



## Floodplain Manager's Notebook

By Rebecca Quinn, CFM

Time for another grab bag of a few questions that have short answers.

**Question:** We know the "50% rule" (substantial improvement/substantial damage) applies to manufactured homes, including homes installed on rented lots. The county assessor's records only show values for the manufactured home park land, not the homes owned by tenants. How do we figure out the market value of a manufactured home unit on a rented lot?

**Answer:** The local official who asked the question was reluctant to request a professional appraisal, largely because the cost would be a burden to the owner of the home. Homes not permanently affixed to a foundation are personal property, not real property (side bar). I can think of two ways to estimate market value:

1. There's a market for used manufactured homes, so it stands to reason there's something online to estimate market values, just like there is for used vehicles. Sure enough, a web search turns up several tools. You can ask the owner to provide a report from one or more of the online tools. Then you review it just as you review appraisal reports to determine that the basic characteristics of the home are correct (age, condition, dimensions, etc.).
2. Ask the assessor. Just because the assessment for land on which the unit in question is located doesn't show value for the unit doesn't mean there's no answer from the assessor's office. Assessment records typically provide assessed values split out for land and improvements (primary structure, accessory structures, pools, etc.). The records also characterize structures, and probably identify manufactured homes. If your assessor's records are set up this way, the assessor's office has experience assessing the value of manufactured homes, although likely only those affixed to permanent foundations. Perhaps the assessor's office can estimate how much value is attributed to foundations, to estimate the value of just the home.

### **Real vs Personal Property**

I don't know if it's the same in all states, but I understand manufactured homes usually are considered personal property, like vehicles, unless the homes are affixed to permanent foundations. When attached to permanent foundations, homes are taxed as real property.

I learned this years ago when communities were asking how to handle a surge in applications for permanent foundations for manufactured homes – the question was "how high." Of course, the answer was "at or above the BFE." The surge was prompted by owners seeking financing and discovering mortgage loans for real property could be financed for 30 years, while personal property loans were much shorter.

**Question:** Should surveyors shoot the lowest electric outlet as the "C2.e) Lowest elevation of machinery or equipment servicing the building" requested on the Elevation Certificate?

**Answer:** No, the surveyor should not shoot the elevation of the lowest outlet or switch because they are electrical devices, not equipment or machinery. Keep in mind ECs are used for two purposes: the NFIP uses the information on ECs to rate buildings for federal flood insurance policies and communities use the information to help determine compliance.

- **For insurance purposes**, the lowest elevation of (or elevation of the lowest) equipment or machinery is surveyed. See the EC instructions for Item C2.e).
- **For compliance purposes**, while a properly completed EC has lots of information that helps local officials check compliance, it doesn't have everything (e.g., flood damage-resistant materials).

Now, suppose there are electric outlets and switches below the BFE – is that a compliance problem? Maybe. Let's look at FEMA guidance and the International Codes and ASCE 24:

- **FEMA guidance** indicates it is acceptable to allow the minimum electric service required to address life safety and electrical code requirements for building access and storage areas. One example is a light switch at the bottom of stairs to the elevated building. Guidance recommends below-BFE electric devices should be intended on a ground-fault circuit interrupter (GFCI, a fast-acting circuit breaker) and electrically isolated from the service for the rest of the building. I emphasize minimum for a reason. In my mind, a garage or storage room with lots of outlets doesn't pass the test. See FEMA P-348 [Protecting Building Utility Systems from Flood Damage](#), FEMA P-499 [Homebuilder's Guide to Coastal Construction](#), and Technical Bulletin 1 [Openings in Foundation Walls and Walls of Enclosures](#).
- **The International Residential Code** allows "electrical wiring systems" below the required building elevation if the systems conform to the provisions of the electrical code for wet locations (R322.1.6). Similarly, **ASCE 24 (referenced by the International Building Code)**, states a "minimum number of lighting circuits, switches, receptacles and lighting fixtures" are permitted below "where required to meet life safety provisions of the code" and energized from a panel above and supplied by branch circuits originating from GFCI breakers. See [FEMA Building Science Resources](#) for excerpts of the flood provisions of the I-Codes and "Highlights of ASCE 24.

**Question:** Do we need to require a floodway encroachment analysis when a utility company installs poles in a floodway?

