

Final Minutes
HUD Manufactured Housing Consensus Committee
Conference Call
25 May 2005

Wednesday, May 25, 2005

1. Chairman Roberts called the meeting to order at 11:05 a.m. Mr. Solomon called the roll; a quorum was present. Mr. Roberts welcomed the members and guests. A list of attendees is shown in Enclosure 1.

Mr. Roberts opened the meeting by thanking the members for submitting their comments to the AO concerning the proposed model installation standards. The individual comments had been compiled and previously distributed as a talking point for today's conference call.

Mr. Matchneer reported that HUD plans to send all of the submitted comments on the installation standards to the AO for distribution to the MHCC. The comments are being forwarded as a courtesy and for potential future use by the MHCC.

There were no additions suggested for the agenda and it was approved.

2. Mr. Roberts asked for any public testimony. The following items were noted:

Mr. Walters: He announced that he will be curtailing his subcommittee activities. He did recommend that the MHCC strive to maintain a close tie between preemption principles and the new model installation standards. It is crucial that state or local entities strive to maintain a performance level that does meet the minimum propped federal level, but that will not be so onerous so as to make manufactured housing a cost prohibitive option.

Mr. Weiss: He noted that Mr. Ghorbani sent his regrets and that he was attending a meeting on Capitol Hill. MHARR has nearly finalized their comments on the proposed rule and may make additional changes based upon the outcome of today's conference call.

Mr. Nunn: The Task Group working on the anchor standard will be finishing their work in a few weeks. The draft document will be forwarded to the Installation Subcommittee for final changes and action for consideration by the MHCC for the November meeting.

3. Review of proposed Model Manufactured Home Installation Standards.

The MHCC discussed two major philosophical issues concerning the proposed rule. The level of detail of the MHCC comments and the relationship of the installation rules to Part 3280.

The MHCC, although provided with the summarized table of members comments (See Enclosure 2) discussed the need to provide a combination of very detailed comments coupled with broad topical areas as well. While many members did submit detailed comments, the MHCC agreed that their efforts would best serve HUD if the formal comments covered the larger and more broad topical area. Members who drafted detailed comments were encouraged to submit those prior to the closing date. Following agreement on this approach, the MHCC addressed 6 major areas in preparing their comments. One of these comments did address both the preemption concept and the relationship to Part 3280.

The six main areas that were compiled as the MHCC response to the proposed rule are:

The Installation Standards should be considered as manufactured home construction and safety standards and be included as a subpart of 24 CFR 3280, Manufactured Housing Construction and Safety Standards.

The need to maintain the installation criteria as a section of Part 3280 is deemed critical as it does directly relate to the construction quality of the home. Separating the installation rules from the MHCSS has the potential to result in poor installation practices that can negatively impact the homes safety, durability and quality.

The concept of “close-up” for multi-wide manufactured homes needs to be considered as a part of the installation standards as a subpart under the construction standards covering the process of installing the home on its foundation, rather than the portion of the construction standards that cover production and assembly of the home in the factory.

Close up criteria needs to remain in the installation standards. The manufacturer has very little, and mostly, no control over the actual on site installation. Manufacturers instructions can detail many of the requirements, but with no assurance that such instructions will always be followed, there is no way to assign what happens in the field to the manufacturer.

Add a statement to the proposed rule concerning the role of manufactures instructions and their application for: (1) items not covered by this standard; (2) situations when the manufacturer’s approved installation instructions provide a specific method of performing a specific operation or assembly; (3) situations when the manufacturers approved installation instructions exceed this standard.

This language will help to reinforce the need for manufactures to be able to provide specific, or unique installation details that may not otherwise be covered by the installation rules. Without this language, a manufacturer who had the need to specify an installation protocol that would override or supplement (normally in a more specific area or conservative approach) the installation standard may be precluded from doing so.

Revise the language in certain sections of the proposed rule to avoid reference to accepted engineering practice. The MHCC suggests use of language such as: “Must be prepared by the manufacturer or by a register professional engineer or a registered architect in accordance with the manufacture’s home design and the Manufactured Home Construction and Safety Standards (3280).”

The concern raised is that an “acceptable engineering practice” can be broadly interpreted to mean things not intended. One example is that site built, single family housing rules could potentially be applied to the installation of manufactured homes-a practice clearly not intended by the MHCSS.

Revise the language in the section dealing with frost heaves to deal with a performance requirements as was done for other design objectives.

The revised language proposed by the MHCC intends to bring in a more performance oriented approach rather than a prescriptive approach as proposed by the department. The goal should be to prevent the effect a frost heave may have on an installation.

Revise the language in the section dealing with installation of a home on a permanent foundation to clarify that: It must meet the requirements of the state; it must meet the requirements of a nationally recognized testing laboratory or testing protocol; and the load conditions must satisfy the requirements of Part 3280.

Permanent foundation system designs need to be consistent with state as well nationally recognized standards and criteria. The proposed rule does not make that clear. Without the language recommended by the MHCC,

Following this discussion, it was agreed that the AO would draft a letter to the Secretary to outline the six areas of concern on behalf of the MHCC. The draft will be circulated to the MHCC for a review period. The draft will be sent in the next few days and all comments on the draft will have to be returned to the AO by 10 June so as to allow the letter to be finalized and submitted to the Secretary.

The meeting adjourned at 1:45 pm.

**HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE
ATTENDANCE
May 25, 2005**

**STATUS: M=MEMBER; NVM=NON VOTING MEMBER;
AO= Administering Organization; SEC=SECRETARY**

NAME	STATUS	ORGANIZATION	Attended	Absent
Dana Roberts	M	Oregon Manufactured Homeowners Assoc.	X	
Pat Toner	Sec	NFPA	X	
Jack D. Berger	M	Consultant	X	
Karl Braun	M	NAMH – MHOAA	X	
Susan Brenton	M	MHCA		X
C. Edgar Bryant	M	Champion Enterprises	X	
Mark Conte	M	State of PA	X	
Catherine Downs	M	NHTSA		X
William Farish	M	Fleetwood Homes	X	
Danny Ghorbani	M	MHARR		X
Doug Gorman	M	Home – Mart, Inc.	X	
William J. Lagano	M	Commonwealth Consulting Corp.	X	
Ronald V. LaMont	M	Alpine Engineering Products	X	
Archie Major	M	Consultant	X	
Jerome L. McHale	M	FMHO of Florida	X	
Terry Nelson	M	MHOA OF IL	X	
Nader Tomasbi	M	Liberty Homes, Inc.	X	
Randy E. Vogt	M	State of MN – Dept. of Administration		X
Richard Weinert	M	State of CA	X	
Mike Zieman	M	RADCO	X	
William W. Matchneer	DFO	HUD	X	
Robert Solomon	AO	NFPA	X	

