall under the authority of the local building inspection officials. Such alterations are not covered in these procedures.

Ordinary repairs to structures, replacement of lamps, or the connection of approved portable electrical equipment to approved permanently installed receptacles shall not be considered alterations. Ordinary repairs shall include the removal and replacement of the covering of existing materials, elements, equipment, or fixtures using like or the same new materials, elements, equipment, or fixtures that serve the same purpose. Ordinary repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

PLAN REVIEW AND APPROVAL

- (a) The industrialized builder or installation permit holder for the industrialized house or permanent industrialized building to be altered shall select a Council approved design review agency (DRA) to perform all required review and evaluation of construction documents for the alterations. The industrialized builder or installation permit holder may choose a different DRA for different projects, but may not change DRA's for a project once the plan review has begun without prior written approval from the Department.
- (b) Alteration documentation. The builder or permit holder shall provide the DRA alteration documentation that must, at a minimum, contain the following:
 - (1) a copy of the original approved construction documents for the industrialized house or permanent industrialized building;
 - (2) a signed copy of the "Alteration Transmittal Form," form #TDLR 057ihb, containing, at a minimum, the following information:
 - (A) the type of alteration. Check the applicable box;
 - (B) the name and registration number of the industrialized builder or the name of the installation permit holder and the installation permit number obtained from the Department;
 - (C) a contact name, mailing address, phone number, and email address (email address optional) for the industrialized builder or installation permit holder;
 - (D) the address where the alteration construction will be performed;
 - (E) the name and registration number of the manufacturer of the units to be altered;
 - (F) the Texas decal numbers and unit serial numbers assigned by the manufacturer for each unit to be altered;
 - (G) the original approval date(s) of the construction documents for the units; and
 - (H) the signature of the industrialized builder or installation permit holder certifying that all information is true and accurate and that alterations shall be constructed in accordance with the mandatory building codes. The signature must be a corporate officer, managing partner, sole proprietor, or installation permit holder, or other individual designated in writing to the Department as authorized to represent the builder or installation permit holder.
 - (3) a copy of the data plate on the house or building; and
 - (4) construction documents for the proposed alterations. The cover page of the plans shall include, in addition to the information required by Department rule 70.70(b)(18), the name and registration number of the industrialized builder or the installation permit number and

name of the permit holder, the serial number and decal number of each unit to be altered, the location of the original decal on each unit to be altered, the location of the original data plate on the house or building, the location of the alteration data plate, if required, on each house or building, and system test requirements in accordance with the requirements of the mandatory building codes. Reference Department rule 70.70(b) and (d) for examples of other types of information to be submitted.

- (c) The DRA shall review the submitted documents for compliance with the current mandatory building codes referenced in Department rules 70.100 and 70.101, as specified in rule 70.102.
- (d) The review and approval of alteration plans and specifications shall comply with the requirements of Department rule 70.70(a)(2) through (4) and (6) through (8) with the following exceptions.
 - (1) The DRA shall complete the following information on the "Alteration Transmittal Form," form #TDLR 057ihb, and forward a completed copy of the form to the Department. A copy of the alteration construction documents for a project shall be supplied to the Department upon request.
 - (A) The DRA's name and registration number and a contact name, phone number, and email address (email address optional).
 - (B) Enter the approval date of the alteration construction documents.
 - (C) Assign and enter the alteration identification number for this approval.
 - (D) Check the applicable box if any of the information on the data plate will change and enter the changes.
 - (E) Check the requirements for system testing.
 - (F) Have the appropriate plan reviewers sign off for each type of plan review required for review and approval of documents.
 - (2) The DRA shall forward a completed copy of the "Alteration Transmittal Form," form #TDLR 057ihb, and one approved copy of the construction documents to the builder or permit holder.

