

Course Name: Manufactured Home Installer Part 2

Instructions to complete this course

1. Print out entire quiz pages and circle the correct answers.
2. Use the Comm 5 Licensing section below (study materials included) to answer questions 193-267.
3. Use the Comm 21.40 Construction section below (study materials included) to answer questions 268-275.
4. Use the Comm 5 Definitions section below (study materials included) to answer questions 276-360.

5 hours of Continuing Education course approved for

1. Manufactured Home Installer
2. UDC Dwelling Inspector

Notes for answering the following questions:

1. If the answer for the question is both a and/or b and the answer both a & b is available, then mark the answer both a & b.
2. The word “may” means maybe.
3. The word “shall” means always.

Comm 5 Licensing questions 193-267

Subchapter I — General Requirements

Comm 5.01 Application. (1) Application for a license, certification or registration or a license, certification or registration examination covered under this chapter shall be submitted on a form prescribed by the department.

Note: Applications and related forms for licenses, certifications or registrations covered under subchapters II to VII and IX of this chapter are available from the Division of Safety and Buildings at P.O. Box 7082, Madison, WI 53707-7082, or at telephone 608/261-8500 and 608/264-8777 (TTY), or at the Safety and Buildings' Web site at commerce.wi.gov/SB/. Applications for certifications or registrations covered under subchapter VIII of this chapter are available from the Division of Environmental and Regulatory Services at P.O. Box 7837, Madison, WI 53707-7837, or at telephone 608/266-7874 and 608/264-8777 (TTY), or at the Web sites for petroleum programs and PECFA at commerce.wi.gov. (2) An application for a license, certification or registration which either requires or recognizes the attendance at or completion of educational courses as a qualification for the license, certification or registration shall be accompanied by such evidence, including but not limited to transcripts, that verifies fulfillment of the prerequisite.

(3) Pursuant to s. 101.02 (20) (b) and (21) (b), Stats., the department may not issue or renew any license, certification or registration under this chapter unless the applicant for the license, certification or registration includes his or her social security number, or in the case of a license, certification or registration for a business, the applicant includes the federal employer identification number. The department shall consider the failure by the applicant to provide a social security number or a federal employer identification number as an incomplete application and shall not process the application further until the appropriate number is provided.

(4) A business having multiple locations covered under one federal employer identification number applying for any of the following licenses, certifications or registrations need not obtain a separate license, certification or registration for each location:

- (a) Dwelling contractor financial responsibility.
- (b) Electrical contractor.
- (c) UDC inspection agency.
- (d) HVAC contractor.
- (e) PECFA consulting firm.
- (f) Tank specialty firm

193. Application for a license, certification or registration or a license, certification or registration examination covered under this chapter shall be submitted on a form prescribed by the _____.

- a. contractor
- b. supplier
- c. department
- d. none of the above

194. A business having multiple locations covered under one federal employer identification number applying for any of the following licenses, certifications or registrations must always obtain a separate license, certification or registration for each location.

- a. true
- b. false

Comm 5.02 Fees. (1) (a) Fees required for the various licenses, certifications or registrations and their processing under this chapter shall be determined in accordance with Table 5.02, except as provided in par. (b).

(b) 1. Pursuant to s. 145.05, Stats., a person who holds a master plumber license, master plumber–restricted license, journeyman plumber license or journeyman plumber–restricted license and who is employed by a city of the first, second or third class as a plumbing inspector is not required to submit a license fee in order to renew his or her license.

2. A person who applies to renew his or her master plumber license, master plumber–restricted license, journeyman plumber license or journeyman plumber–restricted license without the license fee as permitted under subd. 1. shall provide evidence that he or she is a plumbing inspector for a first, second or third class city with the application for renewal.

Note: The exemption of not having to pay a license fee does not relieve an individual of fulfilling all other obligations or responsibilities to renew the license such as continuing education requirements.

(2) Fees required under this chapter for the various licenses, certifications or registrations or their processing examinations shall not be refundable.

195. Fees required under this chapter for the various licenses, certifications or registrations or their processing examinations shall always be refundable.

- a. true
- b. false

196. The exemption of not having to pay a license fee does always relieve an individual of fulfilling all other obligations or responsibilities to renew the license such as continuing education requirements.

- a. true
- b. false

Comm 5.03 Petitions for variance. An individual may submit a petition for variance to any rule in this chapter in accordance with ch. Comm 3.

Note: Many of the rules relating to credentials reflect specific statutory requirements; in such cases the department is not able to grant a petition for variance if it would supersede a statutory requirement.

History: Cr. Register, October, 1996, No. 490, eff. 11–1–96.

Comm 5.04 Processing times. (1) An application for a license, certification or registration covered under this chapter shall be granted or denied by the department within 21 calendar days after the department receives all of the application materials necessary to obtain the license, certification or registration.

Note: Pursuant to s. 227.116, Stats., the failure by the department to make a determination on an application results in the department having to prepare and file a report with the permit information center of the department. The failure by the department to make a determination on an application does not relieve a person from the obligation to comply with the requirements or qualifications of the license, certification or registration or to secure the license, certification or registration.

(2) (a) If the license, certification or registration application information is insufficient, the department shall request additional information within 21 calendar days of receipt of the application.

(b) If an applicant does not respond to a request by the department for additional information within 3 months after the date of the request, the department shall make a determination on the application based upon the information on hand.

197. An individual may submit a petition for variance to any rule in this chapter in accordance with ch. Comm 33.

a. true

b. false

198. An application for a license, certification or registration covered under this chapter shall be granted or denied by the department within 30 calendar days after the department receives all of the application materials necessary to obtain the license, certification or registration.

a. true

b. false

199. If the license, certification or registration application information is insufficient, the department shall request additional information within 30 calendar days of receipt of the application.

a. true

b. false

Comm 5.05 Mailing. (1) Unless otherwise provided by law, all orders, notices and other papers may be served by the department by first class mail at the address on file with the department

(2) A license, certification or registration holder shall be responsible for notifying the department of any change in mailing address.

no longer than that specified in Table 5.06.

(2) A license, certification or registration issued under this chapter shall expire at midnight on the day or date of expiration of the term specified in Table 5.06.

200. A license, certification or registration issued under this chapter may expire at midnight on the day or date of expiration of the term specified in Table 5.06.

a. true

b. false

Comm 5.07 Renewal. (1) (a) Except under s. Comm 5.96, a notice of renewal shall be mailed by the department to a license, certification or registration holder at least 30 calendar days prior to the expiration of the license, certification or registration.

(b) Failure to receive a notice for renewal of a license, certification or registration shall not be considered as an excuse or good cause for failure to renew a license, certification or registration prior to the expiration of the license, certification or registration.

(2) (a) Except as provided in par. (b), upon receipt of the renewal application from the department, a person may apply to renew his or her license, certification or registration provided an application, a license, certification or registration fee and evidence of all renewal obligations, if any, are submitted to the department prior to the expiration date of the license, certification or registration.

Note: Qualification obligations for renewal are specified under the appropriate license, certification or registration category sections.

(b) 1. A person may apply to renew his or her license, certification or registration in accordance with par. (a) no later than one term after expiration of the license, certification or registration as conditions:

- a. An application fee as specified in s. Comm 5.02, Table 5.02 shall accompany the renewal application.
- b. Any continuing education credit obtained after the time frame specified under s. Comm 5.08 (3) (a), but prior to the one- term deadline for renewal as specified in Table 5.06, that is needed to fulfill the renewal obligations shall be documented and filed with the department on a form prescribed by the department.

Note: The form to document late continuing education credit may be obtained from the Safety and Buildings Division, P.O. Box 7082, Madison, Wisconsin 53707-7082, telephone 608/261-8500.

2. The submission of a form under subd. 1. b. to the department shall include a \$25.00 processing fee. (c) A person who files for renewal more than one term after expiration of his or her license, certification or registration may be reinstated by filing with the department an administrative fee of \$200.00, an application, and the application fee and the license, certification or registration fee specified in s. Comm 5.02, Table 5.02. The department may also require demonstration of competence by various methods including, but not limited to, written or oral examination, documentation of relevant work experience in other jurisdictions, or documentation of education or experience in the field. Any education or examination required by the department may not be more extensive than the requirements in effect at the time of the request for reinstatement.

201. A person who files for renewal more than one term after expiration of his or her license, certification or registration may be reinstated by filing with the department an administrative fee of \$ _____ .

- a. 50
- b. 100
- c. 150
- d. none of the above.

Comm 5.08 Continuing education. (1) PROGRAM

SPECIFICATIONS. (a) Only courses, programs and seminars approved in writing by the department shall be used for credit to fulfill continuing education requirements.

(b) 1. Requests for a course, program or seminar to be recognized for approval shall be submitted in writing to the department.

2. Requests for approval shall include sufficient information to determine if the course, program or seminar complies with this subsection.

3. The department shall review and make a determination on a request for approval within 21 calendar days of receipt of the request and information necessary to complete the review.

(c) 1. Thirty minutes of attendance in an approved course, program or seminar shall be deemed equal to 0.5 hours of acceptable continuing education.

2. Continuing education credit for attendance in approved continuing education courses, programs or seminars in other than 30 minute increments shall be rounded down to the next half hour.

(d) Courses, programs and seminars to be considered for approval towards continuing education credit shall relate to the skills and knowledge of one or more license, certification or registration categories. (e) 1. The department may impose specific conditions in approving a course, program or seminar for continuing education credit, including limiting credit to specific license, certification or registration categories.

2. a. The approval of a course, program or seminar for continuing education credit shall expire 5 years after the date of approval.

b. Approval of courses, programs or seminars for continuing education credit may be renewed. Renewal shall be in accordance with par. (b).

3. The department may revoke the approval of a course, program or seminar for continuing education credit for any false statements, misrepresentation of facts or violation of the conditions on which the approval was based. The department may not revoke the approval of a course, program or seminar less than 30 calendar days prior to the course, program or seminar being held. (f) 1. The individual or organization which had obtained the course, program or seminar approval shall maintain an attendance record of those individuals who have attended and completed the course, program or seminar.

2. The attendance record shall include all of the following:

- a. The course name.
- b. The course identification number assigned by the department.
- c. The date or dates the course was held or completed.
- d. The name of each attendee.

- e. The name of each license, certification or registration held by the attendee for which the course applies.
 - f. The license, certification or registration number assigned by the department of each attendee.
3. A copy of the attendance record shall be forwarded by the person or organization which had obtained the course, program or seminar approval to the department within 14 calendar days after completion of the course or program.
- (2) EVIDENCE OF COMPLIANCE.** Each license, certification or registration holder shall retain evidence of compliance with continuing education requirements throughout the license, certification or registration period for which continuing education credit was required for renewal of the license, certification or registration.
- (a) The department shall accept as evidence of compliance original or copies of documents, certified by the individual or organization providing the course, program or seminar, indicating attendance and completion of the continuing education credit.
 - (b) The department may require a license, certification or registration holder to submit evidence of compliance for the continuing education credit which was required to renew the license, certification or registration.
- (3) CONTINUING EDUCATIONAL CYCLE.** (a) Except as provided under s. Comm 5.07 (2) (b), for those license, certification or registration categories which require continuing educational credit for renewal, the license, certification or registration holder shall obtain the necessary amount of continuing educational credit at least 3 months prior to the expiration date of the license, certification or registration as specified in Table 5.06.
- (b) Except as provided under s. Comm 5.07 (2) (b), the time period during which a license, certification or registration holder may obtain continuing education credit to fulfill the renewal obligations shall commence 3 months prior to the expiration date of the previous license, certification or registration term.
 - (c) The attendance of a continuing education course, program or seminar in order to fulfill late renewal obligations under s. Comm 5.07 (2) (b) may not be credited toward more than one renewal cycle for a specific license, certification or registration.

202. Only courses, programs and seminars approved in writing by the department shall be used for credit to fulfill continuing education requirements.

- a. true
- b. false

203. certification or registration categories which require continuing educational credit for renewal, the license, certification or registration holder shall obtain the necessary amount of continuing educational credit at least ____ months prior to the expiration date of the license, certification or registration as specified in Table 5.06.

- a. 1
- b. 2
- c. 3
- d. 4

204. Each license, certification or registration holder is not liable for retaining evidence of compliance for continuing education requirements throughout the license, certification or registration period for which continuing education credit was required for renewal of the license, certification or registration.

- a. true
- b. false

205. The department may not revoke the approval of a course, program or seminar less than ____ calendar days prior to the course, program or seminar being held.

- a. 10
- b. 20
- c. 30
- d. 60

Comm 5.09 Examinations. (1) For those license, certification or registration categories which require examination, the department shall conduct at least 4 license, certification or registration examinations annually for each license, certification or registration category at times and locations specified by the department.

(2) An application and fee for a license, certification or registration that requires an examination shall be received by the department at least 30 calendar days prior to the day of the examination. The department may postpone the applicant's appearance to another examination date if any of the following occur:

- (a) The applicant fails to have the application on file with the department within the required time.
- (b) The application information or required qualifications are incomplete.
- (c) The examination center is filled to capacity.

- (3) Upon verification of the application and the required qualifications, the department shall notify an applicant in writing of the date, time and place of the examination.
- (4) (a) An applicant for license, certification or registration examination shall provide a photo identification or other appropriate evidence to gain admittance to an examination.
(b) An applicant shall bring to a license, certification or registration examination all necessary materials as specified by the department.
(c) 1. Except as provided in subd. 2., an applicant who fails to appear at a scheduled license, certification or registration examination without giving notice to the department at least 24 hours before the examination shall be considered to have failed the examination and shall be required to submit a re-examination application and examination fee.
2. The department may waive the 24-hour notification requirement of subd. 1. due to inclement weather, if the applicant notifies the department the day of the examination.
- (5) The examination for a license, certification or registration shall be based on a job analysis of the knowledge, skills and abilities associated with the license, certification or registration. The examination shall include all of the following subject matter:
(a) Regulations and standards governing the work or activities required or permitted under the license, certification or registration.
(b) Theories, principles, and practices associated with the activities required or permitted under the license, certification or registration.
- (6) (a) A grade of 70% or greater in each part of a license, certification or registration examination shall be considered a passing grade.
(b) 1. Except as provided in subd. 2., an applicant failing a part of a multi-part license, certification or registration examination shall be required to retake only those parts failed. 2. An applicant who does not pass all required parts of a multi-part license, certification or registration examination within one year after the date of the initial examination shall apply, retake and pass all parts of the license, certification or registration examination.
- (7) (a) The department shall inform an applicant of the results of an examination in writing within 21 calendar days from the examination date.
(b) Upon notification of failing a license, certification or registration examination, an applicant may request another examination in accordance with s. Comm 5.01.
(c) 1. An applicant who has successfully passed a license, certification or registration examination may submit an application and the license, certification or registration fee as specified under s. Comm 5.02, Table 5.02 for the appropriate license, certification or registration within 3 months after the date the department had mailed the results of the examination.
2. Failure to apply for a license, certification or registration in accordance with subd. 1., shall necessitate the applicant to apply, retake and pass another license, certification or registration examination in order to obtain the license, certification or registration.
- (8) (a) An applicant may request and make an appointment with the department to review his or her examination.
(b) An applicant who has failed his or her examination may not review the examination less than 7 calendar days before the applicant is scheduled to retake the examination.
(c) The department shall retain license, certification or registration examinations at least 2 months after the date of the examination.

