§ 605. Resolution of disputes regarding manufactured homes. 1. Any homeowner, retailer, manufacturer, installer, mechanic or lending entity may file a complaint with the department as a state administrative agency seeking resolution of an allegation that a substantial defect exists in the delivered condition, installation, service or construction of a manufactured home. The department shall promulgate forms for such complaints which forms shall also be available on the department's web-site. For the purpose of this article, a substantial defect shall be a defect or a number of defects or other conditions which collectively can reasonably be expected to cost five hundred dollars or more to cure.

2. Complaints relating to the delivered condition, installation, service or construction of a manufactured home shall be made within one year and ten days after the date of the service, installation or issuance of a certificate of occupancy, or the expiration of any applicable provision of a contract or warranty, whichever is later.

3. (a) Upon the department's determination that a complaint, on its face, alleges a substantial defect in the delivered condition, installation, service, or construction of a manufactured home, the department shall notify the homeowner, manufacturer, retailer, mechanic and installer, as appropriate.

(b) Initially, the department may attempt to informally resolve the complaint. If informal resolution of the complaint is unsuccessful, the department shall resolve such complaints and disputes by administrative hearing, pursuant to the state administrative procedure act.

(c) The decision shall provide compensation to the aggrieved party in an amount which shall include, but not be limited to:

(i) Filing and recording fees, inspection fees and other required costs that the aggrieved party would not have incurred had the home met applicable standards; and

(ii) The cost of conforming repairs or replacements.

(d) The department may apportion liability between two or more parties or business entities where appropriate.

(e) The decision resolving the complaint shall be in writing and shall provide the reason therefor, a copy of the decision shall be provided to all interested parties.

(f) The department may require, as a condition of receiving and retaining any certification pursuant to this article, that an applicant agrees to submit to the jurisdiction of the department in connection with the resolution of complaints and disputes and agrees to be bound by the department's determination subject to any administrative and judicial review provided for in this article.

(g) Any party may seek judicial review of the administrative determination pursuant to article seventy-eight of the civil practice law and rules.