CONSTRUCTION REQUIREMENTS

- (a) The installation permit holder or industrialized builder shall not begin construction of the alteration of the industrialized house or permanent industrialized building prior to the approval of the alteration construction documents by the DRA. Construction shall be performed only by persons licensed to perform this work. For example, alteration of the plumbing systems may only be performed by a person licensed to perform plumbing where required by state or local law.
- (b) Emergency repairs. Emergency repairs that do not qualify as ordinary repairs may be performed prior to the approval of the alteration construction documents. The alteration construction documents shall be submitted within the next working business day to the DRA for review and approval in accordance with the Plan Review and Approval process specified in these procedures. Emergency repairs found not to be in compliance with the mandatory building codes shall be corrected immediately and inspected in accordance with these procedures.

INSPECTIONS

- (a) After selection the industrialized builder or installation permit holder shall not change the third party inspection agency responsible for the alteration inspections for a project without the prior written approval of the Department.
- (b) The original approved construction documents for each building and the approved alteration construction documents shall be available for the inspector's use during the inspection. A copy of the mandatory building codes referenced on the approved construction documents shall be available for the inspector's use during the inspection.
- (c) A rough-in inspection shall be scheduled by the installation permit holder or industrialized builder while the construction is still open to inspection. The inspector shall begin the inspection by verifying that the units to be inspected are those depicted in the original approved construction documents and shall verify the original decal and serial number of each unit to be altered. The

inspection shall be terminated if inspection reveals that the units have been altered previously and are no longer in compliance with the original approvals.

- (d) A final inspection shall be scheduled by the installation permit holder or industrialized builder after construction is completed.
- (e) Inspection of system testing shall be scheduled by the installation permit holder or industrialized builder as necessary to assure that tests are witnessed by the third party inspector. System tests should be scheduled to coincide with the rough-in or final inspection wherever possible.
- (f) The industrialized builder or installation permit holder shall schedule a reinspection with the third party inspector wherever a deviation from the approved alteration construction documents is identified that cannot be corrected during the rough-in or final inspection.
- (g) Upon successful completion of all inspections and system testing, the third party inspector shall affix the alteration data plate as indicated on the cover page of the approved construction documents.
- (h) The third party inspector(s) shall prepare an alteration inspection report that shall include the following information:
 - (1) the name and registration number of the TPIA and the name and registration number of each TPI responsible for any portion of the alteration inspection(s);
 - (2) the name and registration number of the industrialized builder, or the name of the installation permit holder and installation permit number (assigned by the Department);
 - (3) the alteration identification number assigned by the DRA;
 - (4) the serial number of each unit altered and inspected;
 - (5) the original Texas decal number of each unit altered and inspected;
 - (6) the dates of all inspections, including reinspections where required;
 - (7) the date the alteration data plate was affixed;
 - (8) a description of the system testing witnessed by the inspector, including the date witnessed; and
 - (9) a description of deviations noted during the alteration inspections, including the date noted, the date corrected, and a description of the action taken to correct each deviation.
- (i) A copy of the inspection report shall be provided to the industrialized builder or installation permit holder for the house or building.

RECORD KEEPING REQUIREMENTS

- (a) **Industrialized builder or installation permit holder** – The industrialized builder or installation permit holder shall maintain all records pertinent to the alteration for a minimum of 10 years from the date of successful completion of the alteration construction and inspections. A copy of these records shall be made available to the Department upon request.
- (b) **Third Party Inspection Agency** – The TPIA shall maintain copies of all documents pertinent to the alteration inspections for a minimum of 5 years from the date of successful completion of the alteration construction and inspections and make a copy of these documents available to the Department upon request.
- (c) **Design Review Agency** – The DRA shall maintain copies of all documents pertinent to the alteration review and approval, including the “*Alteration Transmittal Form*,” for a minimum of 5 years from the date of approval of the alteration construction documents and make a copy of these documents available to the Department upon request.