206. An application and fee for a license, certification or registration that requires an examination shall be received by the department at least ___ calendar days prior to the day of the examination.

- a. 10
- b. 20
- c. 30
- d. 60

207. An applicant who fails to appear at a scheduled license, certification or registration examination without giving notice to the department at least ____ hours before the examination shall be considered to have failed the examination and shall be required to submit a re-examination application and examination fee.

- a. 12
- b. 48
- c. 24

d. 21

208. The department shall inform an applicant of the results of an examination in writing within ____ calendar days from the examination date.

- a. 7
- b. 48
- c. 24
- d. 21

209. An applicant who has failed his or her examination may not review the examination less than ____ calendar days before the applicant is scheduled to retake the examination.

- a. 7
- b. 48
- c. 24
- d. 21

210. The department shall retain license, certification or registration examinations at least ____ months after the date of the examination.

- a. 1
- b. 2
- c. 3
- d. 4

Comm 5.10 Denial, suspension and revocation.

(1) Except as provided in sub. (2) pertaining to licenses or registrations for master plumbers, journeyman plumbers, cross connection control testers and utility contractors, the department may deny, suspend or revoke a license, certification or registration under this chapter in accordance with this subsection.

(a) *Reasons.* The department may deny, suspend or revoke a license, certification or registration under this chapter if the department determines that an applicant or holder of the license, certification or registration is responsible for any of the following:

1. Fails to meet the qualifications for the license, certification or registration.
2. Has obtained the license, certification or registration through fraud or deceit.
3. Has demonstrated negligence or incompetence in fulfilling the responsibilities or obligations of the license, certification or registration.
4. Has a conflict of interest in fulfilling the responsibilities or obligations under the license, certification or registration.
5. Has demonstrated misconduct in fulfilling the responsibilities or obligations under the license, certification or registration.
6. Has been arrested or convicted for a crime substantially related to the license, certification or registration.
7. Has a physical or mental impairment which prevents the applicant or holder from fulfilling the responsibilities or obligations under the license, certification or registration.
8. Has violated state, federal or local laws or regulations relating to the conduct of the activities under the license, certification or registration.
9. Has been certified by the department of revenue under s. 73.0301, Stats., to be liable for taxes.
10. Has been delinquent in making court-ordered payments relating to the support of a child or former spouse pursuant to s. 101.02 (21) (a), (c) and (d), Stats.
11. Has failed to comply with a subpoena or warrant issued by the department of workforce development or a county child support agency relating to paternity or child support proceedings pursuant to s. 101.02 (21) (a), (c) and (d), Stats.
12. If registered or certified under ss. Comm 5.80 to 5.81, has performed any of the following:
 - a. Intentionally shifted costs, for the purpose of making ineligible costs appear to be eligible.
 - b. Intentionally billed for activities not undertaken at a specific cleanup site.
 - c. Rebated the deductible or structured a claim to provide a responsible party with a rebate or reimbursement of the deductible.
 - d. Intentionally submitted invoices or bills containing fraud, or submitted claims that were incomplete or contained fraud.

- e. Conducted unnecessary, ineffective or incomplete remedial activities or services.
- f. Attempted to defraud, including but not limited to false or double billing of clients for work conducted.
- g. Charged a fee that the department determined was excessive, after written notice from the department that the fee was excessive and should not have been charged.
- h. Failed to maintain required records.
- i. Denied the department access to requested records.
- j. Failed to submit a required notice or report to the department, within a required time period.
- k. Exhibited a pattern of attempting and failing to complete remediations of PECFA sites.

(b) *Notice of denial, suspension or revocation.* Except as provided under s. 101.654 (4), Stats., relative to a dwelling contractor financial responsibility certification, and par. (c), a notice of denial, suspension or revocation shall be sent to the applicant or the license, certification or registration holder. The notice shall include all of the following:

1. The basis for the denial, suspension or revocation, including the facts relied on by the department to make its decision and a citation of applicable statutes and administrative rules establishing the legal basis for the decision; and
2. A statement that the applicant or the license, certification or registration holder may file a request for an administrative hearing.

Note: See the appendix under A5.31 for a reprint of s. 101.654 (4), Stats.

(c) *Summary suspension.* Under s. 227.51 (3), Stats., the department may summarily suspend any license, certification or registration if the department finds that immediate action is necessary for public health, safety or welfare. The summary suspension of a license, certification or registration shall remain in effect until after a final decision is issued following a hearing.

(d) *Hearing.* 1. The request for an administrative hearing shall be received by the office of legal counsel of the department no later than 30 days following the date of mailing of the notice under par. (b), otherwise, the request for hearing shall be denied by the department. Facsimile requests received after 4:30 p.m. are considered filed on the next business day.

2. Hearings shall comply with the provisions of ch. 227, Stats.

(e) *Surrender of license, certification or registration.* A person whose license, certification or registration has been suspended or revoked shall surrender the license, certification or registration to the department upon request.

(f) *Reinstatement.* 1. Suspension. a. A person whose license, certification or registration has been suspended may apply to have the license, certification or registration reissued only after the time set for suspension by the department or hearing examiner has passed and by complying with the conditions set forth in the suspension order.

b. The request to the department to have a suspended license, certification or registration reissued shall be made in writing.

c. The department may require a person whose license, certification or registration has been suspended to apply for the license, certification or registration by complying with all of the requirements for a new applicant, including paying the application fees and successfully passing an examination.

d. The department may impose conditions on the reissued license, certification or registration to assure compliance with this chapter.

2. Revocation. A person whose license, certification or registration has been revoked may not apply to ever receive such a license, certification or registration.

(2) Pursuant to s. 145.10, Stats., the department may suspend or revoke the license or registration of any master plumber, journeyman plumber, master plumber–restricted, journeyman plumber–restricted, utility contractor, or cross connection control tester in accordance with this subsection.

(a) *General.* The department may suspend or revoke a license or registration for any of the following reasons:

1. The practice of fraud or deceit in obtaining a license or registration.
2. Negligence, incompetence or misconduct in the practice or work allowed by the license or registration.
3. Failure to correct an installation for which the license or registration holder is responsible within the time prescribed by the department.

Note: Section 145.10 (1) (b), Stats., indicates that the correction of an installation must take place within 30 days following notification by the department of a violation.

4. Falsified information on an inspection form under s. 145.20
- (5), Stats.

(b) *Investigations.* The department may conduct an investigation of any alleged violations of this chapter or chs. Comm 82 and 83. If it is determined that no further action is warranted, the department shall notify the persons affected. If the department determines that there is probable cause, it shall order a hearing and notify the persons affected.

(c) *Summary suspension.* Under s. 227.51 (3), Stats., the department may summarily suspend any license or registration if the department finds that immediate action is necessary for public health, safety or welfare. The summary suspension of a license or registration shall remain in effect until after a final decision is issued following a hearing.

(d) *Hearings.* The hearing for the suspension or revocation of a license or registration shall be conducted as a contested case hearing in accordance with ch. 227, Stats., and s. 145.10, Stats.

(e) *Findings.* The department may make findings and enter its order on the basis of the facts revealed by its investigation. Any findings as a result of petition or hearing shall be in writing and shall be binding unless appealed to the secretary.

1. *Suspension.* The period for suspension shall be determined by the hearing examiner or the department. The period for suspension may not exceed one year. A person whose license or registration has been suspended may apply to have the license or registration reinstated by filing a new application and payment of the appropriate fee specified in s. Comm 5.02.

2. *Revocation.* The period for revocation shall be determined by the hearing examiner or the department. The period for revocation shall not exceed one year. A person whose license or registration has been revoked shall be eligible for the license or registration only after the time set for revocation by department order has passed. A person whose license or registration has been revoked may apply to have the license or registration reinstated only after submitting a completed application for license or registration examination, if required, payment of the examination fee, passing of the examination and payment of the license or registration fee specified in s. Comm 5.02.

211. Pertaining to licenses or registrations for master plumbers, journeyman plumbers, cross connection control testers and utility contractors, the department may deny, suspend or revoke a license, certification or registration under this chapter in accordance with this subsection.

- a. true
- b. false

212. The department may deny, suspend or revoke a license, certification or registration under this chapter if the department determines that an applicant or holder of the license, certification or registration is responsible for any of the following:

- a. Fails to meet the qualifications for the license, certification or registration.
- b. Has obtained the license, certification or registration through fraud or deceit.
- c. Has demonstrated negligence or incompetence in fulfilling the responsibilities or obligations of the license, certification or registration.
- d. all of the above

213. The department may deny, suspend or revoke a license, certification or registration under this chapter if the department determines that an applicant or holder of the license, certification or registration is responsible for any of the following:

- a. Has violated state, federal or local laws or regulations relating to the conduct of the activities under the license, certification or registration.
- b. Has been certified by the department of revenue under s. 73.0301, Stats., to be liable for taxes.
- c. Has been delinquent in making court-ordered payments relating to the support of a child or former spouse pursuant to s.101.02 (21) (a), (c) and (d), Stats.
- d. all of the above

214. A person whose license, certification or registration has been suspended or revoked may or should surrender the license, certification or registration to the department upon request.

- a. true
- b. false

215. A person whose license, certification or registration has been revoked may apply again to receive such a license, certification or registration after 5 years.

- a. true
- b. false

216. The period for suspension shall be determined by the hearing examiner or the department. The period for suspension may not exceed ____ year. A person whose license or registration has been suspended may apply to have the license or registration reinstated by filing a new application and payment of the appropriate fee specified in s. Comm 5.02.

- a. 1
- b. 2
- c. 3
- d. 5

217. The period for revocation shall be determined by the hearing examiner or the department. The period for revocation shall not exceed ____ year.

- a. 1
- b. 2
- c. 3
- d. 5

218. The department may suspend or revoke a license or registration for any of the following reasons:

- a. The practice of fraud or deceit in obtaining a license or registration.
- b. Negligence, incompetence or misconduct in the practice or work allowed by the license or registration.
- c. Failure to correct an installation for which the license or registration holder is responsible within the time prescribed by the department.
- d. all of the above.

219. The department may make findings and enter its order on the basis of the facts revealed by its investigation. Any findings as a result of petition or hearing shall be by phone and shall be binding unless appealed to the secretary.

- a. true
- b. false

220. The department shall conduct an investigation of any alleged violations of this chapter or chs. Comm 82 and 83. If it is determined that no further action is warranted, the department shall call by phone to notify the persons affected. If the department determines that there is probable cause, it may order a hearing and notify the persons affected.

- a. true
- b. false

221. A person whose license or registration has been revoked must apply to have the license or registration reinstated only after passing a new examination, if required, payment of the examination fee, passing of the examination and payment of the license or registration fee according to Comm 5.02.

- a. true
- b. false

222. The department may require a person whose license, certification or registration has been suspended to apply for the license, certification or registration by complying with all of the requirements for a new applicant, including paying the application fees and successfully passing an examination.

- a. true
- b. false

223. The department may make findings and enter its order on the basis of the facts revealed by its investigation. Any findings as a result of petition or hearing shall be in writing and may be binding unless appealed to the Governor.

- a. true
- b. false

224. The hearing for the suspension or revocation of a license or registration shall be conducted as a contested case hearing in accordance with ch. 227, Stats., and s. 145.10, Stats.

- a. true
- b. false

225. The department shall summarily suspend any license or registration if the department finds that immediate action is necessary for public health, traffic, nuisance laws, safety or welfare, child support, or tax laws.

- a. true
- b. false

226. The summary suspension of a license or registration shall remain in effect until after a final decision by the Governor is issued following a hearing.

- a. true
- b. false

227. Facsimile requests received after 4:30 p.m. are considered filed on the next business day.

- a. true
- b. false

Comm 5.31 Dwelling contractor financial responsibility.

(1) GENERAL. Pursuant to s. 101.654 (1) (a), Stats., no person may obtain a building permit for a one- or 2-family dwelling unless the person holds a certification issued by the department as a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification, except as provided under s. 101.654 (1) (b), Stats.

Note: Section 101.654 (1) (b), Stats., exempts an owner of a dwelling who resides or will reside in the dwelling and who applies for a building permit to perform work on the dwelling from obtaining a dwelling contractor financial responsibility certification.

Note: A dwelling contractor financial responsibility-restricted certification will be issued to an individual who applies using a bond of less than \$25,000. The card issued by the department for a dwelling contractor financial responsibility-restricted certification will read "Financial Responsibility-by a bond under \$25,000 Certification".

(2) APPLICATION FOR CERTIFICATION. A person applying for a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification shall submit all of the following:

- (a) An application in accordance with s. Comm 5.01.
- (b) An application fee and a certification fee in accordance with s. Comm 5.02, Table 5.02.

(3) QUALIFICATIONS FOR CERTIFICATION. (a) A person applying for a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification shall provide evidence that the person complies with the worker's compensation requirements, unemployment compensation requirements and liability or bond insurance requirements as specified under s. 101.654 (2) and (2m), Stats.

Note: See the appendix for a reprint of the requirements under s. 101.654 (2) and (2m), Stats.

(b) The person applying for a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification shall be the owner of the contracting business, a partner in the contracting business applying on behalf of a partnership, or the chairman of the board or chief executive officer applying on behalf of the contracting corporation.

(4) RESPONSIBILITIES. (a) A person who holds a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification shall comply with the responsibilities under s. 101.654 (4), Stats.

Note: See the appendix for a reprint of the requirements under s. 101.654 (4), Stats.

(b) For any construction project that requires a uniform building permit under s. Comm 20.08, a person who holds a dwelling contractor financial responsibility certification or dwelling contractor financial responsibility-restricted certification may not commence construction until a permit is issued for the construction.

(c) For any construction project that involves installation or modification of a private onsite wastewater treatment system, a person who holds a dwelling contractor financial responsibility certification or dwelling contractor financial responsibility-restricted certification may not commence construction until a sanitary permit is issued for the construction in accordance with s. Comm 83.21.

(5) RENEWAL. (a) Pursuant to s. 101.654 (3), Stats., a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification shall be valid for no longer than one year after the date of issuance.

(b) 1. A person may renew his or her dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification.

