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Navigating Certification and Regulation of Tiny Houses

A Guide for Policymakers,
Builders and Code Officials



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Tiny houses have garnered considerable attention, providing a unique lifestyle that addresses many of the challenges faced by new homeowners or those looking to downsize. As communities are opening zoning laws to allow for accessory dwelling units (ADUs) to address the availability of housing, many of these ADUs could be considered tiny houses. Young homebuyers who are looking for affordable options that fit with their sustainable lifestyle identify tiny houses as viable options.

With this new housing type comes confusion. Some tiny houses are on wheels, while some are built directly on a foundation. Some are built on-site while others are built somewhere other than their final resting spot. Tiny houses could also be built to several different standards depending on their intended use. To assist policymakers, tiny house builders, and code officials, the International Code Council and the Tiny Home Industry Association have developed this guide outlining the existing codes, standards and other criteria that should be followed to deliver safe, sustainable and resilient tiny houses. This content is derived from the [2021 International Tiny House Provisions](#).

[Figure 1](#) provides a flow chart to help navigate when specific requirements should apply to a tiny house. In international jurisdictions where the U.S. Department of Housing and Urban Development (HUD) Manufactured Housing requirements do not apply, the requirements of the [International Residential Code® \(IRC®\)](#) or recreational vehicle standards cover the breadth of the requirements. If a tiny house is intended only for temporary or seasonal use and is on a chassis with wheels, then recreational vehicle or park model standards may apply.

Additional local policies and considerations including financing and zoning may influence the acceptability of tiny houses within a jurisdiction. A tiny house on wheels, commonly known as a Movable Tiny House (MTH), may also need to meet transportation-related requirements that are not covered here (except to the extent they are addressed in HUD manufactured housing requirements or park model recreational vehicle requirements).

BUILDING CODES AND STANDARDS AND TINY HOUSES

When it comes to the design and construction requirements for tiny houses, a wide variety of codes and standards are being used. They each have their specific roles, but it is important for tiny house designers and builders, code officials, consumers, and policymakers to understand the differences and to assure that the criteria matches up with how the tiny house will be used.

INTERNATIONAL RESIDENTIAL CODE AND APPENDIX AQ

The IRC is a model code developed by the International Code Council to establish minimum requirements to provide for the affordability, structural strength, means of egress, stability, sanitation, light and ventilation, energy conservation and safety to life and property in one- and two-family detached dwellings and townhouses. Members of the tiny home industry and the building safety industry recognized that to be a viable housing option for permanent occupancy, tiny houses must adhere to the health, safety and efficiency requirements for residential structures. This is achieved through the application of the IRC to these structures. To provide additional flexibility for tiny houses, recognizing the house's available space, [Appendix Q](#) in the 2018 edition of the IRC was introduced (in the 2021 IRC, the appendix is [Appendix AQ](#)).

It should be noted that the IRC and Appendix AQ are silent on whether a tiny house is on a foundation or on wheels, but rather focuses on the use of the structure. If it is intended to be a permanently occupied dwelling, then the provisions in the IRC apply (unless the dwelling is compliant under the HUD Manufactured Housing program).

HUD MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (U.S. ONLY)

All permanent dwellings are covered under the provisions of the International Codes® (I-Codes®) except for manufactured housing regulated under the HUD Manufactured Home Construction and Safety Standards. The HUD requirements supersede any state or local requirements and apply to units over 8 feet in width or 40 feet in length or 320 square feet in area that are built on a permanent chassis. A manufacturer may opt out of the HUD requirements if they follow requirements equivalent to those contained in the current, effective version of a nationally recognized model building code. The model codes HUD identifies in its regulations (24 CFR 3282.12) are the predecessors to the I-Codes.

HUD sets the requirements for the certification of manufactured housing units. Local officials are still responsible for their installation, including foundations, site work, and utility hookups.