Appendix B – Recertification Procedures



TEXAS DEPARTMENT OF LICENSING AND REGULATION
COMPLIANCE DIVISION – INDUSTRIALIZED HOUSING AND BUILDINGS

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Recertification Procedures

For Industrialized Buildings designed to be moved from One Commercial Site to another Commercial Site

Effective May 1, 2005

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REFERENCES

- (a) All parties involved in the recertification or alteration of an industrialized building designed to be moved from one commercial site to another commercial site should be familiar with the Texas Occupations Code, Chapter 1202, Industrialized Housing and Buildings; Chapter 70, Industrialized Housing and Buildings Rules; and the mandatory building codes.
- (b) Specific sections of the Texas Occupations Code, Chapter 1202, that are applicable to recertification or alterations of industrialized buildings include, but are not limited to, the following:
 - (1) § 1202.1535, Effect of Building Code Amendment;
 - (2) § 1202.154, Design Review;
 - (3) § 1202.201, Inspection Procedures;
 - (4) § 1202.202, Department Inspections; and
 - (5) § 1202.204, Rules Providing for Decals or Insignia
- (c) Specific sections of the rules governing Industrialized Housing and Buildings that are applicable to recertification or alterations of industrialized buildings include, but are not limited to, the following:
 - (1) § 70.10, Definitions
 - (2) § 70.70, Responsibilities of the Registrants – Manufacturer’s Design Package;
 - (3) § 70.73, Responsibilities of the Registrants – Manufacturer’s Data Plate;
 - (4) § 70.74, Responsibilities of the Registrants – Alterations;
 - (5) § 70.75, Responsibilities of the Registrants – Permit/Owner Information;
 - (6) § 70.100, Mandatory Building Codes;
 - (7) § 70.101, Amendments to Mandatory Building Codes; and
 - (8) § 70.102, Use and Construction of Codes.

PURPOSE

The purpose of this document is to set procedures to assure that the recertification or alteration of industrialized buildings designed to be moved from one commercial site to another commercial site that were originally constructed under the Texas industrialized housing and buildings program comply with the mandatory building codes adopted by Chapter 1202 of the Texas Occupations Code (reference §1202.151 and §1202.152). The review and approval of construction documents for the recertification of an industrialized building are performed to assure compliance with the mandatory building codes. Inspections of recertification or alteration construction is performed to assure compliance with the approved construction documents and mandatory building codes and to assure that alteration decals are affixed only to units found to be in compliance.

Ordinary repairs to structures, replacement of lamps, or the connection of approved portable electrical equipment to approved permanently installed receptacles shall not be considered alterations. Ordinary repairs shall include the removal and replacement of the covering of existing materials, elements, equipment, or fixtures using like or the same new materials, elements, equipment, or fixtures that serve the same purpose. Ordinary repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

RECERTIFICATION CLASSES

There are 4 classes of industrialized buildings that may be recertified under department rule 70.74. The classes are as follows.

1. Original approved construction documents exist, the building has not been previously altered, and alterations are planned (includes all buildings constructed on or after July 1, 2004) – Reference rule 70.74(f)(1) and 70.74(f)(10)
2. Original approved construction documents do not exist – Reference rule 70.74(f)(2)
3. Original approved construction documents exist, but the building has been altered and not recertified – Reference rule 70.74(f)(3)
4. Building has been recertified in accordance with rule 70.74, but additional alterations are planned – Reference rule 70.74(f)(4)

