

**Manufactured Housing Consensus Committee
Meeting
June 17-19, 2008
Arlington, VA
Meeting Minutes and Action Items**

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Tuesday, June 17, 2008

1. The Chair, Ms. Brenton, called the meeting to order at 8:00am. Mr. Solomon called the roll; a quorum was present. Guests introduced themselves. **See enclosure A** for attendance.
2. Mr. Matchneer gave welcoming remarks in which he indicated that the date of publication for the dispute resolution rule would be June 20th.
3. The agenda was approved with several changes. Jerry McHale moved to approve the agenda as modified. Doug Gorman seconded the motion. The motion passed unanimously.
4. The Chair postponed the approval of the minutes until Thursday, June 19.
5. There was discussion on the installation rule and its effective and implementation dates. The installation rule will have same effective date as the installation standard on Oct 20, 2008. However there will be a separate implementation schedule. It will be a direct appropriation in 2009 according to current budget guidelines. Dispute resolution has same funding problems. Volunteer mediators will provide service until funding comes. No implementation date results in trouble for the states. If no funding comes, there will be no publication of an implementation schedule. Implementation would not require anything beyond stand alone publication. There is a need for a sufficient number of trainers and installers. What about standards? HUD would like to receive applications for certification of states by Oct 20th, although no formal decision on this. States cannot delay implementation. The rule will be published.

There was a motion from Dana Roberts that HUD communicate to states that the effective date is Oct 20th, 2008 and that states can implement then. Mike Lubliner seconded the motion.

Discussion: HUD thinks they can accept applications for state certification; the programs are in place and a stamp of approval from HUD is all that is needed.

Vote – unanimous approval.

6. Mr. Matchneer introduced a discussion on quality control. Inspectors currently look at number of errors rather than a quality system. HUD will be directing their resources to be aimed at quality control system. They will no longer be passively accepting the certification report.

A committee member expressed interest in knowing exactly what would be changing in the inspection process and what the new focus of inspections would be. Several committee members asked for specific guidance on a "quality control system." Will there be a directive? They do not want to be cited without knowing the rules. A committee member mentioned that there was no funding to enforce a quality control system. Several committee members mentioned that just a status report would be fine and that the committee would not need to approve changes.

There was a motion from Dana Roberts that the committee be provided with a copy of the guide book for investigating and reporting quality control and a memo on how HUD plans on using and applying the guide book. Bill Lagano seconded. Copies of Guidelines for Investigation and Reporting of Quality System Issues (QSI) were distributed at the meeting.

Jeff Inks suggested a friendly amendment – that HUD provide guidance to industry and engage stakeholders. This amendment was not accepted, but the proponent would accept an amendment that after HUD develops guidance, MHCC hold a conference call to respond. The second accepted.

Vote – Motion passed. 2 committee members were opposed. Richard Weinert and Randy Vogt asked that their "no" vote be included in the minutes.

7. A discussion was held on what standards would be incorporated by reference in the new set of standards.

There was a motion from Dana Roberts for HUD to send updated references to subcommittees for review and update on an ongoing basis starting with the third set. Jerry McHale seconded.

Discussion: The standards would have to be purchased up front by HUD. At present, the AO is usually able to secure 1 or 2 legal copies at no charge for HUD. Presently, the AO shows the referenced standards that have to be updated.

Vote – unanimous approval.

8. Subcommittee lists were discussed and members were given the chance to join or remove themselves from subcommittee lists.

- Technical Systems Subcommittee – new members – Jeff Inks
- Regulatory Enforcement Subcommittee – new members – Theresa Defosses, Jeff Inks, Mark Weiss.
- Technical Structure and Design Subcommittee – new members – could use a User.
- Planning and Prioritization Subcommittee – no new members
- General Subcommittee – new members – Theresa Defosses, Mark Weiss.

9. Mr. Lagano provided a status report from the Planning and Prioritization Subcommittee. There were two tracking reports suggested. One that would track proposals through the MHCC process, and one that would follow the proposals after they leave the MHCC.