RECREATIONAL VEHICLE STANDARDS

Just as codes and standards exist to protect occupants in buildings, standards exist to support the safety of users of recreational vehicles (RVs and campers). RVs are intended for seasonal or intermittent use, not as permanent residences. These standards include NFPA 1192, *Standard on Recreational Vehicles*, and ANSI A119.5, *Standard for Park Model Recreational Vehicles*, developed by the Recreational Vehicle Industry Association (RVIA). Both of these standards indicate that their focus is on fire and life safety criteria and plumbing to protect from fire and explosion.

NFPA 1192 defines a recreational vehicle as, “A vehicle or slide-in camper that is primarily designed as temporary living quarters for recreational, camping, or seasonal use; has its own motive power or is mounted on or towed by another vehicle; is regulated by the National Highway Traffic Safety Administration as a vehicle or vehicle equipment; does not require a special highway use permit for operations on the highways; and can be easily transported and set up on a daily basis by an individual.”

ANSI A119.5 defines a Park Model Recreational Vehicle as, “A single living recreational vehicle that is primarily designed and completed in a single chassis, mounted on wheels, to provide temporary living quarters for recreational, camping or seasonal use, [and] is certified by the manufacturer as complying with all applicable requirements of ANSI A119.5. . .”

TINY HOUSE CERTIFICATIONS AND INSPECTIONS

While the adoption and use of standards is important, verification that they are being followed is equally important. Just as there are multiple standards for tiny houses, there are varying certification and verification requirements.

In the case of tiny houses built to comply with the IRC, there are long-standing inspection processes. If the tiny house is built in the same location as it will stay, periodic inspections can be conducted by the local code official (just as they do for other residential buildings). For tiny houses built in a factory, many states have programs specifically focused on off-site construction, including modular housing. These programs should be leveraged to cover tiny houses. The International Code Council and Modular Building Institute (MBI) developed standards, ICC/MBI Standards [1200](#) and [1205](#), to support consistency in this process. For states without statewide programs, responsibility falls to local officials who can use the standards as the basis for inspection and approvals.

The off-site construction approvals process involves either governmental plan reviewers and inspectors or approved third-party providers reviewing plans and inspecting units in the factory. The factories also must maintain and follow a quality assurance plan approved by the state or third-party. The third parties often must retain certifications or accreditation demonstrating their competence in performing such roles.

In the U.S., manufactured housing has its own plan review and inspection process under the auspices of HUD who sometimes delegates authority to individual states. Again, plan review and inspection are conducted by government employees or approved third-party providers.

For the recreational vehicle standards, ANSI A119.5 allows for manufacturer certification. Some manufacturers elect to have third-party certifications, and some jurisdictions may require certifications.

ZONING AND LAND USE POLICIES

In addition to building codes, zoning and land use policies are mechanisms communities use to set building-related requirements. However, it is important to understand the distinctions between building codes and zoning and land use policies. Whereas building codes provide criteria on how to build, zoning and land use policies address what and where to build.