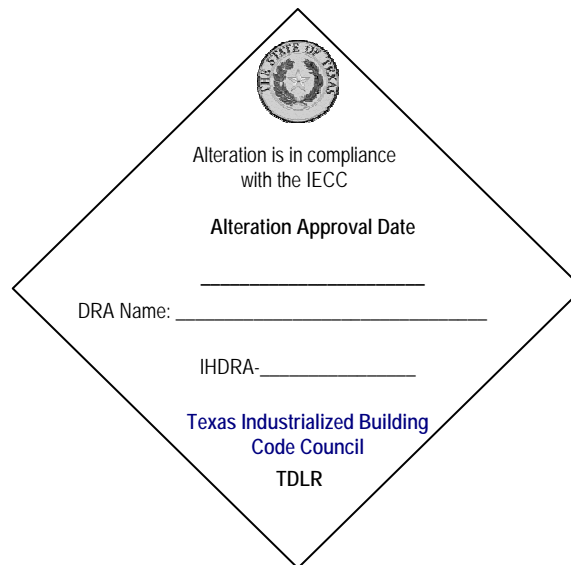
PLAN REVIEW AND APPROVAL

- (a) The industrialized builder shall select a Council approved design review agency (DRA) to perform all required reviews and evaluations of construction documents for the recertification or alteration of the industrialized building. The builder may choose a different DRA for different projects, but may not change DRA's for a project once the plan review has begun without prior written approval from the Department.
- (b) Recertification documentation. The industrialized builder shall provide the DRA documentation that must, at a minimum, contain the following.
 - (1) A signed copy of the "Recertification Transmittal Form," form #TDLR 069ihb, containing, at a minimum, the following information:
 - (A) the name and registration number of the industrialized builder;
 - (B) a contact name, mailing address, phone number, and email address (optional) for the industrialized builder;
 - (C) the address where the alteration construction will be performed;
 - (D) the name and registration number of the manufacturer of the units to be altered;
 - (E) the Texas decal numbers and unit serial numbers assigned by the manufacturer for each unit to be altered. Where applicable include Texas alteration decal numbers for each unit to be altered;
 - (F) the building recertification class. Check the applicable box and enter information required for that class as indicated on the form. For certification class 1 also check if building has not been previously occupied or used for its intended purpose.
 - (G) if emergency repairs have been made to the building, then check the box for emergency repairs;
 - (H) the value of the industrialized building to be altered;
 - (I) an estimate of the cost to complete the alteration or repair if new alterations of the building are planned or emergency repairs have been made to the building; and

- (J) the signature of the industrialized builder or owner certifying that all information is true and accurate and that the recertification or alteration shall be constructed in accordance with the mandatory building codes. The signature for an industrialized builder must be a corporate officer if incorporated, managing partner of a partnership, sole proprietor, or other individual designated in writing to the Department as authorized to represent the builder for the recertification or alteration of buildings in the builder's fleet.
- (2) A copy of the data plate on the building.
- (3) The industrialized builder shall submit the documentation as indicated below to the DRA for each of the 4 recertification classes. The cover page of the plans shall include, in addition to the information required by Department rule 70.70(b)(18), the serial number and decal number or each unit to be altered or recertified, the location of the original decal on each unit, the location of the original data plate on the building, the location of the alteration data plate, if required, on each building, and system test requirements in accordance with the mandatory building codes.
 - (A) Class 1 – a copy of the original approved construction documents and a copy of the construction documents for alteration of the building. For alterations to be evaluated in accordance with Chapter 12 of the International Existing Building Code (IEBC), the documentation shall include the summary sheet from Table 1201.7 of the IEBC and complete documentation to show how each value was determined.
 - (B) Class 2 – a structural analysis of the existing building made by an engineer licensed to practice in Texas and a copy of the as built construction documents for the existing building. A copy of the construction documents to bring the building into compliance with the mandatory building codes shall also be submitted to the DRA where the structural analysis or a review of the as built construction documents identifies areas that are not in compliance. If additional alterations to the building are planned, then also submit a copy of the construction documents for altering the building.
 - (C) Class 3 – a copy of the original approved construction documents and a copy of construction documents that depict the alterations or repairs that have been made to the building. Where structural elements of the building have been altered, a structural analysis of the existing building made by an engineer licensed to practice in Texas shall also be submitted. For alterations to be evaluated in accordance with Chapter 12 of the IEBC, the documentation shall include the summary sheet from Table 1201.7 of the IEBC and complete documentation to show how each value was determined. A copy of the construction documents to bring the building into compliance with the mandatory building codes shall be submitted to the DRA where the structural analysis or the review of previous alterations or repairs to the building identifies areas that are not in compliance. If additional alterations to the building are planned, then also submit a copy of the construction documents for altering the building.
 - (D) Class 4 – a copy of the previously approved recertification construction documents and a copy of the construction documents for alteration of the building. A copy of the previously approved recertification construction documents will not need to be submitted to the DRA if the same DRA will be used for review and approval as previously and it has been less than 5 years since the last recertification of the building. For alterations to be evaluated in accordance with Chapter 12 of the IEBC, the documentation shall include the summary sheet from Table 1201.7 of the IEBC and complete documentation to show how each value was determined. The construction documents for the alteration of the building shall reference the alteration approval number of, and the DRA responsible for review and approval of, the previously approved recertification documents.
- (4) Emergency Repairs. The industrialized builder shall submit documents as necessary to recertify the building in accordance with the recertification class of the building within the next working business day with the following exceptions.

