

11 NCAC 08 .0910 COMPLAINT HANDLING AND INSPECTION PROCEDURE

(a) Complaints received by telephone shall be confirmed in writing over the signature of the owner or his or her agent; however, this shall not delay any action to resolve the complaint. Complaints shall be processed as follows:

- (1) The Manufactured Building Division shall forward complaints to the manufactured housing manufacturer, dealer, or set-up contractor as appropriate.
- (2) If the complaint is not resolved, the Manufactured Building Division shall schedule an on-site inspection or the deputy commissioner shall arrange a conference to discuss the problem. Unless otherwise agreed, concerned parties shall be given at least 72 hours notice, orally, in writing, or electronically, of the time and place of the inspection or conference and the opportunity to attend the inspection or conference.
- (3) If the complaint is not resolved, the deputy commissioner shall refer the complaint to the Board. The secretary of the Board may recommend legal action be taken to ensure compliance with the applicable statutes and rules. Such action may include the convening of a public hearing.

(b) The Manufactured Building Division shall not knowingly attempt to resolve a complaint which is also the subject matter of a pending lawsuit filed by the complainant or on the complainant's behalf by the complainant's attorney unless authorized by the Board, which authorization shall occur upon mutual assent of all parties to the lawsuit, whether through the parties themselves or attorneys for the parties. If no lawsuit has been filed but the complainant has retained an attorney, the Manufactured Building Division shall, upon request by the complainant or the complainant's attorney, investigate a complaint, which investigation shall consist of inspecting the home for violations of the Code, as defined in G.S. 143-143.9, providing a copy of the inspection report to all the parties, and attempting to resolve the matter between the parties.

*History Note: Authority G.S. 143-143.10; 143-143.13; 143-143.14; 143-143.17;
Eff. January 1, 1983;
Amended Eff. June 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*