2. A dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility-restricted certification shall be renewed in accordance with s. Comm 5.07

228. No person may obtain a building permit for a one- or 2-family dwelling unless the person holds a certification issued by the department as a _____.

- a. dwelling contractor financial responsibility certification
- b. dwelling contractor financial responsibility–restricted certification
- c. licensed building contractor
- d. both a & b

229. Section 101.654 (1) (b), Stats., exempts an owner of a dwelling who resides or might reside in the dwelling and who applies for a building permit to perform work on the dwelling from obtaining a dwelling contractor financial responsibility certification.

- a. true
- b. false

230. A dwelling contractor financial responsibility–restricted certification will be issued to an individual who applies using a bond of less than \$25,000.

- a. true
- b. false

231. A person applying for a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility–restricted certification shall provide evidence that the person complies with the _____.

- a. worker’s compensation requirements
- b. unemployment compensation requirements
- c. liability or bond insurance requirements
- d. all of the above
- e. only a & b

232. For any construction project that requires a uniform building permit under s. Comm 20.08, a person who holds a dwelling contractor financial responsibility certification or dwelling contractor financial responsibility–restricted certification may commence construction until a permit is issued for the construction.

- a. true
- b. false

233. The person applying for a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility–restricted certification shall be the _____.

- a. owner of the contracting business
- b. a partner in the contracting business applying on behalf of a partnership
- c. the chairman of the board or chief executive officer applying on behalf of the contracting corporation.
- d. all of the above
- e. only a & b

Comm 5.315 Dwelling contractor qualifier. (1) GENERAL.

The purpose of the dwelling contractor qualifier certification is to provide proof of fulfilling the continuing education obligations to the issuers of building permits as required under s. 101.654 (1) (a), Stats.

(2) APPLICATION. A person applying for a dwelling contractor qualifier certification shall submit all of the following:

- (a) An application in accordance with s. Comm 5.01.
- (b) An application fee and a certification fee in accordance with s. Comm 5.02, Table 5.02.
- (c) One of the following:
 - 1. Evidence that the person has completed at least 12 hours in an approved course in dwelling construction within one year prior to the date of application. The course shall include instruction in at least the following subject matter and one or more tests on at least the following subject matter:
 - a. Construction laws
 - b. Construction codes.
 - c. Construction business practices.
 - 2. a. A statement which may be verified by the department that the person at any time from April 11 to April 14, 2006 was the applicant for, was a person eligible to apply for, or was the contact person for a dwelling contractor financial responsibility certification or dwelling contractor financial responsibility – restricted certification.
 - b. This subdivision does not apply after September 1, 2009.
 - c. The eligibility provisions under this subd. 2. a. may be used only once to obtain a dwelling contractor qualifier certification.

Note: Under the administrative rules applicants for the dwelling contractor financial responsibility certifications are to be the business owners, partners, chairmen of the boards and chief executive offices. The Safety and Buildings Division has on file a record of who held a dwelling contractor financial responsibility certification or a dwelling contractor financial responsibility – restricted certification any time between April 11, 2006 and April 14, 2006.

(3) RENEWAL. (a) 1. A person may renew his or her certification as a dwelling contractor qualifier.

2. A dwelling contractor qualifier certification shall be renewed in accordance with s. Comm 5.07.

(b) 1. The renewal of a certification as a dwelling contractor qualifier shall be contingent upon the individual obtaining at least 12 hours of acceptable continuing education within the time period specified in s. Comm 5.08 and Table 5.06, except as provided in subd. 2.

2. A person who holds a certification as a dwelling contractor qualifier may apply to the department for waiver of the continuing education requirements under subd. 1. on the grounds of prolonged illness or disability or similar circumstances. Each application for waiver shall be considered individually on its merits by the department.

234. The purpose of the dwelling contractor qualifier certification is to provide proof of fulfilling the continuing education obligations to the issuers of _____.

- a. zoning permits
- b. land use permits
- c. a & b
- d. a, b, & e
- e. building permits

235. A non-grandfathered person applying for a dwelling contractor qualifier certification shall submit evidence that the person has completed at least ___ hours in an approved course in dwelling construction within one year prior to the date of application.

- a. 3
- b. 12
- c. 6
- d. none of the above

236. For a person to be grandfathered as a Qualifier, that person needs a statement which may be verified by the department that the person at any time from April 11 to April 14, 2006 was the applicant for, was a person eligible to apply for, or was the contact person for a dwelling contractor financial responsibility certification.

- a. true
- b. false

237. The renewal of a certification as a dwelling contractor qualifier shall be contingent upon the individual obtaining at least _____ hours of acceptable continuing education within the 2 year time period as specified in s. Comm 5.08 and Table 5.06

- a. 3
- b. 6
- c. 9
- d. none
- e. 12

Comm 5.323 Manufactured home dealer. (1) GENERAL.

Under s. 101.951 (1), Stats., no person may engage in the business of selling manufactured homes to a consumer or to the retail market unless the person holds a license issued by the department as a licensed manufactured home dealer. A branch license shall also be obtained for each branch operated by the licensed manufactured home dealer to sell homes.

(2) APPLICATION FOR LICENSE. A person applying for a manufactured home dealer license shall submit all of the following:

- (a) An application in accordance with s. Comm 5.01.
- (b) An application fee and a license fee in accordance with s. Comm 5.02, Table 5.02.
- (c) A license fee for each branch in accordance with s. Comm 5.02, Table 5.02.
- (d) One of the following forms of security:

1. Surety bond. A surety bond shall be filed on form SBD-10679 and issued by a bonding company licensed by this state. The surety bond shall be payable for the benefit of any person sustaining a loss because of an act of the licensee constituting grounds for the suspension or revocation of a license under s. 101.951 (6), Stats.

2. Financial statement. A financial statement shall be filed on form SBD-10678 or the equivalent in accordance with generally accepted accounting principles and be dated not more than 90 days prior to the date of application. A small business, as defined in s. 227.114 (1), Stats., that does no interim financial reporting may submit a financial statement from the close of the business's most recent fiscal year. Financial statements anticipating some future event shall not be accepted.

(3) **QUALIFICATIONS.** (a) *Minimum net worth or bond.* The minimum level of net worth or surety bond of an applicant shall be determined in accordance with Table 5.323-1 for a non-broker or Table 5.323-2 for a broker. The department shall deny the license of any applicant who fails to meet the net worth or surety bond criteria specified in the tables.

(b) *Person applying.* The person applying for a manufactured home dealer license shall be the owner of the business, a partner in the business applying on behalf of a partnership, or the chairperson of the board or chief executive officer applying on behalf of the corporation.

(4) *Responsibilities.* A person who holds a manufactured home dealer license shall post the license at the main business office and shall comply with the trade practices, facilities and records requirements specified in subs. (5) to (9).

(5) **ADVERTISING AND SALES REPRESENTATIONS.** (a) *Truthful.* The use of false, deceptive or misleading advertising or representations by any licensee to induce the purchase of a manufactured home is prohibited.

(b) *Factual.* Any licensee, making a statement of fact to the public in an advertisement, written statement or representation concerning the manufactured home offered for sale, the services provided or any other aspects of business operation, shall, upon request of the department, furnish evidence of the validity and accuracy of the statement of fact at the time it was made.

(c) *Disclosures required when advertising price.* When the price of a manufactured home is advertised by a licensee, the advertised price shall include all charges that shall be paid by the retail purchaser to acquire ownership of the advertised home with the exception of sales tax, title registration fees, government required permits, and charges from lenders or other entities.

(d) *Name.* Advertisements for manufactured home sales shall include the licensed business name.

(e) *New or used.* When advertising a manufactured home, a licensee shall state the model year of the home or whether the home is a new manufactured home or a used manufactured home.

If the manufactured homes in an advertisement are either all new or all used, one reference in the advertisement designating that they are new or used is sufficient.

(f) *Expiration terms of sales or promotions.* Whenever a sale or promotion offering gifts, merchandise, equipment, accessories, service, discounts, price reductions or cash is advertised, the advertisement shall specifically disclose the expiration terms or date of the sale or promotion.

(g) *Relocations.* Whenever a licensee advertises a manufactured home on a rental lot site that may have to be moved as a condition of the sale, that fact shall be stated in the advertisement.

Note: See Department of Agricultural, Trade and Consumer Protection rules under section ATCP 125.02 regarding tie-in sales; separate or discriminatory charges.

(6) **PURCHASE CONTRACT.** (a) *Usage.* 1. A licensee shall furnish retail purchasers with a manufactured home purchase contract that clearly states that the retail purchaser is making an offer to purchase a manufactured home. An exact copy of the purchase contract shall be provided to the retail purchaser at the time the retail purchaser signs the offer and again after the offer is accepted by the manufactured home dealer if accepted at a different time than accepted by the retail purchaser. Any changes in the purchase contract after signing by the retail purchaser or subsequent to acceptance by the manufactured home dealer shall be initialed by all the parties on all copies. whenever the licensee accepts a down payment, deposit, or title for a trade-in unit from a prospective retail purchaser.

(b) *Contract requirements.* A manufactured home purchase contract shall be completed on form SBD-10807.

(c) *Termination of offer to purchase.* 1. Unless otherwise specified in the contract, the offer to purchase is automatically voided if the licensee fails to accept or reject the offer by the close of the manufactured home dealer's next business day.

2. The licensee shall not sell the manufactured home to any other person until the offer is rejected by the licensee or the offer is voided in accordance with this subsection, or the retail purchaser cancels the contract in accordance with par. (d).

3. Any down payment, deposit or title shall be returned to the prospective retail purchaser within 2 working hours of the time the offer to purchase is rejected by the licensee. If the prospective retail purchaser is not present or available during the 2 hour period, those items shall be returned in person or mailed by the close of the manufactured home dealer's next business day.

(d) *Cancellation of agreements.* 1. The purchase contract shall clearly state that cancellation of a manufactured home contract within one business day of acceptance by a manufactured home dealer may subject the retail purchaser to a penalty of up to 1% of the cash price of the manufactured home and that cancellation after the close of the next business day may subject the retail purchaser to a penalty not to exceed the penalty amount specified in the contract. Modification of the purchase contract shall not extend the cancellation period. Documented proof of notification of cancellation is required regardless of the method of notification.

2. The title and any down payment or deposit which is not retained by the manufactured home dealer as a penalty in accordance with subd. 1. shall be returned to the retail purchaser by the close of the manufactured home dealer's next business day following receipt of the retail purchaser's notice of cancellation.

3. Whenever a manufactured home is sold away from the licensed place of business, the manufactured home dealer shall furnish the customer with a written notice of the 3-day consumer cancellation rights in accordance with s. 423.202, Stats.

(e) *Price changes.* Any increase in price to a retail purchaser after the manufactured home dealer has accepted an offer is prohibited except when the price increase is due to any of the items in subds. 1. to 3.

1. The addition of new equipment required by local, state or federal law.

2. Local, state or federal tax changes.

3. The reappraisal of a trade-in unit that has suffered damage or is missing furnishings, appliances or accessories that were part of the trade-in unit at the time the purchase contract was executed.

Reappraisal by the licensee shall be limited to an amount equal to the retail repair costs of the damage incurred, or to the value of furnishings, appliances or accessories removed.

4. The purchase contract shall include information regarding possible price increases due to any of the items in subds. 1. to 3.

(f) *Warranties.* Warranties and disclosures shall be provided in accordance with s. 101.953, Stats.

Note: See appendix for a reprint of section 101.953, Stats.

(g) *Name of prior owner.* The purchase contract shall include the name and address of the current titled owner if the manufactured home is consigned to or listed by the licensee. The name and address of the previous owner shall be kept on file at the manufactured home dealer's main business office if the manufactured home is owned and offered for sale by the licensee.

(h) *On-site sales.* If the manufactured home is displayed for sale on a rental lot site or if a licensee represents that a manufactured home may occupy a site in a specified manufactured home community, the manufactured home dealer shall:

1. Clearly state on the purchase contract whether or not the manufactured home may have to be moved from the site.

2. Clearly state on the purchase contract that the contract is voidable by the retail purchaser if the retail purchaser is rejected by, or the purchaser's manufactured home is not permitted in, the manufactured home community.

3. If the manufactured home may remain on site, inform the prospective retail purchaser in writing prior to the execution of the contract that a copy of the current manufactured home community lease and rules may be obtained from the current manufactured home owner or manufactured home community operator.

(i) *Service fees.* A licensee shall not assess a retail purchaser an additional service charge or fee for completing any sales-related home inspection forms that are required by law or rule.

(j) *Waiver.* The use of a manufactured home purchase contract that requires the retail purchaser to waive any claims the retail purchaser may have for breach of contract by the licensee is prohibited.

(7) CONSIGNMENT AND LISTING AGREEMENTS. (a) *Usage and contents.* 1. Form SBD-10808 shall be used whenever a manufactured home dealer lists or offers to sell a used manufactured home on consignment.

2. Form SBD-10807 shall be used whenever a manufactured home dealer sells a listed or consigned used manufactured home.

(b) *On-site sales on rental sites.* Manufactured homes selling agreements for units offered for sale on-site on rental sites shall comply with sub. (6) (h).

(c) *Net sales prohibited.* Licensees shall not obtain, negotiate, or attempt to negotiate any manufactured home selling agreement providing for a stipulated net price to the owner with the excess over the stipulated net price to be received by the licensee as commission.

(8) DISCLOSURE OF THE CONDITIONS OF THE MANUFACTURED

HOME. (a) *Model year designation.* Changing the model year of a manufactured home is prohibited. If no model year is designated, the year of manufacture applies.

(b) *New manufactured home disclosure.* The licensee shall, on the face of the new manufactured home purchase contract, disclose all manufactured home dealer installed options or accessories and whether or not the options or accessories are warranted.

(c) *Used manufactured home general condition disclosure.* 1. Before the execution of a purchase contract for a used manufactured home owned by a licensee, the licensee shall inform a prospective retail purchaser of all significant structural or mechanical defects or damage on form SBD-10809. If the licensee is unable to determine whether specific damage or defects exist, that fact shall be noted on the disclosure form. Disclosure of information shall include that which the licensee discovers as a result of a reasonably competent and diligent inspection which shall consist of, but is not limited to, a walk-around and interior inspection, an under-home inspection, roof inspection and inspection of the appliances. A reasonably competent and diligent inspection is not required to cover every possible technical detail. The licensee is not required to dismantle any part of the manufactured home during the inspection process.

2. The seller of a listed or consigned used manufactured home shall provide a completed form SBD-10809 to the licensee. The licensee shall provide the completed disclosure statement to the prospective retail purchaser.

3. Unless otherwise agreed to in the purchase contract, the inspection disclosures shall not create any warranties, expressed or implied, or affect warranty coverage provided for in the purchase contract.