- (A) The builder shall have 10 working days to submit the as built construction documentation for the entire building where required by the recertification class.
- (B) The builder shall have 10 working days to submit a structural analysis where required by the recertification class.
- (c) The DRA shall review the submitted documents for compliance with the current mandatory building codes referenced in Department rules 70.100 and 70.101 as specified in rule 70.102. The entire building shall comply with the mandatory building codes or building code amendments if the cost of the alteration is at least 50% of the value of the modules or modular components used in the construction of the building. The modified or altered portion of the building shall comply with the mandatory building codes or building code amendments if the cost of the alteration is less than 50% of the value of the modules or modular components. Buildings or units to be recertified but not altered shall comply with the mandatory building codes or be brought into compliance with the mandatory building codes.
- (d) Recertification or alteration construction documents shall be reviewed and approved to the mandatory building codes referenced in Department rules 70.100 and 70.101 as specified in rule 70.102. If the building has not been previously occupied or used for its intended purpose, then the construction shall comply with the provisions of the mandatory building codes referenced in Department rules 70.100 and 70.101 for new construction.
 - (A) Recertification classes 1 and 4 – construction depicted on documents submitted for review and approval shall comply with the International Existing Building Code as amended in Department rule 70.101.
 - (B) Recertification class 2 and 3 – as built construction and alteration construction depicted on documents submitted for review and approval shall comply with the with the provisions of the International Existing Building Code as amended in Department rule 70.101.
- (e) Documents submitted to the DRA shall include all information pertinent to assuring compliance with the mandatory building codes including structural, thermal, and electrical load calculations. The review and approval of recertification or alteration construction documents shall comply with the requirements of Department rule 70.70(a)(2) through (4) and (6) through (8) with the following exceptions.
 - (1) The DRA will signify approval of a document by the application of the council’s stamp of approval for altered or recertified buildings.