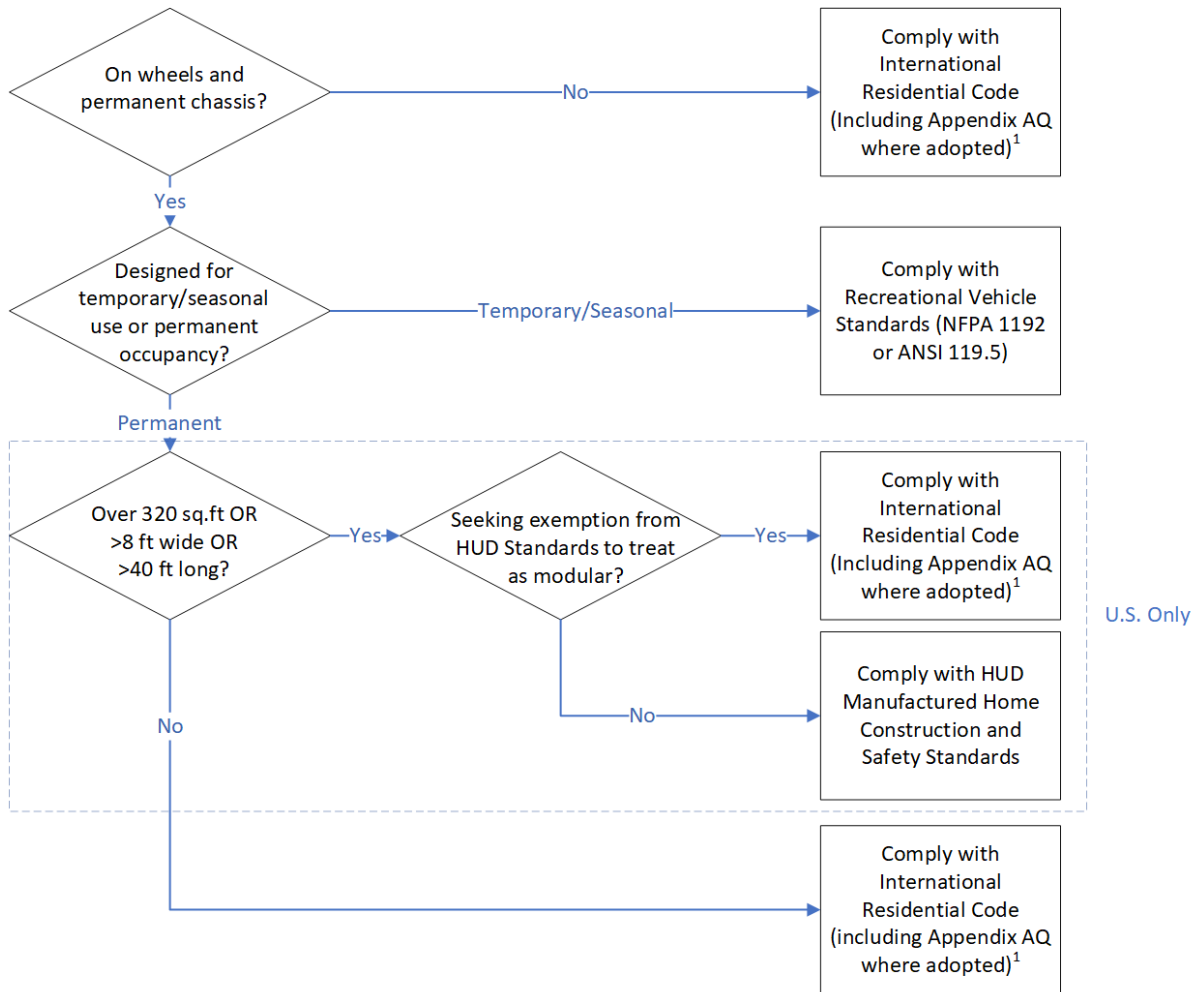
While building codes and standards have a long history of development at national and international levels based on scientific research, lessons learned, and consensus processes, zoning and land use policy is largely developed at the sub-national level (states or localities). These policies are often developed based on public policy decisions and community priorities and not on engineering analysis and research.

In some instances, the widespread deployment of tiny houses can be hindered by existing zoning requirements that were either established before the increased interest in tiny houses or are being applied to exclude tiny houses.

TINY HOUSES SHOULD PUT SAFETY FIRST

Tiny houses offer an opportunity to address the availability and affordability of housing. However, consumers, policymakers and code officials should be sure that their objectives are being met without sacrificing safety and efficiency. The International Code Council, working with THIA, has developed [model legislation](#) to clear up confusion for policymakers and consumers, and ensure that those who wish to “live tiny” can put safety first. The THIA and its Tiny Home Builders Committee are developing additional resources to support compliance with codes and standards. Consult the [THIA website](#) or iccsafe.org/tinyhomes for the latest resources.

Figure 1. Flowchart of Regulatory Requirements for Tiny Houses



Notes:

1. If constructed to be compliant with the International Residential Code and constructed in a location other than where it will be ultimately sited (e.g., off-site construction) then the tiny house should comply with state or local off-site construction program requirements including the ICC/MBI 1200 series of standards (where adopted).
2. State or local requirements may vary from the specified paths above. Tiny house builders may elect to comply with multiple regulatory requirements to allow for the greatest flexibility in siting a tiny house.