

Minutes
HUD Manufactured Housing Consensus Committee
Radisson Hotel, Alexandria, VA
May 28-30, 2003

1. Chairman Roberts called the meeting to order at 8:00 a.m. He noted that Elizabeth Cocke is the acting Designated Federal Officer as Mr. Matchneer is having a medical treatment. Ms. Cocke noted that Mr. Matchneer is still very much in touch with the activity by e-mail and telephone. Mr. Roberts asked for self-introductions of Committee members and guests. See attached pages for committee and guest attendance.

Ms. Cocke introduced two new members of the HUD Manufactured Housing Program staff and noted that one additional person will come on board shortly. She noted that the additional staff brings the program up to the staff level of about ten years ago.

Mr. Toner distributed an updated Subcommittee roster. Mr. Roberts noted that HUD had approved the creation of the Dispute Resolution Subcommittee and the nominees to the Subcommittee. HUD also approved the draft minutes of the last meeting and the recommended changes to the by-laws clarifying voting requirements. Mr. Roberts asked if there were any corrections to be made to the minutes. There were none.

Mr. Roberts reviewed the agenda and apologized for not having circulated it earlier. It was noted that the original meeting notice called for adjournment at noon rather than 2:00 p.m. on the agenda. The agenda was revised to adjourn at noon. Ms. Cocke noted that Commissioner Weicher would be dropping by this morning to welcome the Committee. The revised agenda was approved.

Mr. Roberts noted that the Subcommittees had five major items for consideration at this meeting: dispute resolution; installation standards; the installation program licensing and training of installers; on-site completion; and the review of the 2003 edition of NFPA 501. In addition, the MHCC will be asked to approve the form for submitting proposed changes and to set up the process for handling such proposals.

Mr. Toner distributed an MHCC project status report. Mr. Ghorbani asked about the Federal preemption and consumer assistance proposals. Mr. Roberts noted that they were submitted to HUD March 14 and March 26 respectively and the 120-day clock for HUD action started at those times.

Mr. Bryant asked about the status of the update of MHCSS 3280 with NFPA 501 standards. Mr. Solomon reported that the contract for assistance in drafting Committee recommendations into Federal Register language has been held up until the start of the Option Period 2 contract year between HUD and the Administering Organization (AO). The "drafting" contract had not been included in the budget for Option Period 1. (It was noted that Mr. Matchneer and Ms. Cocke had to seek authorization for this meeting as it was not in the Option Period 1 budget). Ms. Cocke noted that it would not have been possible for HUD to process another contract addition much before the end of the current contract year so the decision was made to include the "drafting"

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contract in Option Period 2. The AO contract for Option Period 2 begins 19 June 2003. Because of this delay the proposed updating of MHCSS 3280 with NFPA 501 standards has not been submitted to HUD. Mr. Solomon expected the “drafting” contract to be settled this week.

2. Commissioner Weicher welcomed the Committee and thanked the members and the AO for their time and effort. He noted that Mr. Calabria had returned to Capitol Hill and a replacement would be named soon. He noted that he is looking forward to receiving the proposed model installation standards in December. Lastly, he noted the importance of the Committee’s activity as several million people live in manufactured housing.
3. The Committee recessed at 8:45 a.m. to allow the Subcommittees to meet.
4. The Committee reconvened at 11:00 a.m. for a presentation on installation by Burt Kessler, Palm Harbor, after which the Committee recessed for lunch and continued Subcommittee meetings. Subcommittee meeting held during the three day period included:
 - Regulatory Enforcement
 - Installation
 - Standards
 - Dispute Resolution

Thursday, May 29, 2003

5. The full Committee reconvened at 4:00 p.m. Chairman Roberts listed the items which would be discussed at the full MHCC meeting the next day:
 - The form on which to submit proposed changes and the process by which they would be processed;
 - Dates for the next two meetings;
 - Discussion of a possible letter ballot on response to the HUD on-site completion proposal.

Mr. Roberts also noted that public comments would be heard at 8:00 a.m., the next morning. He indicated that additional time would be given to Subcommittee meetings following the public comment period.