Council Stamp of Approval for Altered or Recertified Buildings



- (2) The DRA shall complete the following information on the "Recertification Transmittal Form," form #TDLR 069ihb, and forward a completed copy of the form to the Department. A copy of all documents pertinent to a project shall be supplied to the Department upon request.
 - (A) The DRA's name and registration number and a contact name, phone number, and email address (email address is optional).
 - (B) Check if compliance was evaluated in accordance with Chapter 12 of the IEBC.
 - (C) Check the type of approval. Check all that apply.
 - (i) **'Construction documents for alterations as approved will assure compliance of entire building with the current mandatory building codes or building code amendments (cost of alterations \geq 50% value of building)'** – If new alterations are planned, or emergency repairs have been made, and the cost of the alterations or repairs are greater than or equal to 50% of the value of the building, then check this option. Approved construction documents shall assure that the entire industrialized building shall comply with the requirements of the current mandatory building codes or building code amendments.
 - (ii) **'Construction documents for alterations as approved will assure compliance of the altered portions of the building with the current mandatory building codes or building code amendments (cost of alteration $<$ 50% of value of building)'** – If new alterations are planned, or emergency repairs have been made, and the cost of the alterations or repairs is less than 50% of the value of the building, then check this option. Approved construction documents shall assure that the alterations of the industrialized building shall comply with the requirements of the current mandatory building codes or building code amendments.
 - (iii) **'Recertification – Construction documents as approved will bring building into compliance for recertification of building'** – If the building is being recertified and construction is required to bring the building into compliance with the mandatory building code, then check this option. Approved construction documents shall assure that building is brought into compliance with the mandatory building code. If additional alterations are also planned, then also check either options (i) or (ii) above.
 - (iv) **'Recertification – As built construction documents approved, no construction required to bring building into compliance with mandatory building codes'** – If the building is being recertified and construction is not required to bring the building into compliance with the mandatory building codes, then check this option. Approved as built construction documents shall assure compliance of the building with the mandatory building codes. If additional alterations are also planned, then also check either options (i) or (ii) above.
 - (D) Enter the approval date of the construction documents.
 - (E) Assign and enter the recertification/alteration identification number for this approval. This number shall be used by the Department to request a copy from the DRA of all documents pertinent to the recertification or alteration of the building or unit.
 - (F) Check the applicable box if the occupancy group, type of construction, permissible gas type, maximum wind speed and exposure, maximum snow (roof) load, seismic design category, or special conditions or limitations will change from that indicated on the original data plate and enter the changes. Check not applicable if there are no changes.
 - (G) Check the requirements for system testing.
 - (H) Have the appropriate plan reviewers sign off for each type of plan review required for review and approval of construction documents.

- (3) One completed copy of the "Recertification Transmittal Form," form #TDLR 069ihb, and one approved copy of all alteration or recertification construction documents shall be forwarded to the industrialized builder.

ORDERING ALTERATION DECALS

- (a) The industrialized builder shall order an alteration decal from the Department for each modular unit that will be altered. The order shall be on a form supplied by the Department and shall include the following information.
 - (1) The name and registration number of the industrialized builder.
 - (2) The name, phone number, and email address (email address is optional) of the builder's representative.
 - (3) The name and registration number of the third party inspection agency responsible for the alteration inspections for this project. The decals will be mailed to the address on file for the third party inspection agency unless the builder asks for the decals to be mailed directly to the third party inspector responsible for the performance of the inspection. Once selected, the industrialized builder may not change the third party inspection agency for a project without the written approval of the Department.
 - (4) The name, registration number, phone number, and email address (email address is optional) of the third party inspector if the decals are to be released directly to the third party inspector responsible for the performance of the alteration inspections. The decals will only be mailed to the address on file for that third party inspector.
 - (5) The name and registration number of the manufacturer, the Texas decal number, and the serial number assigned by the manufacturer for each unit for which an alteration decal is needed.
- (b) The form will be forwarded to the Department with the fee for the decals. Alteration decals will not be issued if verification of original Texas decal number and manufacturer's serial number cannot be found in TDLR's decal databases, if records indicate that the decal was lost, destroyed, or confiscated, or if records show that unit was not inspected during construction in the manufacturing facility.

CONSTRUCTION REQUIREMENTS

- (a) Except in the case of emergency repairs, the industrialized builder shall not begin construction for the recertification or alteration of the industrialized building prior to the approval of the recertification or alteration construction documents by the DRA. Construction shall be performed only by persons licensed to perform this work. For example, construction involving the plumbing systems may only be performed by a person licensed by the State of Texas to perform plumbing.
- (b) Emergency repairs. Emergency repairs that do not qualify as ordinary repairs may be performed prior to the approval of the recertification or alteration construction documents. Emergency repairs found not to be in compliance with the mandatory building codes shall be corrected immediately and inspected in accordance with these procedures.