(9) FACILITIES AND RECORDS. (a) *Business facilities.*

Manufactured home dealers shall provide and maintain business facilities that comply with all of the following:

1. A main business office that maintains books, records and files necessary to conduct business. The required business office may be established within a residence if the office is accessible to an outside entrance and is used primarily for conducting the manufactured home business.

2. A display lot within the same block or directly across the street from the main business office, if a display lot is provided.

3. A repair shop, or a service agreement with a nearby repair shop, where there are repair tools, repair equipment and personnel to perform the services provided for in a warranty applicable to a manufactured home sold by the manufactured home dealer. Any service agreement shall be on form SBD-10685.

(b) *Relocation.* A main business office may not be relocated without notice to the department.

(c) *Sign.* Manufactured home dealers who carry and display inventory shall provide an exterior business sign in compliance with s. 100.18 (5), Stats.

(d) *Temporary sales locations.* 1. Manufactured home dealers shall be permitted to display and sell manufactured homes at a temporary site other than the licensed place of business.

2. A temporary sales location may not be used for longer than 30 days.

3. A consigned, listed or model manufactured home shall not be considered a temporary sales location.

Note: There may be zoning, building code and permit requirements relating to business locations that are enforced by local municipalities.

(e) *Records kept.* The books, records and files required to be kept and maintained at the main business office by a manufactured home dealer shall include all of the following:

1. A written verification that the manufactured home dealer has in place a dealership arrangement or an established relationship with a manufacturer to sell and advertise the manufacturer's new manufactured homes.

2. The title or other evidence of ownership for each used manufactured home owned and offered for sale and the manufacturer's statement of origin information for each new manufactured home owned and offered for sale. The manufactured home dealer shall also have a factory invoice, a completed manufactured home dealer reassignment form or a purchase contract evidencing trade-in or purchase when a manufacturer or lending institution is holding the title or manufacturer's statement of origin of the manufactured home.

3. A written selling agreement between the owner and the manufactured home dealer for each manufactured home owned by an individual and offered for sale or listed by the manufactured home dealer.

4. The original or a copy of all manufactured home purchase contracts, purchase orders and invoices. The records shall also include a copy of form SBD-10687 as additional evidence of the sale as well as information regarding collection of sales tax and Wisconsin title and registration fees, if applicable.

5. A record of every manufactured home bought, sold, exchanged, consigned, or listed that includes the following information: date acquired, acquired from name and address, new or used, year, model and identification number, date sold or disposed of, disposed of or sold to name and address. (f) *Maintenance of records*. The records under par. (e) shall be maintained for 5 years. The records shall be open to inspection and copying by the department during reasonable business hours.

(10) RENEWAL. (a) 1. A person may renew his or her manufactured home dealer license.

2. A manufactured home dealer license shall be renewed in accordance with s. Comm 5.07.

(b) The renewal of a license as a manufactured home dealer shall be contingent upon the applicant providing the information required under sub. (2) (d).

238. No person may engage in the business of selling manufactured homes to a consumer or to the retail market unless the person holds a license issued by the department as a licensed _____.

- a. dwelling contractor
- b. dwelling contractor qualifier
- c. manufactured home dealer
- d. all of the above

239. A branch license shall also be obtained for each branch operated by the licensed manufactured home dealer to sell homes.

- a. true
- b. false

240. Financial statement. A financial statement shall be filed on form SBD-10678 or the equivalent in accordance with generally accepted accounting principles and be dated not more than _____ days prior to the date of application.

- a. 30
- b. 60
- c. 90
- d. none of the above

241. The person applying for a manufactured home dealer license shall be the a or.

- a. owner of the business
- b. partner in the business applying on behalf of a partnership
- c. the chairperson of the board or chief executive officer applying on behalf of the corporation
- d. all of the above
- e. only a & b

242. The use of false, deceptive or misleading advertising or representations by any licensee to induce the purchase of a manufactured home is acceptable.

- a. true
- b. false

243. A person who holds a manufactured home dealer license shall post the license at the main business office and at any other locations.

- a. true
- b. false

244. When advertising a manufactured home, a licensee shall state the model year of the home or whether the home is a new manufactured home or a used manufactured home.

- a. true
- b. false

245. Whenever a sale or promotion offering gifts, merchandise, equipment, accessories, service, discounts, price reductions or cash is advertised, the advertisement shall specifically disclose the

- a. expiration terms
- b. date of the sale
- c. date of promotion.
- d. all of the above

246. Unless otherwise specified in the contract, the offer to purchase is automatically voided if the licensee fails to accept or reject the offer by the close of the manufactured home dealer's _____.
- a. within 3 days
 - b. next business day
 - c. 48 hour
 - d. 2nd business day
247. The purchase contract shall clearly state that cancellation of a manufactured home contract within one business day of acceptance by a manufactured home dealer may subject the retail purchaser to a penalty of up to ___% of the cash price of the manufactured home.
- a. 1
 - b. 5
 - c. 2
 - d. 10
248. Any increase in price to a retail purchaser after the manufactured home dealer has accepted an offer is prohibited except when the price increase is due to any of the items in subds. 1. to 3.
- a. The addition of new equipment required by local, state or federal law.
 - b. Local, state or federal tax changes.
 - c. The reappraisal of a trade-in unit that has suffered damage or is missing furnishings, appliances or accessories that were part of the trade-in unit at the time the purchase contract was executed.
 - d. all of the above
 - e. only a & b
249. The purchase contract shall include the name and address of the current titled owner if the manufactured home is _____ the licensee.
- a. consigned to
 - b. listed by
 - c. processed by
 - d. only a or b
250. A licensee may assess a retail purchaser an additional service charge or fee for completing any sales related home inspection forms that are required by law or rule.
- a. true
 - b. false
251. Unless otherwise agreed to in the purchase contract, the inspection disclosures shall create any warranties, expressed or implied, or affect warranty coverage provided for in the purchase contract.
- a. true
 - b. false
252. Manufactured home dealers shall be permitted to display and sell manufactured homes at a temporary site other than the licensed place of business for not be used for longer than ___ days.
- a. 20
 - b. 30
 - c. 60
 - d. 90

Comm 5.325 Manufactured home salesperson.

- (1) GENERAL. (a) Under s. 101.952 (1), Stats., no person may engage in the business of selling manufactured homes to a consumer or to the retail market unless the person holds a license issued by the department as a licensed manufactured home salesperson. A manufactured home dealer who acts as a manufactured home salesperson shall secure a manufactured home salesperson license in addition to the manufactured home dealer license.
- (b) A manufactured home salesperson shall obtain a manufactured home salesperson license for each manufactured home dealer employing the manufactured home salesperson.
- (2) APPLICATION FOR LICENSE. A person applying for a manufactured home salesperson license shall submit all of the following:
- (a) An application in accordance with s. Comm 5.01.
 - (b) An application fee and a license fee in accordance with s.

Comm 5.02, Table 5.02.

(3) QUALIFICATIONS FOR LICENSE. A person applying for a manufactured home salesperson license shall hold a manufactured home dealer license issued by the department or shall be employed by a person who holds a manufactured home dealer license issued by the department.

(4) RESPONSIBILITIES. (a) A person who holds a manufactured home salesperson license shall comply with the responsibilities under ss. 101.952 (3), and 101.953, Stats.

Note: Section 101.952 (3), Stats., indicates that every licensee shall carry his or her license when engaged in his or her business and display the same upon request. The license shall name his or her employer, and, in case of a change of employer, the manufactured home salesperson shall immediately mail his or her license to the department, which shall endorse that change on the license without charge.

Note: See appendix for a reprint of section 101.953, Stats.

(b) A person who holds a manufactured home salesperson license shall comply with the provisions under s. Comm 5.323 that apply to a licensee.

(5) INVALID LICENSE. (a) A manufactured home salesperson license shall remain valid until one of the following conditions occur:

1. The manufactured home dealer license held by the manufactured home salesperson's current employer expires.
2. The manufactured home salesperson ceases employment with a licensed manufactured home dealer.
3. The manufactured home salesperson's employer goes out of business.
4. The department suspends or revokes the manufactured home salesperson's license.

(b) A person whose manufactured home salesperson license is invalidated by ceasing employment with a licensed manufactured home dealer may request the department to transfer their manufactured home salesperson license to a new employer without charge, as long as the department receives the application before the new employer's manufactured home dealer license expires.

(6) RENEWAL. (a) A person may renew his or her manufactured home salesperson license.

(b) A manufactured home salesperson license shall be renewed in accordance with s. Comm 5.07.

253. A manufactured home dealer who acts as a manufactured home salesperson shall secure a manufactured home salesperson license in addition to the manufactured home dealer license.

a. true

b. false

254. A person applying for a manufactured home salesperson license shall a or shall be

a. hold manufactured home dealer license issued by the department

b. employed by a person who holds a manufactured home dealer license issued by the department.

c. both a & b

d. neither a or b

255. A manufactured home salesperson license shall remain valid until one of the following conditions occur:

a. The manufactured home dealer license held by the manufactured home salesperson's current employer expires.

b. The manufactured home salesperson ceases employment with a licensed manufactured home dealer.

c. both a & b

d. neither a or b

256. A manufactured home salesperson license shall remain valid until one of the following conditions occur:

a. The manufactured home salesperson's employer remains in business.

b. The department suspends or revokes the manufactured home salesperson's license.

c. both a & b

d. neither a or b

Comm 5.327 Manufactured home installer. (1) GENERAL.

(a) Except as provided in par. (b), beginning on January 1, 2007, pursuant to s. 101.96, Stats., no person may install a manufactured home onto a foundation or other support system unless the person complies with one of the following conditions:

1. The person holds a license issued by the department as a licensed manufactured home installer.

2. The person is under the general supervision of another person who holds a license issued by the department as a licensed manufactured home installer.

(b) 1. The owner of a manufactured home who will reside in the home may install his or her own manufactured home without holding a license as a licensed manufactured home installer. This exemption does not apply to the owner who contracts for or otherwise arranges for the installation.

2. A person is not required to hold a license as a licensed manufactured home installer for electrical, plumbing or HVAC work associated with the installation of a manufactured home.

Note: There may be other state or local licensing requirements involved in the installation of manufactured homes.

(2) QUALIFICATIONS FOR LICENSE. A person applying for a manufactured home installer license shall comply with all of the following conditions:

(a) The person is at least 18 years old.

(b) The person has not been found responsible in any judicial or administrative forum for any violation of s. 101.96, Stats., during the 2 years before the date on which the person's license application is submitted.

Note: See appendix for a reprint of section 101.96, Stats. (c) The person has not been found responsible in any judicial or administrative forum during the 2 years before the date on which the person's license application is submitted for any failure to perform an installation of a manufactured home as required under contract or for defrauding any person with regard to the provision of installation services.

(3) APPLICATION FOR LICENSE. (a) A person may apply for a license as a licensed manufactured home installer by submitting an application, an application fee and the license fee in accordance with ss. Comm 5.01 and 5.02 and one of the following:

1. Evidence that the person holds a manufactured home installer license issued by the federal department of housing and urban development.

2. Evidence that the person holds a manufactured home installer license issued by a state administrative agency (SAA) that has an installer licensing program that is equivalent to the rules under this section.

3. Evidence that the person has completed at least 12 hours in an approved course or courses in the installation of manufactured homes within one year prior to the date of application. The course or courses shall include instruction in at least the following subject matter and one or more tests on the subject matter:

a. Soil mechanics.

b. Site preparation.

c. Structural support, stabilization and anchorage.

d. Setting.

e. Ventilation of crawl spaces.

f. Connections, plumbing, electrical, HVAC.

g. Joining of home sections.

(b) 1. A person may apply for a license as a licensed manufactured home installer by submitting an application, an application fee and the license fee in accordance with ss. Comm 5.01 and 5.02 and evidence that the person has actively participated in the installation of at least 10 manufactured homes.

2. This paragraph does not apply after June 1, 2007.

(4) RESPONSIBILITIES. A person who installs or supervises the installation of manufactured homes as a licensed manufactured home installer shall be responsible for compliance with the installation requirements in chs. Comm 21 and 27.

(5) RENEWAL. (a) 1. A person may renew his or her license as a manufactured home installer.

2. A manufactured home installer license shall be renewed in accordance with s. Comm 5.07.

(b) 1. The renewal of a license as a manufactured home installer shall be contingent upon the manufactured home installer obtaining at least 12 hours of acceptable continuing education within the time period specified in s. Comm 5.08 and Table 5.06, except as provided in subd. 2.

2. A person who holds a license as a manufactured home installer may apply to the department for waiver of the continuing education requirements under subd. 1. on the grounds of prolonged illness or disability or similar circumstances. Each application for waiver shall be considered individually on its merits by the department.

(c) The renewal of a license as a manufactured home installer shall be contingent upon all of the following conditions:

1. The person has not been found responsible in any judicial or administrative forum for any violation of s. 101.96, Stats., during the previous 2 years.

2. The person has not been found responsible in any judicial or administrative forum during the previous 2 years for any failure to perform an installation of a manufactured home as required under contract or for defrauding any person with regard to the provision of installation services.

257. Beginning on January 1, 2007, pursuant to s. 101.96, Stats., no person may install a manufactured home onto a foundation or other support system unless the person complies with one of the following conditions:

- a. The person holds a license issued by the department as a licensed manufactured home installer.
- b. The person is under the general supervision of another person who holds a license issued by the department as a licensed manufactured home installer.
- c. The person holds a license issued by the department as a licensed UDC Building Contractor.
- d. all of the above
- e. only a & b

258. The owner of a manufactured home who will reside in the home may install his or her own manufactured home without holding a license as a licensed manufactured home installer.

- a. true
- b. false

259. This exemption contained in question 141 does apply to the owner who contracts for or otherwise arranges for the installation.

- a. true
- b. false

260. A person applying for a manufactured home installer license shall be at least ___ years old.

- a. 16
- b. 18
- c. 21
- d. none of the above

261. A person who installs or supervises the installation of manufactured homes as a licensed manufactured home installer shall be responsible for compliance with the installation requirements in chs. Comm 21 and 27.

- a. 21 & 26
- b. 21-27
- c. 21 & 27
- d. 20-26

262. The renewal of a license as a manufactured home installer shall be contingent upon the manufactured home installer obtaining at least ____ hours of acceptable continuing education within the time period specified in s. Comm 5.08 and Table 5.06, except as provided in subd. 2.