**Answer.** Installation of poles is development under the NFIP's broad definition of the term, which means permits should be issued when companies install poles in special flood hazard areas. The first question is what requirements apply generally, then we'll get to the floodway question.

- **As with all floodplain development**, the objective is to resist flood damage and not contribute to damage on other properties. For utility poles, I'd hope the company would recognize installation in flood-prone areas likely requires additional consideration of stability under conditions of flooding. Will the ground be saturated and for how long? How does that affect the ability of the pole and anchor wires to hold up the service lines? How likely is debris impact? If debris collects at a pole, does that affect stability? What should a company submit to support a permit application? I'd ask for an explicit statement that anticipated conditions of flooding (depth, velocity, duration and debris) were considered in developing the installation specifications.

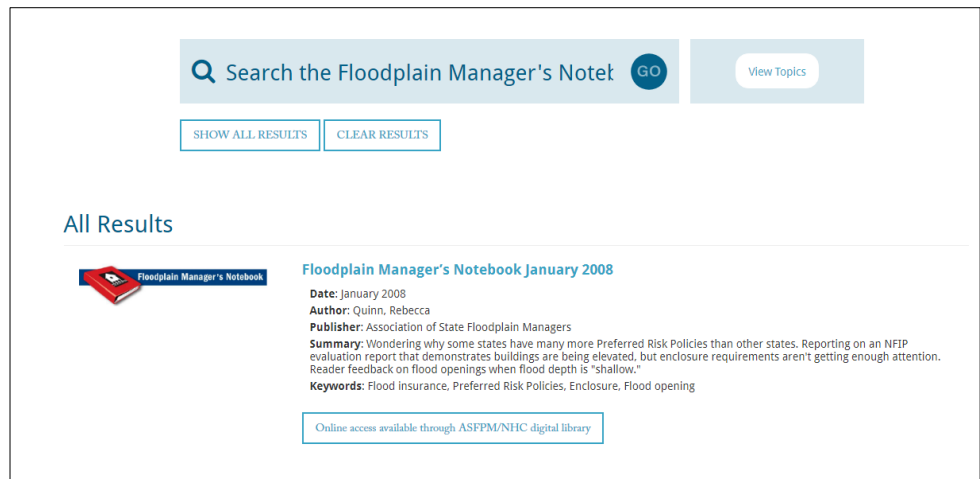
- **Now, what about installation of poles in a floodway?** In theory, any encroachment in a designated floodway should be evaluated to determine whether there is or is not an unacceptable impact on flood levels during the base flood. But it's not practical to use computer models to evaluate the presence of one or two (or more) 2-foot diameter utility poles carrying lines across a waterway. FEMA guidance recognizes this limitation, indicating that "some minor projects are too small to warrant an engineering study and the [no-rise] certification...a sign post or telephone pole will not block flood flows." See FEMA 480, *NFIP Floodplain Management Requirements: A Study Guide and Desk Reference for Local Officials*.

### A Reader Comments on Disclosure

Todd Richard, floodplain manager with Findlay, Ohio and long-time ASFPF member (and contributor to the March 2016 Notebook column on emergency sandbags), got in touch with Leigh Chapman, co-author of January's column about real estate disclosure requirements. He thinks it is regrettable that federal Privacy Act requirements prevent the NFIP from providing some of the best information about at-risk properties – flood insurance claims data. Leigh and I agree. If that was changed, homebuyers wouldn't have to rely on sellers complying with a patchwork of requirements, many that likely aren't enforced anyway.

### Look Up Past Notebook Columns

A year ago ASFPF debuted the online tool [Floodplain Manager's Notebook Series](#), allowing access to Notebook columns published since 2008. The search tool is based on keywords I assign, not word-searches of all columns, so you may need to try a couple of times to find what you're after. As always, I encourage local floodplain



managers to check with their NFIP state coordinators when faced with questions that can't be answered by researching FEMA publications. But you can get in touch with me, too, if you don't find what you're after.

### Want to Publish Notebook Columns?

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*Submit your own items or suggestions for future topics to column editor Rebecca Quinn, CFM, at [rcquinn@earthlink.net](mailto:rcquinn@earthlink.net). Comments welcomed! Explore back issues of the [Floodplain Manager's Notebook](#).*