INSPECTIONS

- (a) After selection the industrialized builder shall not change the third party inspection agency responsible for the alteration inspections for a project or building without the prior written approval of the Department.
- (b) A copy of all documents pertinent to the recertification or alteration of the project or building shall be available for the inspector's use during the inspection. A copy of the mandatory building codes referenced on the approved recertification or alteration construction documents shall be available for the inspector's use during the inspection.
- (c) The industrialized builder shall schedule an inspection to verify construction to the as built construction documents where no construction is required to bring the building into compliance and no additional alterations are planned. The inspector shall begin the inspection by verifying that the units to be inspected are those depicted in the documents and shall verify the original decal and

serial number of each unit to be recertified. The inspection shall be terminated and the alteration decals returned to the Department if inspection reveals that the units are not in compliance with the documents or if inspection reveals that the units are not those identified by serial number and decal number in the documents.

- (d) A rough-in inspection shall be scheduled by the industrialized builder while the construction is still open to inspection. The inspector shall begin the inspection by verifying that the units to be inspected are those depicted in the original approved construction documents, the as built construction documents, or previously approved recertification construction documents and shall verify the original decal and serial number of each unit to be recertified or altered. The inspection shall be terminated and the alteration decals returned to the Department if inspection reveals that the units are not in compliance with these documents or if inspection reveals that the units are not those identified by serial number and decal number in the approved construction documents.
- (e) A final inspection shall be scheduled by the industrialized builder after construction is completed.
- (f) Inspection of system testing shall be scheduled by the industrialized builder as necessary to assure that tests are witnessed by the third party inspector. System tests should be scheduled to coincide with the rough-in or final inspection wherever possible.
- (g) The builder shall schedule a reinspection with the third party inspector wherever a deviation from the approved construction documents is identified that cannot be corrected during the rough-in or final inspection.
- (h) Upon successful completion of all inspections and system testing, the third party inspector shall affix the alteration decals. Alteration decals shall be affixed to the units as indicated on the cover page of the approved recertification or alteration construction documents.
- (i) Upon successful completion of all inspections and system testing, the third party inspector shall affix the alteration data plate as indicated on the cover page of the approved recertification or alteration construction documents.
- (j) The third party inspector(s) shall prepare a recertification or alteration inspection report on the form and in the format required by the Department and the Texas Industrialized Building Code Council.
- (k) A copy of the inspection report shall be provided to the industrialized builder. A copy of the inspection report shall be provided to the Department upon request.

RECORD KEEPING REQUIREMENTS

- (a) The industrialized builder shall maintain all records pertinent to the recertification or alteration until the unit is transferred to another industrialized builder. A complete set of all records pertinent to the recertification or alteration shall be transferred with the units. A copy of these records shall be made available to the Department upon request. Records pertinent to the alteration shall include, but are not limited to, the following:
 - (1) how the value of the building was determined;
 - (2) the cost estimate to complete the alterations and the actual cost to complete the alterations;
 - (3) original Texas decal number and serial number of each unit altered;
 - (4) alteration decal number assigned to each unit;
 - (5) a copy of all approved documents, including, where applicable, documents to show compliance with chapter 12 of the IEBC;
 - (6) a copy of the alteration data plate for each building recertified or altered;
 - (7) recertification or alteration inspection reports; and
 - (8) a copy of the completed recertification transmittal sheet for each project.
- (b) Third Party Inspection Agency – The TPIA shall maintain copies of all documents pertinent to the alteration inspections for a minimum of 5 years from the date of successful completion of the recertification or alteration construction and inspections.

Recertification Procedures
Effective May 1, 2005

- (c) Design Review Agency – The DRA shall maintain copies of all documents pertinent to the recertification or alteration review and approval, including the “*Recertification Transmittal Form*,” for a minimum of 5 years from the date of approval of the recertification or alteration plans and specifications. These records shall include, where applicable, documents showing compliance with the requirements of Chapter 12 of the IEBC.