- a. 6
- b. 18
- c. 12
- d. 24

Comm 5.63 Dwelling inspectors. (1) GENERAL. (a)

Pursuant to ss. 101.66 (2) and 101.96 (1), Stats., no person may conduct the inspection of one- and 2-family dwellings for the purpose of administering and enforcing chs. Comm 20 to 25, unless the person holds one or more of the following certifications issued by the department:

- 1. Certified UDC-construction inspector.
- 2. Certified UDC-electrical inspector.
- 3. Certified UDC-HVAC inspector.
- 4. Certified UDC-plumbing inspector.
- 5. Certified soil erosion inspector.
- 6. Certified commercial electrical inspector.
- 7. Certified commercial plumbing inspector.

Note: Pursuant to s. 101.14 (1) (bm), Stats., deputies of the department may perform inspections for smoke detector installation and maintenance without holding a certification issued by the department.

(b) A person who holds a certification as a:

1. Certified UDC–construction inspector may inspect one– and 2–family dwellings for the purpose of administering and enforcing chs. Comm 20 to 22.
2. Certified UDC–electrical inspector or certified commercial electrical inspector may inspect one– and 2–family dwellings for the purpose of administering and enforcing chs. Comm 16 and 24.
3. Certified UDC–HVAC inspector may inspect one– and 2–family dwellings for the purpose of administering and enforcing ch. Comm 23.
4. Certified UDC–plumbing inspector or certified commercial plumbing inspector may inspect one– and 2–family dwellings for the purpose of administering and enforcing chs. Comm 25, 82 and 84.
5. Certified soil erosion inspector may inspect one– and 2–family dwellings for the purpose of administering and enforcing s. Comm 21.125, and public buildings and places of employment for the purpose of administering and enforcing ch. Comm 60.

(2) APPLICATION FOR EXAMINATION. A person applying to take a UDC–construction inspector certification examination, UDC– electrical inspector certification examination, UDC–HVAC inspector certification examination, or UDC–plumbing inspector certification examination shall submit all of the following:

- (a) An application in accordance with s. Comm 5.01.
- (b) An application fee and examination fee in accordance with s. Comm 5.02, Table 5.02.

(3) EXAMINATION. Except as provided in sub. (4) (a) 2., (b) 2. and (c) 2., a person seeking to obtain a UDC–construction inspector certification, UDC–electrical inspector certification, UDC– HVAC inspector certification, or UDC–plumbing inspector certification shall take and pass an examination in accordance with s. Comm 5.09.

(4) APPLICATION FOR CERTIFICATIONS. (a) *UDC–construction.*

1. Upon notification of the successful passage of the examination for a UDC–construction inspector certification, a person may obtain the certification by submitting an application and the certification fee in accordance with ss. Comm 5.01 and 5.09 (7) (c).

2. A person may apply for certification as a certified UDC– construction inspector by submitting all of the following:

- a. An application, an application fee and the certification fee in accordance with ss. Comm 5.01 and 5.02.
- b. Evidence that the person holds a certification as a commercial building inspector issued under s. Comm 5.61.

(b) *UDC–electrical.* 1. Upon notification of the successful passage of the examination for a UDC–electrical inspector certification, a person may obtain the certification by submitting an application and the certification fee in accordance with ss. Comm 5.01 and 5.09 (7) (c).

2. A person may apply for certification as a certified UDC– electrical inspector by submitting an application, an application fee and the certification fee in accordance with ss. Comm 5.01 and 5.02 and one of the following:

- a. Evidence that the person holds a certification as a journeyman electrician issued under s. Comm 5.44.
- b. Evidence that the person holds a certification issued under the International Association of Electrical Inspectors/National Fire Protection Association certification program as a certified electrical inspector–residential.

(c) *UDC–HVAC.* 1. Upon notification of the successful passage of the examination for a UDC–HVAC inspector certification, a person may obtain the certification by submitting an application and the certification fee in accordance with ss. Comm 5.01 and 5.09 (7) (c).

2. A person may apply for certification as a certified UDC– HVAC inspector by submitting an application, an application fee and the certification fee in accordance with ss. Comm 5.01 and 5.02 and one of the following:

- a. Evidence that the person holds a certification as an HVAC qualifier issued under s. Comm 5.71.
- b. Evidence that the person holds a certification as a commercial building inspector issued under s. Comm 5.61.

(d) *UDC–plumbing.* Upon notification of the successful passage of the examination for a UDC–plumbing inspector certification, a person may obtain the certification by submitting an application and the certification fee in accordance with ss. Comm 5.01 and 5.09 (7) (c).

(e) *Soil erosion.* A person may apply for certification as a certified soil erosion inspector by submitting all of the following:

1. An application, an application fee and the certification fee in accordance with ss. Comm 5.01 and 5.02.
2. Evidence that the person has completed an approved training course on soil erosion control standards.

(5) RESPONSIBILITIES. A person who inspects one- and 2-family dwellings as a certified UDC-construction inspector, certified UDC-electrical inspector, certified UDC-HVAC inspector, certified UDC-plumbing inspector, or certified soil erosion inspector shall:

- (a) Maintain a record of the inspections made including the dates and the findings of the inspections;
- (b) Provide a copy of the inspection report to the property owner or his or her agent, and
- (c) Make available to the department upon request his or her inspection records.

(5m) LIMITATIONS. A person who inspects the installation of manufactured homes as a certified UDC-construction inspector may not perform the inspection of a particular manufactured home if the person is, is employed by, or is an independent contractor of any of the following:

- (a) A manufactured home manufacturer who was directly involved in the sale of the particular manufactured home.
- (b) A manufactured home salesperson who was directly involved in the sale of the particular manufactured home.
- (c) An installer who was directly involved in the sale of the particular manufactured home.

(6) RENEWAL. (a) 1. A person may renew his or her certification as a UDC-construction inspector, UDC-electrical inspector, UDC-HVAC inspector, UDC-plumbing inspector or soil erosion inspector.

2. An inspector certification under this section shall be renewed in accordance with s. Comm 5.07.

(b) 1. a. The renewal of a certification as a certified UDC- construction inspector, certified UDC-electrical inspector, certified UDC-HVAC inspector, or certified UDC-plumbing inspector which has an expiration date on or before June 30, 2006 shall be contingent upon the inspector obtaining at least 12 hours of acceptable continuing education within the time period specified in s. Comm 5.08 and Table 5.06, except as provided in subd. 2.

b. The renewal of a certification as a certified UDC-construction inspector, certified UDC-electrical inspector, certified

UDC-HVAC inspector, or certified UDC-plumbing inspector which has an expiration date after June 30, 2006 shall be contingent upon the inspector obtaining at least 24 hours of acceptable continuing education within the time period specified in s. Comm 5.08 and Table 5.06, except as provided in subd. 2.

2. A person who holds a certification as a certified UDC- construction inspector, certified UDC-electrical inspector, certified UDC-HVAC inspector, or certified UDC-plumbing inspector may apply to the department for waiver of the continuing education requirements under subd. 1. on the grounds of prolonged illness or disability or similar circumstances. Each application for waiver shall be considered individually on its merits by the department.

3. A person who initially obtained his or her UDC-construction inspector certification or UDC-HVAC inspector certification by providing evidence of certification as a commercial building inspector and whose request to renew his or her certification is denied because of the failure to fulfill the continuing education requirements of subd. 1., shall be required to take and pass the UDC-construction inspector certification examination or UDC- HVAC inspector certification examination in order to reacquire the respective UDC inspector certification

263. No person may conduct the inspection of one- and 2-family dwellings for the purpose of administering and enforcing chs. Comm 20 to 25, unless the person holds one or more of the following certifications issued by the department:

- 1. Certified UDC-construction inspector.
- 2. Certified UDC-electrical inspector.
- 3. Certified UDC-HVAC inspector.
- 4. Certified UDC-plumbing inspector.
- 5. Certified soil erosion inspector.
- 6. Certified commercial electrical inspector.
- 7. Certified commercial plumbing inspector.

a. true

b. false

264. A person may apply for certification as a certified UDC-construction inspector by submitting all of the following:

- a. An application, an application fee and the certification fee in accordance with ss. Comm 5.01 and 5.02.
- b. Evidence that the person holds a certification as a commercial building inspector issued under s. Comm 5.61.
- c. both a & b
- d. neither a or b

265. A person who inspects the installation of manufactured homes as a certified UDC–construction inspector may not perform the inspection of a particular manufactured home if the person is, is employed by, or is an independent contractor of any of the following:

- a. A manufactured home manufacturer who was directly involved in the sale of the particular manufactured home.
- b. A manufactured home salesperson who was directly involved in the sale of the particular manufactured home.
- c. An installer who was directly involved in the sale of the particular manufactured home.
- d. all of the above
- e. only a & c

Comm 5.635 UDC inspection agency. (1) GENERAL.

No person may engage in or offer to engage in the activities of facilitating plan review, issuance of Wisconsin uniform building permits, or inspection of one– and 2–family dwellings in a municipality where the department has jurisdiction pursuant to s. 101.651 (3) (b), Stats., unless the person obtains a registration from the department as a registered UDC inspection agency.

Note: Section 990.01 (26), Stats., states that the term “person” includes all partnerships, associations and bodies politic or corporate.

(2) APPLICATION FOR REGISTRATION. A person applying for a UDC inspection agency registration shall submit all of the following:

- (a) An application in accordance with s. Comm 5.01.
- (b) An application fee and a registration fee in accordance with s. Comm 5.02, Table 5.02.

(3) QUALIFICATIONS FOR REGISTRATION. The person applying for a UDC inspection agency registration shall be the owner of the business, a partner in the business applying on behalf of a partnership, or the chairman of the board or chief executive officer applying on behalf of the corporation.

(4) RESPONSIBILITIES. A person who is responsible for facilitating plan review, issuance of Wisconsin uniform building permits and the inspections for one– and 2–family dwellings as a registered UDC inspection agency shall be responsible for all of the following:

- (a) Utilizing persons appropriately certified under s. Comm 5.63 to review the plans, issue the permits and conduct the inspections.
- (b) Making the records relative to the plan review, issuance of permits and inspections available to the department upon request.
- (c) Providing inspection services for all inspections required under s. Comm 20.10.
- (d) Cooperating with the department in any program monitoring, enforcement activities, and investigations.
- (e) Following all procedures established by the department for UDC enforcement by inspection agencies.
- (f) Reporting to the department in writing when the agency has been dismissed by the owner or builder.
- (g) Making any records associated with their permit, plan review and inspection activities available to the permit holder upon request.

(5) RENEWAL. (a) A person may renew his or her registration as a UDC inspection agency.

(b) A UDC inspection agency registration shall be renewed in accordance with s. Comm 5.07.

266. No person may engage in or offer to engage in the activities of facilitating plan review, issuance of Wisconsin uniform building permits, or inspection of one– and 2–family dwellings in a municipality where the department has jurisdiction pursuant to s.101.651 (3) (b), Stats., unless the person obtains a registration from the department as a registered UDC inspection agency.

- a. true
- b. false

267. The person applying for a UDC inspection agency registration shall be the_____.

- a. owner of the business
- b. a partner in the business applying on behalf of a partnership
- c. the chairman of the board or chief executive officer applying on behalf of the corporation
- d. all of the above

Use the below Comm 21.40 to answer questions 268-275

Comm 21.40 Installation standards. (1) (a) The

installation of a manufactured home produced on or after April 1, 2007 shall comply with procedures acceptable to the department.

(b) Acceptable installation procedures shall address all of the following:

1. Soil mechanics.
2. Site preparation.
3. Structural support, stabilization and anchorage.
4. Setting.
5. Ventilation of crawl spaces.
6. Connections, plumbing, electrical, HVAC.
7. Joining of home sections.

Note: Acceptable installation practices can be found through the Safety and Buildings Division's website at www.commerce.state.wi.us/SB or by contacting the Safety and Buildings Division at (608) 264-9596.

Note: The design and construction of basements and perimeter foundations to support manufactured homes is addressed under subchapter V.

(2) (a) Except as provided in par. (b), the installation of a manufactured home produced before April 1, 2007 shall be installed in conformance with the requirements in effect at the time the manufactured home was produced.

(b) The installation of a manufactured home produced before

April 1, 2007 to be installed on piers shall conform to at least all of the following requirements:

1. No footing may be placed upon unprepared fill material, topsoil, alluvial soil or mud. All organic matter shall be removed from the area that will be beneath any footing.
2. The soil bearing capacity shall be determined through test by a pocket penetrometer or other means of analysis. If the soil bearing capacity under each intended pier location is less than 2000 pounds per square foot, piers shall be located in accordance with the manufacturer's instructions.
3. The home site shall be graded to permit water to drain from under the home and away from the home for a minimum of 5 feet from the home.
4. Every pier shall be supported by a footing. Each footing shall be no less than a nominal 16 inches by 16 inches.
5. Each footing shall consist of one of the following:
 - a. One nominal 4-inch by 16-inch by 16-inch solid concrete block or 2 nominal 4-inch by 8-inch by 16-inch solid concrete blocks. If a single block pier and 2 footing blocks are used, the 2 footing blocks shall be positioned with the joint parallel to the main frame. If a double block pier and 2 footing blocks are used, the 2 footing blocks shall be positioned with the joint either parallel or perpendicular to the main frame.
 - b. A 16-inch by 16-inch pad constructed of acrylonitrile-butadiene-styrene (ABS) having a rated load bearing capacity of not less than 6000 pounds.
 - c. An 18-inch diameter hole bored to below the frost line or to un-fractured bedrock and filled with poured concrete.
 - d. Any other materials and systems approved in advance by the department.
6. Piers shall be constructed of concrete blocks, manufactured steel stands or manufactured concrete stands. Manufactured stands shall be labeled for use as piers for manufactured homes.
7. Piers constructed of single stacked concrete blocks shall be limited to a height of 36 inches. Piers constructed of concrete blocks and exceeding 36 inches but less than 80 inches shall be constructed using double stacked blocks with each layer opposing the direction of the layer underneath it. Piers constructed of concrete blocks and exceeding 80 inches shall be constructed using double blocks laid in concrete mortar with each layer opposing the direction of the layer underneath it and with each core filled with concrete and a 1/2-inch steel reinforcing rod.
8. All concrete blocks shall be 2-core design, construction grade blocks having nominal dimensions of at least 8 inches by 8 inches by 16 inches. All concrete blocks shall be placed with the cores open vertically. The concrete block nearest the main frame of the manufactured home shall be perpendicular to the linear direction of the frame. No concrete block may contact the main frame of the home.
9. Alternative materials may be used for pier installations provided they are approved in advance by the department.
10. Piers shall be placed under the main frame of the chassis at intervals of not more than 7 feet on-center and no more than 3 feet from the exterior side of each end wall. The 7-foot spacing requirement may be varied as permitted by footing, spacing and soil capacity tables provided by the home manufacturer.

