

CHAPTER 3. MATERIALS RELEASES

3-1. GENERAL:

- A. Materials Releases (MR) are issued by HUD Headquarters to inform Field Offices or Homeownership Centers of nonstandard proprietary materials or products and systems determined to be technically suitable for use in HUD programs.
- B. Procedures for analysis and acceptance under the MR program are provided in this chapter.

3-2. SUBMISSIONS:

The Prime Sponsor (see 1-7.I) of a nonstandard material, product or system may apply for issuance of a Materials Release by submitting complete information to Headquarters, see 1-3.C for address.

3-3. PROCESSING PROCEDURES:

- A. Proposals submitted for determination of technical suitability are acknowledged, then reviewed to determine eligibility for consideration.
- B. Submissions are assigned to staff professionals for review in the order received.
- C. Progress depends upon the completeness of the submission, the complexity of the product, and the timing of the prime sponsor's response to requests for clarification of details or additional information.
- D. Eligibility
 - 1. HUD will determine whether the material, product or system is covered by HUD MPS or a HUD Use of Materials Bulletin (UM). If so, the prime sponsor will be notified that this product does not require an acceptance document.
 - 2. Eligible products will be evaluated through:
 - a. Technical review of information submitted
 - b. Contacting the sponsor if there is any need for clarification or additional information relative to the submission

- c. Test results conducted and certified by a recognized U.S. testing laboratory, or other

qualified professional firm or organization

d. Instituting such field performance or factory inspections as necessary

3. Sponsors of acceptable products.

HUD will forward a draft Materials Release to the sponsor, When HUD receives concurrence from the sponsor, a formal Materials Release will be sent to all HUD Field Offices or Homeownership Centers.

4. Sponsors of unacceptable products will be notified and given the reason for rejection.

E. Materials Releases are Numbered sequentially by Headquarters.

3-4. SUBMISSIONS BY SPONSORS:

The following is a guideline of data to be included in applications for a Materials Release. HUD may require additional information.

A. Company Operational Information:

1. Company or corporate name

2. Address of:

a. the main office.

b. all plant facilities producing the product.

3. A statement that the company meets the definition of a prime sponsor, has produced the material, product or system offered for evaluation, and has a quality control program.

4. A statement that the company will self-certify and label its material, product or system as conforming to the standards or requirements proposed by the sponsor for HUD acceptance.

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5. A statement that the company will retain in its files the details of the certification, labeling and quality control program it plans to use with the material or product being offered for evaluation. Such records shall be available to HUD upon request.

6. A statement agreeing that where the material, product or system is to be subject to a HUD third party certification program, the company will enter

such a program, using the Materials Release as the standard. Further information on this matter is available from HUD Headquarters.

7. If franchise operations are involved, evidence, in writing, to assure that the prime sponsor retains full responsibility for the material, product or system.

B. Engineering Data:

1. Complete description of the material, product or system, including specifications, scale drawings, photographs, and a sample where practical.
2. Full description, including physical and chemical properties, and specifications for all materials used in the product (e.g., specification for plastic used).
3. Engineering properties of the finished product, and design assumptions and calculations used for developing the product, where applicable.
4. Copies of laboratory and field test reports, with a description of the test methods used.
5. Copies of acceptances received from other public and private agencies, with the technical data submitted to gain this acceptance.
6. Use-limits, if any, with respect to geographical, environmental, physical and durability considerations. The degree and type of maintenance required shall be clearly stated.

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7. Describe how the material, product or system varies from existing pertinent codes, standards, and HUD MPS.
8. Estimated service life of the material, product or system, under normal use conditions.

C. Installation Information:

1. A statement of the specific uses proposed for the material, product or system.
2. Location, including owner and date of installation, for a minimum of ten existing installations of the material, product or system in as many different geographical and environmental localities as possible.

3. Complete field installation instructions.
4. Where applicable, procedures for monitoring installation and for field quality control.