The status of current proposals was discussed. For items labeled as "status unknown, logs 4, 5, 6, 14, 16-20 were determined to have been rejected. Log 15 had been referred to a task group. Logs 21-67 had been received and assigned to subcommittee. For logs 68 on, the majority had been received verbally from HUD with no documentation. Discussion was held on what documentation was needed on proposals, whether this documentation was needed for all proposals, and whether HUD or MHCC members could bypass this process.

There was a motion from Richard Weinert to require that all work items to be reviewed by the MHCC must include the proper form before MHCC can review it. Mark Luttich seconded.

There was a motion from Bill Lagano to table for final action until Thursday morning at the latest. Jack Berger seconded.

Vote – unanimous approval.

10. Mr. Matchneer discussed the HUD May 20, 2008 memo on PIA issues – communication and funding issues. There is no direct reporting required by private PIAs in the regulations and HUD is interested in changing this since PIAs will become the primary source of enforcement information. There was a suggestion to put specific procedural steps in place for the inspection report and a clear review procedure rather than just implied. Define when labels need to be removed – make it clear that there are points in time where it must happen.

There was a suggestion that HUD could ask for an annual report on each facility from the IPIA.

The fact that PIAs are paid by the manufacturer was discussed. What about whistleblower type protection? Could past reports include a follow up so that enforcement issues don't change between PIAs? Does a manufacturer need to provide a reason to the PIA or to HUD for changing?

There was a comment that HUD and the PIAs used to talk on a regular basis and that communication could help. The IPIA's and PIAs have reports and information that should be shared with HUD on a regular basis.

11. Chris Early, DOE gave a briefing on energy standards for manufactured housing. DOE was given authority by Congress to establish energy standards for manufactured housing. DOE will consult with HUD, and will probably show any proposed changes to the standards through the Federal Register. Mr. Early gave contact information 202-586-0514 (business cards passed out).

The MHCC currently has several proposals in front of them related to energy. Should they still be addressed? The idea is to update the energy standards and make them cost effective. There was disagreement over what is cost effective. There was a suggestion that DOE form an industry technical working group. Requirements, total lifecycle and construction are issues which must be considered when reviewing proposed rules according to the Act.

There was a suggestion that an effective change to the energy criteria needs:

- Incentive
- Public campaign
- Manufacturer assistance
- Follow-up

The timeframe for the development of the standard is a month or two once the work effort commences.

12. Matt Wald of RVIA gave a presentation on the RV exemption – under 400 sq ft – which could qualify as a small manufactured home. Regulators do not typically consider difference on the state level. Current standard does not account for RVs greater than 400 sq ft. RVIA made the suggestion that the intended/designed use of the vehicle be the basis for the exemption rather than square footage.

William Garpow of RPTIA read a statement for the record. RPTIA is opposed to the proposal by RVIA to account for RVs greater than 400 sq ft by changing the exemption to deal with use and not square footage, claiming this was outside of HUD's authority. They also claimed that RVIA cites the wrong section of CFR.

There was a motion from Mike Zieman for HUD not to take action to remove the 400 sq. foot limit. Richard Weinert seconded.

Vote – Unanimous approval.

There was a motion to refer the question of standard for 320-400 sq ft homes to the General Subcommittee. etc. Theresa Defosses seconded.

Vote – Unanimous approval.

Editors Note: See supplemental/follow up action on this subject under Item 4 on Thursday June 19th, 2008 of the Minutes.

13. The PIA discussion was continued. Is IPIA the same as an engineer with reputation and license on the line? The IPIA is an extension of HUD. Can an information exchange between the IPIA and HUD be achieved without changing the regulations? There is a requirement for information to be recorded.

A guest made a statement that IPIAs know which plants are bad. Need HUDs assistance to work with those plants to identify problems and corrective action.

There was a motion from Dana Roberts to refer this issue to the Regulatory Enforcement Subcommittee to look at changing the potential regulations needed for this subject. Mike Lubliner seconded.

Vote – motion passed.