11. Piers shall be placed under the bearing points of clear-span openings of 4 feet or more in center mating walls.
12. Piers shall be plumb and centered under the contact area at the point of support.
13. Each pier shall be capped with a solid concrete block or a solid wood block, having a nominal thickness of at least 2 inches.

The cap shall be the same width and length as the top of the pier.

The cap shall consist of no more than 2 pieces. Two-piece caps shall be positioned with the joint perpendicular to the main frame.

14. Where shims are utilized, wood shims shall be installed between the pier cap and the frame. Shims shall be driven from opposing sides and shall be no less than 4 inches by 8 inches.

15. Wood caps and shims shall be at least equal to No. 2 spruce pine fir having a minimum fiber bending stress rating of 1200 psi. All wood caps shall be the same species of wood, and all shims shall be the same species of wood.

16. The combination of a nominal 2-inch solid concrete block or a nominal 2-inch wood cap plus shims shall not exceed 3 _ inches.

17. A minimum clearance of 12 inches shall be maintained beneath the lowest point of the main frame in the area of any utility connection. A minimum clearance of 12 inches shall also be maintained under the home for at least 75% of the home. The remainder of the home may be less than 12 inches above the ground but may not touch the ground.

History: CR 05-113: cr. Register December 2006 No. 612, eff. 4-1-07.

268. What Code section covers the Manufactured Homes contained in Comm 21?

- a. 21.31
- b. 21.08
- c. 21.40
- d. all of the above

269. Acceptable installation procedures shall address all of the following:

- a. Soil mechanics & Site preparation.
- b. Structural support, stabilization and anchorage & Setting.
- c. Ventilation of crawl spaces & Connections, plumbing, electrical, HVAC.
- d. Joining of home sections.
- e. all of the above

270. The installation of a manufactured home produced before April 1, 2007 shall be installed in conformance with the requirements in effect at the time the manufactured home was produced.

- a. true
- b. false

271. The installation of a manufactured home produced before April 1, 2007 to be installed on piers shall conform to at least all of the following requirements:

- a.. No footing may be placed upon unprepared fill material, topsoil, alluvial soil or mud. All organic matter shall be removed from the area that will be beneath any footing.
- b. The soil bearing capacity shall be determined through test by a pocket penetrometer or other means of analysis. If the soil bearing capacity under each intended pier location is less than 2000 pounds per square foot, piers shall be located in accordance with the manufacturer's instructions.
- c. The home site shall be graded to permit water to drain from under the home and away from the home for a minimum of 5 feet from the home.
- d. all of the above

272. Piers shall be plumb and centered under the contact area at the point of support.

- a. true
- b. false

273. Each pier shall be capped with a solid concrete block or a solid wood block, having a nominal thickness of at least 2 inches. The cap shall be the same width and length as the top of the pier. The cap shall consist of no more than 2 pieces. Three, four, and two-piece caps shall be positioned with the joint perpendicular to the main frame.

- a. true
- b. false

274. A minimum clearance of 12 inches shall be maintained beneath the lowest point of the main frame in the area of any utility connection. A minimum clearance of 12 inches shall also be maintained under the home for at least 50% of the home. The remainder of the home may be less than 12 inches above the ground and may touch the ground.

- a. true
- b. false

275. The effective date for Comm 21.40 is 4-1-07.

- a. true
- b. false

Comm 5 Definitions-Use below definitions to answer question 276-360

Comm 5.003 Definitions. In this chapter:

(1) “Approved” means accepted by the department.

(1m) “ASME” means American society of mechanical engineers.

(2) “Automatic fire sprinkler contractor” has the meaning specified under s. 145.01 (1), Stats.

Note: Under section 145.01 (1), Stats., “automatic fire sprinkler contractor” means any individual, firm or corporation who has paid the annual license fee and obtained a license to conduct a business in the design, installation, maintenance or repair of automatic fire sprinkler systems.

(3) “Automatic fire sprinkler system” has the meaning specified under s. 145.01 (2), Stats.

Note: Under s. 145.01 (2), Stats., “automatic fire sprinkler system”, for fire protection purposes, means an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply, such as a gravity tank, fire pump, reservoir or pressure tank or connection beginning at the supply side of an approved gate valve located at or near the property line where the pipe or piping system provides water used exclusively for fire protection and related appurtenances and to standpipes connected to automatic sprinkler systems. The portion of the sprinkler system above ground is a network of specially sized or hydraulically designed piping installed in a building, structure or area, generally overhead, and to which sprinklers are connected in a systematic pattern. The system includes a controlling valve and a device for actuating an alarm when the system is in operation. The system is usually activated by heat from a fire and discharges water over the fire area.

(4) “Automatic fire sprinkler system apprentice” has the meaning specified under s. 145.01 (3), Stats.

Note: Under s. 145.01 (3), Stats., “automatic fire sprinkler system apprentice” means any person other than an automatic fire sprinkler system contractor or a journeyman automatic fire sprinkler system fitter who is engaged in learning and assisting in the installation of automatic fire sprinkler systems and who is indentured under ch. 106, Stats.

(5) “Blasting” means any method of loosening, moving or shattering masses of solid matter by use of an explosive.

(6) “Blasting operation” means any enterprise or activity involving blasting.

(6m) “Branch” means an office, other than the main business office, involved in the sales of manufactured homes that advertises as a sales location, displays new or used homes, takes sales calls, is staffed by licensed salespersons, has signage of a licensed dealer, and accepts offers or contracts on manufactured homes.

(6s) “Broker” means a manufactured home dealer who has no sales lot, no inventory and no ownership interest in the manufactured homes being sold.

(7) “Building permit” means an official document or certificate granting permission to perform construction or erosion control work, except for electrical, plumbing or HVAC, on a one- or 2-family dwelling.

(8) “Business establishment” means any industrial or commercial organization or enterprise, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

(8m) “Cash price” means the manufactured home dealer asking price including dealer installed options and accessories and additional dealer mark-up, profit and transportation charges, minus the dollar value of cash discounts.

(9) “Combustible liquid” means a liquid with a flash point at or above 100_F.

(10) “Conflict of interest” means a certified inspector inspecting work in which the inspector or the inspector’s employer, other than the state or a municipality, has participated or has a monetary or personal interest.

(11) “Damage” means defects caused by reasons other than

normal wear through home age and usage.

(13) “Department” means the department of commerce.

(14) “Direct supervision” means to assume the responsibility of an activity of others and its results by providing oversight and guidance at the site where the activity is being conducted.

(15) “Dwelling contractor” means any person, firm or corporation engaged in the business of performing construction or erosion control work on a one- or 2- family dwelling.

Note: Pursuant to s. 101.654 (1) (b), Stats., “dwelling contractor” does not include an owner of a dwelling who resides or will reside in the dwelling.

(16) “Electrical construction” means the installation of electrical wiring. “Electrical construction” does not include the maintenance, repair or fabrication of electrical equipment or the installation of electrical wiring and equipment covered by ch. PSC 114.

(17) “Electrical wiring” means all equipment, wiring, material, fittings, devices, appliances, fixtures and apparatus used for the production, modification, regulation, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting or similar purposes as covered by the scope of ch. Comm 16.

(17m) “Financial statement” means a balance sheet showing assets, liabilities and net worth.

(18) “Fireworks” has the meaning specified under s. 167.10 (1), Stats.

Note: Under s. 167.10 (1), Stats., “fireworks” means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include any of the following:

(a) Fuel or a lubricant.

(b) A firearm cartridge or shotgun shell.

(c) A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.

(d) A match, cigarette lighter, stove, furnace, candle, lantern or space heater.

(e) A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.

(f) A toy snake which contains no mercury.

(g) A model rocket engine.

(h) Tobacco and a tobacco product.

(i) A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.

(j) A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.

(k) A fuseless device that is designed to produce audible or visible effects or audible and visible effects, and that contains less than one-quarter grain of explosive mixture.

(L) A device that is designed primarily to burn pyrotechnic smoke-producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects.

(m) A cylindrical fountain that consists of one or more tubes and that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.

(n) A cone fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.

(19) “Flammable liquid” means a liquid having a flash point below 100_F and having a vapor pressure not exceeding 40 psi absolute at 100_F.

(20) “General supervision” means to assume the responsibility of an activity of others and its results without being present at the site where the activity is being conducted.

(21) “HVAC” means heating, ventilating and air conditioning.

(22) “HVAC equipment” means materials, piping, fittings, devices, appliances, apparatus, controls and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning or exhausting systems serving buildings. HVAC equipment does not include residential bathroom fans and kitchen hoods, water heaters, process heating equipment, and space heaters such as masonry fireplaces and chimneys, factory-built fireplaces and venting systems, decorative gas fireplaces, and wood-burning stoves.

(23) “Incompetence” means conduct which evidences a lack of competence or ability to discharge the duty required to protect the health, safety and welfare of the public, lack of knowledge of the fundamental principles of a particular trade or practice, or an inability to apply those principles, or failure to maintain competency in the current practices and methods applicable to the activity and the state statutes and rules governing the activity.

(24) “Journeyman automatic fire sprinkler fitter” has the meaning specified under s. 145.01 (6), Stats.

Note: Under s. 145.01 (6), Stats., “journeyman automatic fire sprinkler fitter” means any person other than an automatic fire sprinkler contractor who is engaged in the practical installation of automatic fire sprinkler systems.

(25) “Journeyman plumber” has the meaning specified under s. 145.01 (7), Stats.

Note: Under s. 145.01 (7), Stats., “journeyman plumber” means any person other than a master plumber, who is engaged in the practical installation of plumbing.

(26) “Journeyman plumber–restricted” means a person licensed under s. 145.14, Stats.

Note: See appendix for further explanatory material.

(26m) “Licensee” means any manufactured home dealer or manufactured home salesperson or any person who is both a manufactured home dealer and a manufactured home salesperson.

(27) “Listed device” has the meaning specified under s. 167.10 (1) (e), (f) and (i) to (n), Stats.

Note: See the note after the definition of “fireworks”, sub. (18), for the statutory language of s. 167.10 (1) (e), (f) and (i) to (n).

(27e) “Main business office” means an office involved in the sales of manufactured homes that is the primary management location of the licensed manufactured home dealer.

(27m) “Manufactured home” has the meaning given in s. 101.91 (2), Stats.

Note: Under s. 101.91 (2), Stats., “manufactured home” means any of the following: (am) A structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425.

(c) A mobile home, unless a mobile home is specifically excluded under the applicable statute.

(27s) “Manufactured home dealer” has the meaning given in s. 101.91 (3), Stats., except for a person who sells no more than one new or used manufactured home in any one calendar year.

Note: Under s. 101.91 (3), Stats., “manufactured home dealer” means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in, manufactured homes or who is engaged wholly or partially in the business of selling manufactured homes, whether or not the manufactured homes are owned by the person, but does not include:

(a) A receiver, trustee, personal representative, guardian, or other person appointed by or acting under the judgment or order of any court.

(b) Any public officer while performing that officer’s official duty.

(c) Any employee of a person enumerated in par. (a) or (b).

(d) Any lender, as defined in s. 421.301 (22).

(e) A person transferring a manufactured home used for that person’s personal, family or household purposes, if the transfer is an occasional sale and is not part of the business of the transferor.

(27w) “Manufactured home community” has the meaning given in s. 101.91 (5m), Stats.

Note: Under s. 101.91 (5m), Stats., “manufactured home community” means any plot or plots of ground upon which 3 or more manufactured homes that are occupied for dwelling or sleeping purposes are located.

“Manufactured home community” does not include a farm where the occupants of the manufactured homes are the father, mother, son, daughter, brother or sister of the farm owner or operator or where the occupants of the manufactured homes work on the farm.

(28) “Master plumber” has the meaning specified under s. 145.01 (8), Stats.

Note: Under s. 145.01 (8), Stats., “master plumber” means any person skilled in the planning, superintending and the practical installation of plumbing and familiar with the laws, rules and regulations governing the same.

(29) “Master plumber–restricted” means a person licensed under s. 145.14, Stats.

Note: See appendix for further explanatory material.

(30) “Misconduct” means an act performed by an individual relating to the responsibilities or duties for which the individual has been licensed, registered or certified that jeopardizes the interests of the public, including violation of federal or state laws, local ordinances or administrative rules; preparation of deficient or falsified reports; failure to submit information or reports required by law or contract when requested by the municipality or the department;

conduct which evidences a lack of trustworthiness; misrepresentation of qualifications such as education, experience or certification; illegal entry of premises; misuse of funds; or misrepresentation of authority.

(30m) “Multipurpose piping system” means a type of water distribution system conveying potable water to plumbing fixtures and appliances and automatic fire sprinklers with the intention of serving both domestic water needs and fire protection needs within a one- or 2-family dwelling or manufactured dwelling.

(31) “Municipality” means a city, village, town or county.

(32) “Negligence” means the failure to exercise the degree of care and judgment to protect public health and safety normally expected of an individual performing activities within the scope of a license, certification or registration category.

(32e) “Net worth” means the difference between the asset and liability values on a financial statement. Negative net worth is the excess of liabilities over assets.

(32h) “New manufactured home” has the meaning given in s. 101.91 (11), Stats.

Note: Under s. 101.91 (11), Stats., “new manufactured home” means a manufactured home that has never been occupied, used or sold for personal or business use.

(32m) “PECFA” means petroleum environmental cleanup fund award, as established in s. 101.143, Stats.

(33) “Pipelayer” has the meaning specified under s. 145.01(9), Stats.

Note: Under s. 145.01 (9), Stats., “pipelayer” means a person registered under s.145.07 (11).

(34) “Plumbing” has the meaning specified under s. 145.01(10), Stats.

Note: Under s. 145.01 (10), Stats., “plumbing” means and includes:

(a) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and also includes the installation thereof.

(b) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including private sewage systems, and the alteration of any such systems, drains or waste piping.

(c) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of, or beneath an area subject to easement for highway purposes and its connections.

(d) The water pressure system other than municipal systems as provided in ch. 281.

(e) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

(35) “Plumbing appliance” means any one of a class of plumbing devices which is intended to perform a special function. The operation or control of the appliance may be dependent upon one or more energized components, such as motors, controls, heating elements, or pressure or temperature sensing elements. The devices may be manually adjusted or controlled by the user or operator, or may operate automatically through one or more of the following actions: a time cycle, a temperature range, a pressure range, a measured volume or weight.

(36) “Plumbing apprentice” has the meaning specified under s. 145.01 (11), Stats.

Note: Under s. 145.01 (11), Stats., “plumbing apprentice” means any person other than a journeyman or master plumber who is engaged in learning and assisting in the installation of plumbing and drainage.

(37) “Place of employment” has the meaning specified under s. 101.01 (11), Stats.