3-5. DESIGN AND DOCUMENTATION:

- A. A proposed new product to be used in place of a conventional one (e.g., a composite 2x4 in place of a standard wood 2x4) may require a series of reports of tests comparing the performance of the two products. Upon request, these reports shall be provided by the prime sponsor.
- B. For composite materials, products or systems:
 1. elements in compliance with the MPS requirements shall be identified, documented and verified.
 2. elements not covered by the MPS shall also be identified, documented and verified.
 3. the total composite shall also be detailed and verified as a complete working unit.
- C. Incompatibility with adjacent materials (e.g., galvanic corrosion) shall be identified and given appropriate attention.

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3-6. BASIC INFORMATION AND DATA COLLECTION: The sponsor is urged to use, whenever possible, design procedures and test methods recommended by organizations generally recognized as authoritative, see 1-5.B.

- A. Design and engineering assumptions and computations in support of a proposal shall be prepared and certified by a qualified professional.
- B. Tests for the initial submission shall be conducted and certified by a technical representative of a qualified testing laboratory other than the sponsor's laboratory. Test reports shall contain:
 1. A detailed description of the specimen tested.
 2. Objectives of the tests.
 3. A description of testing procedures used (identify reference standard tests when used).
 4. Complete test data and results.
 5. Interpretation of test results.

6. A certification statement.

3-7. REVISIONS AND RENEWALS:

A. Revisions:

1. Are issued to reflect significant changes in a material, product or system.
2. Shall be initiated by a sponsor who presents a complete submission according to 3-4.
3. Shall be processed in conformance with the User Fee Regulation, 1-4.

B. Renewals:

Must be obtained every three years after initial issuance of a Materials Release, according to the User Fee Regulation, see 1-4.

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3-8. POST-ACCEPTANCE RESPONSIBILITIES: Issuance of a Materials Release commits the sponsor to fulfill, as a minimum, the following responsibilities:

- A. Produce, Label and Certify the material, product or system in strict accordance with the accepted program and the terms of the Materials Release. HUD reserves the right to examine certification program records.
- B. Provide Necessary Corrective Action in a timely manner for all cases of justified complaint, poor performance or failure reported to the prime sponsor by HUD.
- C. Provide a List of Properties when requested, to the Manufactured Housing and Standards Division, HUD Headquarters, in which the material, product or system has been used, including complete addresses or descriptions of locations and dates of installation.
- D. Inform HUD in advance of changes in production facilities, methods, design of the product, company name, ownership or mailing address.

3-9. CANCELLATION:

- A. Materials Releases are subject to cancellation at any time.
- B. Causes for Cancellation include:
 1. Failure to comply with post-acceptance responsibilities in paragraph 3-8.

2. Poor field performance of a material, product or system. When there is documented evidence of poor performance, HUD will investigate the extent of the poor performance and determine the need for cancellation.
3. Failure to renew an MR according to 1-4-C.
4. Failure to cooperate in the evaluation of performance.
5. Termination of production.

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6. Development of a Use of Materials Bulletin, or adoption of a standard in the Minimum Property Standards that fully covers the material, product or system. Such action renders a Materials Release no longer necessary.
- C. Cancellations are issued by the Office of Consumer and Regulatory Affairs, HUD Headquarters. Field Offices or Homeownership Centers are required to report, in detail, to the Office of Consumer and Regulatory Affairs all failures of accepted material, products or systems.
- D. Before issuing a cancellation,, the Office of Consumer and Regulatory Affairs will contact the prime sponsor to explore actions the prime sponsor may take to eliminate the reason for cancellation.
- E. A cancellation notice will be issued to inform all HUD Offices of the cancellation of the Materials Release.
- A broad statement of the reason for cancellation will be given in this notice.
 - Additional details will be available at HUD Headquarters.
 - A copy of the notice will be mailed to the prime sponsor.

3-10. RESUBMISSIONS:

- A. The prime sponsor of a material, product or system, for which a Materials Release has been canceled, may resubmit for reconsideration.
- B. Evidence of correction of the conditions that led to the cancellation, in addition to the information, User Fee and documentation required for an original submission, must be submitted by the prime sponsor. This may include:

1. firm contractual arrangements for third-party testing and certification procedures.
2. technological improvements acceptable to HUD with supporting test data.