6. The Committee recessed at 4:45 p.m.

Friday, May 30, 2003

7. Mr. Roberts opened the MHCC meeting at 8:00 a.m. and invited public comments.

Mr. Brendan Foley, Cutler Hammer, addressed the Committee. He noted that he has submitted three proposed changes to the MHCSS and to the NFPA 501 Committee regarding added requirements for arc fault circuit interrupters. He hoped that they were in an acceptable format for the MHCC consideration. Mr. Solomon indicated that the proposed forms had been provided to Mr. Foley for his submissions. Mr. Foley indicated that he would be pleased to attend a future

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meeting where his proposals would be discussed. He concluded his remarks by thanking the MHCC for the opportunity.

There were no additional public comments.

8. The Committee recessed at 8:15 for additional Subcommittee meetings.
9. The Committee reconvened at 9:30 a.m.
10. The dates for the next two meetings were set for August 20-22, 2003 in the Washington, D.C. area, and December 9-11, 2003, in Phoenix, AZ.
11. Ms. Brenton reviewed the proposed form for submitting changes. She noted that the form included a section for a statement regarding the cost and benefit of the proposed change. Ms. Brenton moved that the proposed form be adopted. Motion seconded and approved.

Mr. Solomon noted that he has received 8-9 proposals thus far. Mr. Nunn submitted a proposal for a standard test protocol for ground anchor systems. Ms. Brenton requested that the proposals be forwarded to the Planning and Prioritization Subcommittee. It was noted that, for these first proposals, any deviations from the just adopted format could be corrected. The Subcommittee would make a tentative assignment to a Subcommittee for consideration and the priority it should be given. The Subcommittee would report on its assignments at the next meeting.

Ms. Brenton noted that criteria have been developed for assigning priority. If a proposal addressed an imminent threat to life safety it would be given the highest priority and recommended for immediate consideration. Other criteria are whether it addresses a legal requirement of the MHIA 2000, the timeliness of the proposal, whether it addresses a consumer protection issue, whether it would have a positive economic benefit or affordability impact for consumers, and the ease with which it could be implemented by an SAA.

Mr. Ghorbani asked if he could become a member of the Planning and Prioritization Subcommittee. Mr. Solomon noted that the membership on the Subcommittee was controlled in the by-laws and to increase the size would require a by-law change. Mr. Ghorbani withdrew his request.

12. Mr. Roberts distributed copies of the objectives he had submitted to the Regulatory Enforcement Subcommittee for consideration as it worked through its proposed response to the HUD draft proposed on-site completion rule. He also distributed copies of the edits to the draft being proposed by the Regulatory Enforcement Subcommittee.

Mr. Roberts noted that the principle element of the proposed response is to draw a distinction between work done under an alternate construction letter and on-site completion under this proposed rule. The latter, as proposed by the Subcommittee, would be viewed as an extension of the manufacturer's quality program.

Mr. Roberts noted that a response has to be sent to HUD by August 8, 2003. He proposed that the draft response be submitted to a letter ballot. Mr. Gorman indicated that there had not been sufficient time to digest the proposed response and therefore was not ready to vote to proceed to letter ballot. Mr. Portz, recalling the difficulty with a previous letter ballot that was “rushed”, suggested that a discussion and decision on a letter ballot could be made via a conference call in several weeks. Mr. Nunn noted that the MHI would be meeting in two weeks and he wanted to obtain their views. Mr. Roberts noted that everyone would get “two bites at the apple” in that the proposed rule would be published in the Federal Register for public comment. Mr. Leven noted that it was in the MHCC’s best interest to take the time for an “informed” vote. Ms. Cocke suggested that these types of situations would recur and that decisions by the MHCC needed to have full discussion by the Committee. A letter ballot, absent such discussion, would not be considered sufficient. It was moved, seconded and carried that a conference call be held in two weeks to discuss the proposed response and decide on a letter ballot. (Ed. note – Call scheduled for June 27, 2003 to allow time for public notice in the Federal Register.)

13. Mr. Portz reported that the Installation Subcommittee has scheduled a conference call on June 13, 2003 to discuss the training, licensing and inspection elements of the installation program. A call has also been scheduled for July 10, 2003 to finalize the installation Standard.