Note: Under s. 101.01 (11), Stats., “place of employment” includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming. “Farming” includes those activities specified in s.102.04 (3), and also includes the transportation of farm products, supplies or equipment directly to the farm by the operator of said farm or employees for use thereon, if such activities are directly or indirectly for the purpose of producing commodities for market, or as an accessory to such production. When used with relation to building codes, “place

of employment” does not include an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11, a previously constructed building used as a community-based residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer unrelated residents.

(38) “POWTS” means private onsite wastewater treatment system and has the meaning specified under s. 145.01 (12), Stats., for “private sewage system”.

Note: Under s. 145.01 (12), Stats., “private sewage system” means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or by a special purpose district.

(39) “Private interceptor main sewer” has the meaning specified under s. Comm 81.01 (193).

Note: Under s. Comm 81.01 (193) “private interceptor main sewer” means a privately owned sewer serving 2 or more buildings and not directly controlled by a public authority.

(40) “Private water main” has the meaning specified under s. Comm 81.01 (195).

Note: Under s. Comm 81.01 (195) “private water main” means a privately owned water main serving 2 or more buildings and not directly controlled by a public authority.

(41) “Process piping” means that piping which is separated from a water supply system or drain system by the appropriate methods or means specified under ch. Comm 82 and is part of a system used exclusively for refining, manufacturing, industrial or shipping purposes of every character and description.

(42) “Public building” has the meaning specified under s.101.01 (12), Stats.

Note: Under s. 101.01 (12), Stats., “public building” means any structure, including exterior parts of such building, such as a porch, exterior platform or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation to building codes, “public building” does not include a previously constructed building used as a community-based residential facility as defined in s. 50.01 (1g) which serves 20 or fewer unrelated residents or an adult family home, as defined in s. 50.01 (1).

(43) “Refrigeration equipment” has the meaning specified under s. 101.177 (1) (c), Stats.

Note: Under s. 101.177 (1) (c), Stats., “refrigeration equipment” means mechanical vapor compression refrigeration equipment except for a mobile air conditioner, as defined in s. 100.45 (1) (b), Stats., or trailer refrigeration equipment, as defined in s. 100.45 (1) (e), Stats.

(44) “Registered learner” has the meaning specified under s. 145.01 (13), Stats. a restricted plumber licensee, who is learning a limited type of plumbing and is engaged in assisting a restricted plumber licensee.

(45) “Rental unit” has the meaning specified under s. 101.122 (1) (e), Stats.

Note: Under s. 101.122 (1) (e), Stats., “rental unit” means any rented dwelling units. “Rental unit” does not include:

1. Any building containing up to 4 dwelling units, one of which is owner-occupied.
2. Any building constructed after December 1, 1978, which contains up to 2 dwelling units and which is less than 10 years old.
3. Any building constructed after April 15, 1976, which contains more than 2 dwelling units and which is less than 10 years old.
4. Any dwelling unit not rented at any time from November 1 to March 31.

(46) “Restricted plumber licensee” has the meaning specified under s. 145.01 (14), Stats.

Note: Under s. 145.01 (14), Stats., “restricted plumber licensee” means any person licensed as a master plumber (restricted) or a journeyman plumber (restricted) under s. 145.14.

(46m) “Retail purchaser” means any purchaser not licensed as a manufactured home dealer or a manufactured home salesperson.

(47) “Sanitary building sewer” has the meaning specified under s. Comm 81.01 (45).

Note: Under s. Comm 81.01 (45) “sanitary building sewer” means a building sewer which conveys wastewater consisting in part of domestic wastewater.

(47m) “Site” means any plot of land which is owned or rented, and used or intended to be used for the accommodation of a manufactured home for residential purposes.

(48) “Storm building sewer” has the meaning specified under s. Comm 81.01 (46).

Note: Under s. Comm 81.01 (46) “storm building sewer” means a building sewer which conveys storm water wastes or clear water wastes, or both.

(48m) “UDC” means chs. Comm 20 to 25, the Wisconsin uniform dwelling code.

(48s) “Used manufactured home” has the meaning given in s. 101.91 (12), Stats.

Note: Under s. 101.91 (12), Stats., “used manufactured home” means a manufactured home that has previously been occupied, used or sold for personal or business use.

(49) “Utility contractor” has the meaning specified under s. 145.01 (15), Stats.

Note: Under s. 145.01 (15), Stats., “utility contractor” means a person licensed under s. 145.07 (10).

(50) “Water service” has the meaning specified under s. Comm 81.01 (282).

Note: Under s. Comm 81.01 (282) “water service” means that portion of a water supply system from the water main or private water supply to the building control valve.

(51) “Water supply system” has the meaning specified under s. Comm 81.01 (284).

Note: Under s. Comm 81.01 (284) “water supply system” means the piping of a private water main, water service and water distribution system, fixture supply connectors, fittings, valves, and appurtenances through which water is conveyed to points of usage such as plumbing fixtures, plumbing appliances, water using equipment or other piping systems to be served.

276. _____ means a building sewer which conveys wastewater consisting in part of domestic wastewater.

- a. sanitary building sewer
- b. storm building sewer
- c. water service
- d. water supply system

277. _____ means a building sewer which conveys storm water wastes or clear water wastes, or both.

- a. sanitary building sewer
- b. storm building sewer
- c. water service
- d. water supply system

278. _____ means that portion of a water supply system from the water main or private water supply to the building control valve.

- a. sanitary building sewer
- b. storm building sewer
- c. water service
- d. water supply system

279. _____ means the piping of a private water main, water service and water distribution system, fixture supply connectors, fittings, valves, and appurtenances through which water is conveyed to points of usage such as plumbing fixtures, plumbing appliances, water using equipment or other piping systems to be served.

- a. sanitary building sewer
- b. storm building sewer
- c. water service
- d. water supply system

280. _____ means a person, other than a restricted plumber licensee, who is learning a limited type of plumbing and is engaged in assisting a restricted plumber licensee.

- a. registered learner
- b. rental unit
- c. retail purchaser
- d. site

281. _____ means any rented dwelling units.

- a. registered learner
- b. rental unit
- c. retail purchaser
- d. site

282. _____ means any purchaser not licensed as a manufactured home dealer or a manufactured home salesperson.
- a. registered learner
 - b. rental unit
 - c. retail purchaser
 - d. site
283. _____ means any plot of land which is owned or rented, and used or intended to be used for the accommodation of a manufactured home for residential purposes.
- a. registered learner
 - b. rental unit
 - c. retail purchaser
 - d. site
284. “Rental unit” does include: any building containing up to 4 dwelling units, one of which is owner-occupied.
- a. true
 - b. false
285. “Rental unit” does include: any building constructed after December 1, 1978, which contains up to 2 dwelling units and which is less than 10 years old.
- a. true
 - b. false
286. “Rental unit” does include: any building constructed after April 15, 1976, which contains more than 2 dwelling units and which is less than 10 years old.
- a. true
 - b. false
287. “Rental unit” does include: any dwelling unit not rented at any time from November 1 to March 31.
- a. true
 - b. false
288. _____ means any person licensed as a master plumber (restricted) or a journeyman plumber (restricted) under s. 145.14.
- a. restricted plumber licensee
 - b. Master plumber-restricted
 - c. plumbing apprentice
 - d. master plumber
289. _____ means a person licensed under s. 145.14, Stats.
- a. restricted plumber licensee
 - b. Master plumber-restricted
 - c. plumbing apprentice
 - d. master plumber
290. _____ means any person other than a journeyman or master plumber who is engaged in learning and assisting in the installation of plumbing and drainage.
- a. restricted plumber licensee
 - b. Master plumber-restricted
 - c. plumbing apprentice
 - d. master plumber
291. _____ means any person skilled in the planning, superintending and the practical installation of plumbing and familiar with the laws, rules and regulations governing the same.
- a. restricted plumber licensee
 - b. Master plumber-restricted
 - c. plumbing apprentice
 - d. master plumber
292. _____ means any structure, including exterior parts of such building, such as a porch, exterior platform or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants.
- a. public building
 - b. UDC

- c. POWTS
- d. place of employment

293. _____ means chs. Comm 20 to 25, the Wisconsin uniform dwelling code.

- a. public building
- b. UDC
- c. POWTS
- d. place of employment

294. _____ means private onsite wastewater treatment system and has the meaning specified under s. 145.01 (12), Stats., for “private sewage system”.

- a. public building
- b. UDC
- c. POWTS
- d. place of employment

295. _____ “place of employment” includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming.

- a. public building
- b. UDC
- c. POWTS
- d. place of employment

296. “public building” means any structure, including exterior parts of such building, such as a porch, exterior platform or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by _____ or more tenants.

- a. 2
- b. 3
- c. 4
- d. 20

297. When used in relation to building codes, “public building” does not include a previously constructed building used as a community-based residential facility as defined in s. 50.01 (1g) which serves _____ or fewer unrelated residents or an adult family home, as defined in s. 50.01 (1).

- a. 2
- b. 3
- c. 4
- d. 20

298. “place of employment” includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any _____, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming.

- a. industry
- b. trade
- c. business
- d. all of the above

299. _____ includes those activities specified in s. 102.04 (3), and also includes the transportation of farm products, supplies or equipment directly to the farm by the operator of said farm or employees for use thereon, if such activities are directly or indirectly for the purpose of producing commodities for market, or as an accessory to such production.

- a. farming
- b. place of business
- c. both a & b

d. neither a or b

300. _____ means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or by a special purpose district.

- a. private sewage system
- b. Powts
- c. both a & b
- d. neither a or b

301. _____ means a privately owned water main serving 2 or more buildings and not directly controlled by a public authority.

- a. private water main
- b. PECFA
- c. plumbing appliance
- d. process piping

302. _____ means petroleum environmental cleanup fund award, as established in s. 101.143, Stats.

- a. private water main
- b. PECFA
- c. plumbing appliance
- d. process piping

303. _____ means any one of a class of plumbing devices which is intended to perform a special function. The operation or control of the appliance may be dependent upon one or more energized components, such as motors, controls, heating elements, or pressure or temperature sensing elements. The devices may be manually adjusted or controlled by the user or operator, or may operate automatically through one or more of the following actions: a time cycle, a temperature range, a pressure range, a measured volume or weight.

- a. private water main
- b. PECFA
- c. plumbing appliance
- d. process piping

304. _____ means that piping which is separated from a water supply system or drain system by the appropriate methods or means specified under ch. Comm 82 and is part of a system used exclusively for refining, manufacturing, industrial or shipping purposes of every character and description.

- a. private water main
- b. PECFA
- c. plumbing appliance
- d. process piping

305. "plumbing" means and includes: all piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and also includes the installation thereof.

- a. true
- b. false

306. "plumbing" means and includes: the construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including private sewage systems, and the alteration of any such systems, drains or waste piping.

- a. true
- b. false

307. "Plumbing" means and includes: the water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of, or beneath an area subject to easement for highway purposes and its connections.

- a. true

b. false

308. "Plumbing" means and includes: the water pressure system other than municipal systems as provided in ch. 281.

a. true

b. false

309. "Plumbing" means and includes: a plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

a. true

b. false

310. _____ means any plot or plots of ground upon which 3 or more manufactured homes that are occupied for dwelling or sleeping purposes are located. "Manufactured home community" does not include a farm where the occupants of the manufactured homes are the father, mother, son, daughter, brother or sister of the farm owner or operator or where the occupants of the manufactured homes work on the farm.

a. manufactured home community

b. Municipality

c. New manufactured home

d. Use manufactured home

311. _____ means a city, village, town or county.

a. manufactured home community

b. Municipality

c. New manufactured home

d. Use manufactured home

312. _____ means a manufactured home that has never been occupied, used or sold for personal or business use.

a. manufactured home community

b. Municipality

c. New manufactured home

d. Use manufactured home

313. _____ means a manufactured home that has previously been occupied, used or sold for personal or business use.

a. manufactured home community

b. Municipality

c. New manufactured home

d. Use manufactured home

314. _____ means 12 consecutive months.

a. year

b. Main business office

c. Listed device

d. General supervision

315. _____ means an office involved in the sales of manufactured homes that is the primary management location of the licensed manufactured home dealer.

a. year

b. Main business office

c. Listed device

d. General supervision

316. _____ has the meaning specified under s. 167.10 (1) (e), (f) and (i) to (n), Stats.

a. year

b. Main business office

c. Listed device

d. General supervision

317. _____ means to assume the responsibility of an activity of others and its results without being present at the site where the activity is being conducted.

- a. year
- b. Main business office
- c. Listed device
- d. General supervision

318. _____ means conduct which evidences a lack of competence or ability to discharge the duty required to protect the health, safety and welfare of the public, lack of knowledge of the fundamental principles of a particular trade or practice, or an inability to apply those principles, or failure to maintain competency in the current practices and methods applicable to the activity and the state statutes and rules governing the activity.

- a. Incompetence
- b. Misconduct
- c. Conflict of interest
- d. Damage

319. _____ means an act performed by an individual relating to the responsibilities or duties for which the individual has been licensed, registered or certified that jeopardizes the interests of the public, including violation of federal or state laws, local ordinances or administrative rules; preparation of deficient or falsified reports; failure to submit information or reports required by law or contract when requested by the municipality or the department; conduct which evidences a lack of trustworthiness; misrepresentation of qualifications such as education, experience or certification; illegal entry of premises; misuse of funds; or misrepresentation of authority.

- a. Incompetence
- b. Misconduct
- c. Conflict of interest
- d. Damage

320. _____ means a certified inspector inspecting work in which the inspector or the inspector's employer, other than the state or a municipality, has participated or has a monetary or personal interest.

- a. Incompetence
- b. Misconduct
- c. Conflict of interest
- d. Damage

321. _____ means defects caused by reasons other than normal wear through home age and usage.

- a. Incompetence
- b. Misconduct
- c. Conflict of interest
- d. Damage

322. _____ means any industrial or commercial organization or enterprise, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

- a. Business Establishment
- b. Department of Commerce
- c. Direct supervision
- d. Broker

323. _____ means the department of commerce.

- a. Business Establishment
- b. Department of Commerce
- c. Direct supervision
- d. Broker

324. _____ means to assume the responsibility of an activity of others and its results by providing oversight and guidance at the site where the activity is being conducted.

- a. Business Establishment
- b. Department of Commerce

- c. Direct supervision
- d. Broker

325. _____ means a manufactured home dealer who has no sales lot, no inventory and no ownership interest in the manufactured homes being sold.

- a. Business Establishment
- b. Department of Commerce
- c. Direct supervision
- d. Broker

326. _____ means accepted by the department.

- a. Approved
- b. ASME
- c. Branch
- d. Cash price

327. _____ means American society of mechanical engineers

- a. Approved
- b. ASME
- c. Branch
- d. Cash price

328. _____ means an office, other than the main business office, involved in the sales of manufactured homes that advertises as a sales location, displays new or used homes, takes sales calls, is staffed by licensed salespersons, has signage of a licensed dealer, and accepts offers or contracts on manufactured homes.

