

ENFORCEMENT BULLETIN

Number 2016-001

Warranty Orders

Warranty orders are issued by the TDHCA Manufactured Housing Division (MHD) when a qualified repair has been reported within the warranty period and validated by an MHD inspector.

Once a warranty order is issued by the Division the license holder(s) has 30 days to fully complete the specified repairs. To ensure compliance within the specified deadline the license holder should act immediately upon receipt of the warranty order.

Within five business after fully complying with the warranty order the license holder must provide written notice or email to the Division confirming that all the repairs specified on the warranty order have been completed.

The MHD Inspector will conduct a follow up inspection to confirm that the warranty order was fully complied with. Any repairs not completed as charged will be viewed as a violation of the warranty order.

If a license holder fails or refuses to fully comply with the warranty order or if a license holder fails to provide written confirmation within the specified deadline that the warranty items were fully repaired, the Director shall hold an informal meeting in Austin, Texas whereby the license holder must show good cause as to why their license should not be suspended or revoked.

An extension to a warranty order deadline is possible but is only granted in unique situations where the license holder is faced with circumstances beyond their control and it is determined that a good faith effort to comply is/has been made. The period of the extension is based on the individual circumstances.

To request an extension, notification to the Division **must be made prior to the imposed deadline on the warranty order** and sent to the Department via certified mail. To expedite approval, the extension request form should be faxed to 806-794-6876 or 512-475-3506. Decision to grant extension will be based solely on the facts and circumstances provided by the license holder. Only warranted circumstances will result in approval of extension request.

Denial of an extension request may result in the license holder being in violation of the warranty order and needing to show good cause in writing as to why they failed to provide service, pursuant to § 1201.357, of the Occupations Code.

Important things to know:

- If an extension request is denied because it is unjustified, the original warranty order deadline applies and if not complied with the license holder must attend a disciplinary meeting in Austin which could result in license revocation or suspension. Do not wait until the last minute.
- Extensions will not be accepted after the warranty order deadline has passed.
- Extension requests must indicate:
 - Work already completed;
 - Work left remaining;
 - Explanation why remaining work is incomplete; and
 - How many days extension are being requested.