

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF CODES AND STANDARDS**

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**October 30, 2009**

**INFORMATION BULLETIN 2009-07 (MH, OL, RT)**

**TO:                   Manufactured Home Manufacturers and Dealers  
                        Building Officials  
                        Department of Real Estate  
                        Division Staff  
                        Registration and Titling Interested Parties**

**SUBJECT:           MANUFACTURED HOME, MOBILEHOME, MULTIFAMILY  
                        MANUFACTURED HOME WATER HEATER SEISMIC BRACING,  
                        ANCHORING AND STRAPPING REGULATIONS**

The purpose of this Information Bulletin is to announce that the Department of Housing and Community Development's (HCD) new regulations for the seismic bracing, anchoring or strapping ("bracing") of storage-type fuel-burning water heater appliances in new and used manufactured homes, mobilehomes, and multifamily manufactured homes ("manufactured structure") have been approved and became effective on October 15, 2009.

HCD adopted regulations into California Code of Regulations, Title 25, Chapter 3, Subchapter 2 (25CCR), Article 2.1, Sections 4100, 4102 and 4104. A copy of the regulations is attached for your reference and use. The new regulations, as required by AB 2050, Chapter 737, Statutes of 2008, implement California Health and Safety Code Section 18031.7 subdivisions (e), (f) and (g).

**SUMMARY OF REQUIREMENTS****I. 25CCR Article 2.1, Section 4100 (a) and (b) provide the following:**

1. The requirements apply only to the bracing of fuel-burning storage-type water heater appliances. Electric storage-type water heaters and gas or electric tankless-type water heater appliances are exempt from these regulations.
2. The requirements apply to the seismic bracing of fuel-burning water heater appliances in manufactured structures as follows:
  - a. In new manufactured homes and multifamily manufactured homes installed by either the manufacturer, dealer or owner-builder either **prior to or at the time** of installation on a pier and pad foundation or foundation system, or,
  - b. In used manufactured structures, upon replacement of, or installation of a fuel-burning water heater appliance, or,
  - c. In used manufactured structures, upon renting, leasing or selling, or,
  - d. In used manufactured structures that are currently rented or leased.

**II. 25CCR Article 2.1, Section 4102:**

1. Provides requirements for manufactured structure owners to provide a signed declaration that the fuel-burning water heater appliance is seismically secure in accordance with the regulations on the date of transfer of title.

**III. 25CCR Article 2.1, Section 4104:**

1. The installation of fuel-burning water heater seismic bracing, by itself, will not require a permit provided no other alterations result from the installation of that seismic bracing to the manufactured structure, or its mechanical, electrical, and plumbing systems.

**ADDITIONAL REGISTRATION & TITLING INFORMATION**

**I. 25CCR Article 4, Section 5545:**

1. The Registration and Titling Program is currently in the process of updating Section 5545 of its regulations to require a signed declaration be submitted with a transfer application indicating that any fuel-burning water heater appliance is seismically secure in accordance with the applicable regulation on the date of transfer of title; or, in lieu of this declaration, if the manufactured structure does not contain a fuel-burning water heater appliance, a statement signed under penalty of perjury may be submitted that indicates the type of water heater appliance installed in the manufactured structure.

Questions regarding Article 2.1 should be directed to the Manufactured Housing Program staff by calling 916-445-3338. Questions regarding "Additional Registration and Titling Information" should be directed to Registration and Titling staff at 916-323-9224.



Kim Strange  
Deputy Director

Attachment: 25CCR Article 2.1

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
CALIFORNIA CODE OF REGULATIONS, TITLE 25  
DIVISION 1. HOUSING AND COMMUNITY DEVELOPMENT

**CHAPTER 3. Factory-Built Housing and Mobilehomes**  
**SUBCHAPTER 2. Manufactured Homes, Mobilehomes, Multi-Unit Manufactured Housing, Commercial Modulares, and Special Purpose Commercial Modulares**

**ARTICLE 2.1. WATER HEATER SEISMIC BRACING, ANCHORING AND STRAPPING**

**4100. Protection from Seismic Damage**

(a) All of the following apply to the bracing, anchoring or strapping of storage-type fuel-gas-burning water heater appliances:

(1) Prior to or at the time of the sale, resale or installation of any manufactured home, multifamily manufactured home or mobilehome, all existing or replacement fuel-gas-burning water heater appliances shall be braced, anchored or strapped in accordance with this article to resist horizontal displacement due to seismic motion. For a lease or rental of a manufactured home, multifamily manufactured home or mobilehome, the bracing, anchoring or strapping, shall be required at the inception of a lease or rental transaction. For units presently being rented or leased seismic securement is required.

(2) Seismic bracing, anchoring or strapping shall be installed at points within the upper one-third (1/3) and lower one-third (1/3) of the vertical dimension of the appliance. At the lower point, a minimum of four (4) inches shall be maintained above the controls from the strapping.

(3) The appliance bracing, anchoring or strapping shall include mechanical connection to structural members, or to the wall studs adjacent to the appliance, in order to prevent tipping along its center axis.

(4) The installation of the appliance bracing, anchoring or strapping material(s) shall not interfere with any appliance control(s), access or inspection panel(s).

(5) Fuel-gas-burning tankless-type water heater appliances that do not store water for the purpose of heating are exempt from the requirements of this article when installed in accordance with the appliance manufacturer's installation instructions.

(b) The timing and certification of the installation of seismic bracing, anchoring or strapping shall be consistent with California Health and Safety Code Section 18031.7.

Note: Authority cited: Sections 18015, 18020, 18029, 18029.5 and 18031.7, Health and Safety Code. Reference: Sections 18015, 18020, 18025 and 18031.7, Health and Safety Code.

**4102. Water Heater Certification Requirements**

When an application is submitted to the department for the transfer of ownership to a new or additional registered owner as the result of a sale of a used manufactured home, multifamily manufactured home or mobilehome, the application shall contain a statement signed under penalty of perjury, which provides the following information:

(a) The identifying information, including the trade or manufacturer's name, serial number(s) and the registration decal number(s) of the manufactured home, multifamily manufactured home or mobilehome.

(b) A statement consistent with Section 4100 of this article certifying that each storage-type fuel-gas-burning water heater subject to this article in the manufactured home, multifamily manufactured home or mobilehome is seismically braced, anchored or strapped in accordance with this article on the date of the transfer of title.

Note: Authority cited: Sections 18015, 18020, 18029, 18029.5 and 18031.7, Health and Safety Code. Reference: Sections 18015, 18020, 18025 and 18031.7, Health and Safety Code.

#### **4104. Permit Requirements**

Notwithstanding any other provision of law or regulations, the permit requirements of Section 4040 of this subchapter are not applicable to the installation of seismic bracing, anchoring or strapping for fuel-gas-burning water heaters, provided no alteration to the manufactured home, multifamily manufactured home or mobilehome structural, fire-life safety, mechanical, plumbing or electrical systems, is made to accommodate the installation of the seismic bracing, anchoring or strapping.

Note: Authority cited: Sections 18015, 18020, 18029, 18029.5 and 18031.7, Health and Safety Code. Reference: Sections 18015, 18020, 18025 and 18031.7, Health and Safety Code.