- a. Approved
- b. ASME
- c. Branch
- d. Cash price

329. _____ means the manufactured home dealer asking price including dealer installed options and accessories and additional dealer mark-up, profit and transportation charges, minus the dollar value of cash discounts.

- a. Approved
- b. ASME
- c. Branch
- d. Cash price

330. _____ means an official document or certificate granting permission to perform construction or erosion control work, except for electrical, plumbing or HVAC, on a one- or 2-family dwelling.

- a. Building permit
- b. Dwelling contractor
- c. Financial Statement
- d. Licensee

331. _____ means any person, firm or corporation engaged in the business of performing construction or erosion control work on a one- or 2- family dwelling.

- a. Building permit
- b. Dwelling contractor
- c. Financial Statement
- d. Licensee

332. _____ means a balance sheet showing assets, liabilities and net worth.

- a. Building permit
- b. Dwelling contractor
- c. Financial Statement
- d. Licensee

333. _____ means any manufactured home dealer or manufactured home salesperson or any person who is both a manufactured home dealer and a manufactured home salesperson.

- a. Building permit

- b. Dwelling contractor
- c. Financial Statement
- d. Licensee

334. _____ means a person licensed under s. 145.14, Stats.

- a. Journeyman plumber–restricted
- b. Journeyman plumber
- c. Journeyman automatic fire sprinkler fitter
- d. Automatic fire sprinkler system
- e. automatic fire sprinkler system apprentice
- f. automatic fire sprinkler contractor

335. _____ means any person other than a master plumber, who is engaged in the practical installation of plumbing.

- a. Journeyman plumber–restricted
- b. Journeyman plumber
- c. Journeyman automatic fire sprinkler fitter
- d. Automatic fire sprinkler system
- e. automatic fire sprinkler system apprentice
- f. automatic fire sprinkler contractor

336. _____ means any person other than an automatic fire sprinkler contractor who is engaged in the practical installation of automatic fire sprinkler systems.

- a. Journeyman plumber–restricted
- b. Journeyman plumber
- c. Journeyman automatic fire sprinkler fitter
- d. Automatic fire sprinkler system
- e. automatic fire sprinkler system apprentice
- f. automatic fire sprinkler contractor

337. _____ for fire protection purposes, means an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards.

- a. Journeyman plumber–restricted
- b. Journeyman plumber
- c. Journeyman automatic fire sprinkler fitter
- d. Automatic fire sprinkler system
- e. automatic fire sprinkler system apprentice
- f. automatic fire sprinkler contractor

338. _____ means any person other than an automatic fire sprinkler system contractor or a journeyman automatic fire sprinkler system fitter who is engaged in learning and assisting in the installation of automatic fire sprinkler systems and who is indentured under ch.106, Stats.

- a. Journeyman plumber–restricted
- b. Journeyman plumber
- c. Journeyman automatic fire sprinkler fitter
- d. Automatic fire sprinkler system
- e. automatic fire sprinkler system apprentice
- f. automatic fire sprinkler contractor

339. _____ means any individual, firm or corporation who has paid the annual license fee and obtained a license to conduct a business in the design, installation, maintenance or repair of automatic fire sprinkler systems.

- a. Journeyman plumber–restricted
- b. Journeyman plumber
- c. Journeyman automatic fire sprinkler fitter
- d. Automatic fire sprinkler system
- e. automatic fire sprinkler system apprentice
- f. automatic fire sprinkler contractor

340. _____ means any method of loosening, moving or shattering masses of solid matter by use of an explosive.

- a. Blasting
- b. Blasting Operation
- c. Fireworks
- d. Flammable Liquid

341. _____ means any enterprise or activity involving blasting.

- a. Blasting
- b. Blasting Operation
- c. Fireworks
- d. Flammable Liquid

342. _____ means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use

- a. Blasting
- b. Blasting Operation
- c. Fireworks
- d. Flammable Liquid

343. _____ means a liquid having a flash point below 100_F and having a vapor pressure not exceeding 40 psi absolute at 100_F.

- a. Blasting
- b. Blasting Operation
- c. Fireworks
- d. Flammable Liquid

344. _____ means a privately owned sewer serving 2 or more buildings and not directly controlled by a public authority.

- a. private interceptor main sewer
- b. Multipurpose piping system
- c. refrigeration equipment
- d. HVAC
- e. HVAC equipment

345. _____ means a type of water distribution system conveying potable water to plumbing fixtures and appliances and automatic fire sprinklers with the intention of serving both domestic water needs and fire protection needs within a one- or 2-family dwelling or manufactured dwelling.

- a. private interceptor main sewer
- b. Multipurpose piping system
- c. refrigeration equipment
- d. HVAC
- e. HVAC equipment

346. _____ means mechanical vapor compression refrigeration equipment except for a mobile air conditioner, as defined in s. 100.45 (1) (b), Stats., or trailer refrigeration equipment, as defined in s. 100.45 (1) (e), Stats.

- a. private interceptor main sewer
- b. Multipurpose piping system
- c. refrigeration equipment
- d. HVAC
- e. HVAC equipment

347. _____ means heating, ventilating and air conditioning.

- a. private interceptor main sewer
- b. Multipurpose piping system
- c. refrigeration equipment
- d. HVAC
- e. HVAC equipment

348. _____ means materials, piping, fittings, devices, appliances, apparatus, controls and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning or exhausting systems serving buildings. HVAC equipment does not include residential bathroom fans and kitchen hoods, water

heaters, process heating equipment, and space heaters such as masonry fireplaces and chimneys, factory-built fireplaces and venting systems, decorative gas fireplaces, and wood-burning stoves.

- a. private interceptor main sewer
- b. Multipurpose piping system
- c. refrigeration equipment
- d. HVAC
- e. HVAC equipment

349. _____ means the installation of electrical wiring. _____ does not include the maintenance, repair or fabrication of electrical equipment or the installation of electrical wiring and equipment covered by ch. PSC 114.

- a. Electrical Construction
- b. Electrical wiring
- c. Utility Contractor
- d. Pipelayer

350. _____ means all equipment , wiring, material, fittings, devices, appliances, fixtures and apparatus used for the production, modification, regulation, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting or similar purposes as covered by the scope of ch. Comm 16.

- a. Electrical Construction
- b. Electrical wiring
- c. Utility Contractor
- d. Pipelayer

351. _____ means a person licensed under s. 145.07 (10).

- a. Electrical Construction
- b. Electrical wiring
- c. Utility Contractor
- d. Pipelayer

352. _____ means a person registered under s. 145.07 (11).

- a. Electrical Construction
- b. Electrical wiring
- c. Utility Contractor
- d. Pipelayer

353. _____ means the failure to exercise the degree of care and judgment to protect public health and safety normally expected of an individual performing activities within the scope of a license, certification or registration category.

- a. Negligence
- b. Net worth
- c. Manufactured home dealer
- d. Manufactured home

354. _____ means the difference between the asset and liability values on a financial statement. Negative net worth is the excess of liabilities over assets.

- a. Negligence
- b. Net worth
- c. Manufactured home dealer
- d. Manufactured home

355. _____ means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in, manufactured homes or who is engaged wholly or partially in the business of selling manufactured homes, whether or not the manufactured homes are owned by the person, but does not include:

- a. Negligence
- b. Net worth
- c. Manufactured home dealer
- d. Manufactured home

356. _____ has the meaning given in s. 101.91 (2), Stats.

- a. Negligence
- b. Net worth
- c. Manufactured home dealer
- d. Manufactured home

357. “Manufactured home” means any of the following:

- a. A structure that is designed to be used as a dwelling with or without a permanent foundation
- b. Is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425.
- c. A mobile home, unless a mobile home is specifically excluded under the applicable statute.
- d. all of the above.

358. “manufactured home dealer” means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in, manufactured homes or who is engaged wholly or partially in the business of selling manufactured homes, whether or not the manufactured homes are owned by the person, but does not include:

- a. A receiver, trustee, personal representative, guardian, or other person appointed by or acting under the judgment or order of any court.
- b. Any public officer while performing that officer’s official duty.
- c. Any employee of a person enumerated in par. (a) or (b).
- d. Any lender, as defined in s. 421.301 (22).
- e. A person transferring a manufactured home used for that person’s personal, family or household purposes, if the transfer is an occasional sale and is not part of the business of the transferor.
- f. all of the above.

359. “Plumbing” means and includes:

- a. All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and also includes the installation thereof.
- b. The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including private sewage systems, and the alteration of any such systems, drains or waste piping.
- c. The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of, or beneath an area subject to easement for highway purposes and its connections.
- d. all of the above

360. “Plumbing” means and includes:

- a. The water pressure system other than municipal systems as provided in ch.281.
- b. A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.
- c. neither a or b.
- d. both a & b.

Manufactured Home Installer Part 2 Answer Sheet

<u>193</u> a b c d e f	<u>217</u> a b c d e f	<u>253</u> a b c d e f	<u>289</u> a b c d e f	<u>325</u> a b c d e f
<u>194</u> a b c d e f	<u>218</u> a b c d e f	<u>254</u> a b c d e f	<u>290</u> a b c d e f	<u>326</u> a b c d e f
<u>195</u> a b c d e f	<u>219</u> a b c d e f	<u>255</u> a b c d e f	<u>291</u> a b c d e f	<u>327</u> a b c d e f
<u>196</u> a b c d e f	<u>220</u> a b c d e f	<u>256</u> a b c d e f	<u>292</u> a b c d e f	<u>328</u> a b c d e f
<u>197</u> a b c d e f	<u>221</u> a b c d e f	<u>257</u> a b c d e f	<u>293</u> a b c d e f	<u>329</u> a b c d e f
<u>198</u> a b c d e f	<u>222</u> a b c d e f	<u>258</u> a b c d e f	<u>294</u> a b c d e f	<u>330</u> a b c d e f
<u>199</u> a b c d e f	<u>223</u> a b c d e f	<u>259</u> a b c d e f	<u>295</u> a b c d e f	<u>331</u> a b c d e f
<u>200</u> a b c d e f	<u>224</u> a b c d e f	<u>260</u> a b c d e f	<u>296</u> a b c d e f	<u>332</u> a b c d e f
<u>201</u> a b c d e f	<u>225</u> a b c d e f	<u>261</u> a b c d e f	<u>297</u> a b c d e f	<u>333</u> a b c d e f
<u>202</u> a b c d e f	<u>226</u> a b c d e f	<u>262</u> a b c d e f	<u>298</u> a b c d e f	<u>334</u> a b c d e f
<u>203</u> a b c d e f	<u>227</u> a b c d e f	<u>263</u> a b c d e f	<u>299</u> a b c d e f	<u>335</u> a b c d e f
<u>204</u> a b c d e f	<u>228</u> a b c d e f	<u>264</u> a b c d e f	<u>300</u> a b c d e f	<u>336</u> a b c d e f
<u>205</u> a b c d e f	<u>229</u> a b c d e f	<u>265</u> a b c d e f	<u>301</u> a b c d e f	<u>337</u> a b c d e f
<u>206</u> a b c d e f	<u>230</u> a b c d e f	<u>266</u> a b c d e f	<u>302</u> a b c d e f	<u>338</u> a b c d e f
<u>207</u> a b c d e f	<u>231</u> a b c d e f	<u>267</u> a b c d e f	<u>303</u> a b c d e f	<u>339</u> a b c d e f
<u>208</u> a b c d e f	<u>232</u> a b c d e f	<u>268</u> a b c d e f	<u>304</u> a b c d e f	<u>340</u> a b c d e f
<u>209</u> a b c d e f	<u>233</u> a b c d e f	<u>269</u> a b c d e f	<u>305</u> a b c d e f	<u>341</u> a b c d e f
<u>210</u> a b c d e f	<u>234</u> a b c d e f	<u>270</u> a b c d e f	<u>306</u> a b c d e f	<u>342</u> a b c d e f
<u>211</u> a b c d e f	<u>235</u> a b c d e f	<u>271</u> a b c d e f	<u>307</u> a b c d e f	<u>343</u> a b c d e f
<u>212</u> a b c d e f	<u>236</u> a b c d e f	<u>272</u> a b c d e f	<u>308</u> a b c d e f	<u>344</u> a b c d e f
<u>213</u> a b c d e f	<u>237</u> a b c d e f	<u>273</u> a b c d e f	<u>309</u> a b c d e f	<u>345</u> a b c d e f
<u>214</u> a b c d e f	<u>238</u> a b c d e f	<u>274</u> a b c d e f	<u>310</u> a b c d e f	<u>346</u> a b c d e f
<u>215</u> a b c d e f	<u>239</u> a b c d e f	<u>275</u> a b c d e f	<u>311</u> a b c d e f	<u>347</u> a b c d e f
<u>216</u> a b c d e f	<u>240</u> a b c d e f	<u>276</u> a b c d e f	<u>312</u> a b c d e f	<u>348</u> a b c d e f
	<u>241</u> a b c d e f	<u>277</u> a b c d e f	<u>313</u> a b c d e f	<u>349</u> a b c d e f
	<u>242</u> a b c d e f	<u>278</u> a b c d e f	<u>314</u> a b c d e f	<u>350</u> a b c d e f
	<u>243</u> a b c d e f	<u>279</u> a b c d e f	<u>315</u> a b c d e f	<u>351</u> a b c d e f
	<u>244</u> a b c d e f	<u>280</u> a b c d e f	<u>316</u> a b c d e f	<u>352</u> a b c d e f
	<u>245</u> a b c d e f	<u>281</u> a b c d e f	<u>317</u> a b c d e f	<u>353</u> a b c d e f
	<u>246</u> a b c d e f	<u>282</u> a b c d e f	<u>318</u> a b c d e f	<u>354</u> a b c d e f
	<u>247</u> a b c d e f	<u>283</u> a b c d e f	<u>319</u> a b c d e f	<u>355</u> a b c d e f
	<u>248</u> a b c d e f	<u>284</u> a b c d e f	<u>320</u> a b c d e f	<u>356</u> a b c d e f
	<u>249</u> a b c d e f	<u>285</u> a b c d e f	<u>321</u> a b c d e f	<u>357</u> a b c d e f
	<u>250</u> a b c d e f	<u>286</u> a b c d e f	<u>322</u> a b c d e f	<u>358</u> a b c d e f
	<u>251</u> a b c d e f	<u>287</u> a b c d e f	<u>323</u> a b c d e f	<u>359</u> a b c d e f
	<u>252</u> a b c d e f	<u>288</u> a b c d e f	<u>324</u> a b c d e f	<u>360</u> a b c d e f

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