Mr. McHale reported that the Dispute Resolution Subcommittee has a conference call scheduled for June 24 to continue discussion on a dispute resolution program.

Mr. Zieman noted that the Standards Subcommittee welcomed suggestions for its agenda. It will be reviewing the 2003 edition of NFPA 501 for possible updates to MHCSS 3280.

14. Mr. Roberts thanked the members for their participation, comments and hard work.

The meeting adjourned at 10:50 a.m.

HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE

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**ATTENDANCE
May 28-30, 2003
Alexandria, VA**STATUS: M=MEMBER; NVM=NON VOTING MEMBER; AO= ADMINISTERING ORGANIZATION;
SEC=SECRETARY

NAME	STATUS	ORGANIZATION	5/28/03	5/29/03	5/30/03
Jack Berger	M	Berger Reconstruction	X	X	X
Karl Braun	M	NAMH – MHOAA	X	X	X
Susan Brenton	M	AZ Association of Manufactured Home Owners	X	X	X
Ed Bryant	M	Champion Enterprises	X	X	X
Elizabeth Cocke	NVM	HUD	X	X	X
Bill Farish	M	Fleetwood Homes	X	X	X
Danny Ghorbani	M	MHARR	X	X	X
Earl Gilson	M	Olympic Area 03-A Agency on Aging	X	X	X
Doug Gorman	M	Home – Mart, Inc.	X		X
Bill Lagano	M	American Modern Insurance Group	X	X	X
Ronald V. LaMont	M	Alpine Engineering Products	X	X	X
Charles Leven	M	AARP	X	X	X
Jerome L. McHale	M	Federation of Manufactured Home Owners of Florida	X	X	X
Bryan R. Portz	M	Chase Manhattan Mortgage Corp.		X	X
Dana Roberts	M	Oregon Bldg. Codes	X	X	X
Robert Solomon	AO	NFPA	X	X	X
Nader Tomasbi	M	Liberty Homes, Inc.	X	X	X
Pat Toner	Sec	NFPA	X	X	X
Randy E. Vogt	M	State of MN – Dept. of Administration	X	X	X

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HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE

**ATTENDANCE
May 28-30, 2003
Alexandria, VA**

NAME	STATUS	ORGANIZATION	5/28/03	5/29/03	5/30/03
Frank Walter	M	MHI	X	X	X
Richard Weinert	M	State of CA	X	X	X
Alan J. Youse	M	AARP	X	X	X
Mike Zieman	M	RADCO	X	X	

ABSENT

Christine Walsh Rogers	M	Washington Mutual			
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GUEST ATTENDANCE

May 28-30, 2003

Alexandria, VA

<u>NAME</u>	<u>ORGANIZATION</u>
Alan Cohen	Council of Better Business Bureaus
Sylvia Bailey-Charles	FNMA
Henry DeLima	DeLima Associates
Elsie Draughn	HUD
Rhonda Engermann	HUD
Vic Ferrante	HUD
Brendan Foley	Eaton/Cutler-
Timothy Gearan	AARP
Lance George	Housing Assistance Council (HAL)
William Hug	CARCO Industries
John Ingargiola	FEMA
Kevin Jewell	Consumers Union
Bert Kessler	Palm Harbor Homes
Andy Kochera	AARP
Mike Mafi	IBTS (Institute for Building Technology and Safety)
Jason C. McJury	HUD
Shawn McKee	HUD
Richard Mendlen	HUD/Manufactured Housing Program
Mark A. Nunn	MHI
Jake Pauls	Jake Pauls Consulting Services in Bldg Use & Safety
Richard Powell	Ward Mfg. Inc.
Frank Quigley	HUD
Peter Race	HUD
Chris Richardson	HUD

GUEST ATTENDANCE

May 28-30, 2003

Alexandria, VA

NAME

ORGANIZATION

Boone Smith Morris

TieDown Engineering

John Stevens

HUD

Chris Stienbert

MHI

Angelo Wallace

HUD

John Weldy

NTA Inc.