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Recreational Park Trailer Industry Association, Inc.

Information Memo:

Date: January 7, 2002

To: All RPTIA Member Manufacturers

From: W.R. "Bill" Garpow, Executive Director

Recreational Park Trailers Shall Not Exceed 400 Square Feet

It has come to our attention that some Recreational Park Trailers (RPTs) being produced by manufacturers are being sold with statements by the manufacturer and/or the dealer that these RPTs are in compliance with all state and federal laws even though the product as erected on-site exceeds 400 square feet. Such statements are either misleading or are outright falsehoods.

Recreational Park Trailers built and sold in the US are built in conformance with the American National Standard Institute's A-119.5 Standard for RPTs. To comply with this Standard such units cannot exceed 400 square feet when erected on site. Further, any unit that exceeds 400 square feet when erected on site is, by federal law, a Manufactured Home and must be built in compliance with the federal requirements of the HUD imposed standard.

The only way that such a unit (over 400 square foot) could be legally built and sold without violating state and federal laws is to build it as a HUD manufactured home complying with the HUD Manufactured Housing Standard and displaying a HUD Manufactured Housing Seal. Clearly however, such HUD Coded units are Manufactured Homes, intended and designed for use as primary residential dwelling units - not as RPTs intended and designed for use as vacation and seasonal dwellings. To identify such a

HUD Coded unit as an RPT is to confuse the consumer, park owners and government officials in the tax, zoning and planning departments. This confusion may temporarily result in a product being allowed into a park where it otherwise might not be allowed.

In most states, RV Parks are specifically prohibited by state law from allowing Manufactured Homes except as may be used by the owner and/or resident employees of the park who would by statute be allowed to use these units as their primary residences. As such, Manufactured Homes could not legally be sited and/or used, as customer-owned units located in that park or as rental units being offered for rent by the RV Park.

An exception may be found in a very few states which do not classify parks as being licensed as either Manufactured Housing or Recreational Vehicle Parks. These few states allow such units to be mixed under the broader classification as an RV/MH Park. However, even if the state license does not specify the kind of park or its specific use, the local unit of government may, in its zoning, have specified that the park should only be occupied and used for a stipulated purpose and or product use.

Thus, owners of Manufactured Homes (incorrectly identified as RPTs) or oversized RPTs (as non-compliant MHs) could be illegally sited in RV Parks and subject to laws and regulations that could cause such units to be evicted from the park.

A manufacturer or dealer that sells such an oversized unit may be exposed to unwanted liability or a possible buy-back situation if the unit cannot be used as the buyer was originally informed. Further, if a manufacturer builds Manufactured Homes and fails to meet the HUD requirements such a firm may be subject to a recall of these units to re-build them and/or can be subject to substantial federal fines for each violation.

The RPTIA has a number of publications that are very helpful in explaining to the local jurisdictions just what a Recreational Park Trailer is and how the unit will and should be used. Staff is also experienced in working with local officials to insure that our products are correctly classified and regulated. Members are encouraged to either contact the Association directly when facing issues like these or referring their dealers or RV Parks to partner with us in seeing that the issue is correctly resolved.

(End)