14. Jay Crandell gave a presentation on the final report to HUD (HUD's draft report) on ground anchor verification testing. He discussed the test method, scope, and results. The tests were conducted at multiple sites over several weeks under various conditions. Committee members asked what made some tests fail and some tests pass. It may have to do with the soil characterization methods, and also could have been pre-tension on the anchors.
15. The Regulatory Enforcement Subcommittee was called to order. The Chair, Doug Gorman explained that the subcommittee will focus on the onsite completion rule tomorrow. Today they will focus on PIAs. 3 private PIAs, one state PIA from Nebraska, and one former state PIA from Oregon were in the room. One PIA in the room copies HUD on all actions. When they withhold labels, HUD gets a copy of that action. When the question arose of whether manufacturers retaliate against PIAs which issue deficiencies, it was reported that investigation showed little switching of PIAs by manufacturers. HUD would like to see a whistleblower protection provision. There was a suggestion to send HUD staff on visits with the IPIA – if the travel budget issue can be worked out. There was a suggestion that a fired IPIA make a report to HUD if they think there was retaliation; HUD then follows up with new IPIA to make sure old issues are tracked.

There was a motion from Mike Zieman that HUD come back with specific wording to the committee based on California model so that the committee has something to work with. Jack Berger seconded.

Vote – motion passed with 1 opposed.

Issues in the May 20, 2008 memo as seen by a Dana Roberts:

- 1) Look at Trigger point
- 2) Look at California model for continuity
- 3) To provide HUD info about why plan has a problem.
- 4) Focus on quality not numbers
- 5) HUD is saying we need the ability to communicate to everyone that we have the right to review a plant's certification
- 6) We know HUD can do it
- 7) As the plant ongoing activities change we need a better trigger point
- 8) Right now we have to hold PIA accountable as an entity. Would like accountability by plant

- 9) There is no mechanism for HUD to have progressive actions to stimulate an improvement of PIA performance
- 10) The issue of the unsold home being taken out of compliance due to some reason such as damage

Another item – What about when plant closes?

A state representative suggested that the state can also take action against the plant and would like to receive a copy of any IPIA reports.

There was a motion from Richard Weinert – to address the 10 items that Dana Roberts suggested and anything else the subcommittee feels necessary. The motion was seconded.

Vote – Unanimous approval.

The Regulatory Enforcement subcommittee adjourned.

16. With the full committee back in session, Housing Commissioner Brian Montgomery gave remarks on manufactured housing, including the FHA Modernization Act in Congress; the development of a proposed rule for condos to be eligible for home owner insurance; tests for trusses; revisions to construction and safety standards; the changes for subpart I; the onsite completion rule; and the PIA issue regarding complete discussion for manufacturers. He thanked the MHCC for its work on the dispute resolution program as well as all of the other items that it has been advising HUD on.

Wednesday, June 18, 2008

1. The Chair called the meeting back to order. There was a motion from Bill Lagano to amend the agenda to provide for additional discussion time by the Regulatory Enforcement Subcommittee to discuss the PIA issue. Theresa Defosses seconded. The agenda was unanimously approved as amended.
2. The General Subcommittee was called to order. The subcommittee discussed the issue of the gray area between 320 sq ft and 400 sq ft. where park model or park trailers typically fall into.

There was a motion from Doug Gorman to take no action on the issue of developing standards from 320 to 400 sq ft manufactured homes. Danny Ghorbanni seconded.

Discussion: HUD indicated they are okay with leaving it alone and developing any special criteria. Although the park model standard from ANSI, (A119) also provides the criteria, HUD was asked to develop criteria for the smaller units (400 Sq ft. and less) back in 1982. No guidance from HUD was ever developed. A new regulation would require a lot of work to develop standards. RV associations enforce the ANSIA 119 standards on their members, but not on nonmembers. The exemption was only meant to be temporary. According to Congress – HUD is responsible for enforcing standards for manufacturing the 320-400 sq ft. units which would include the park models.

There was a motion Doug Gorman to call to the question. Bill Lagano seconded.

Vote – motion failed.

Danny Ghorbani provided a friendly amendment to add pending what happens in Congress. This amendment was accepted by the proponent and the second.

Vote – Motion passed 8-4 passes. Recommendation from the subcommittee to the full committee that the committee do nothing pending action from Congress.

The General Subcommittee Adjourned

3. Marsha Mazz, from the United States Access Board, gave a presentation on accessibility and visitability. There is debate over whether FEMA trailers are housing or vehicles when used for Emergency Transportable Housing, as FEMA acquires a mix of manufactured homes, park models and RV's. There are a few conflicts between HUD code and accessibility requirements – HUD code requires threshold for roll-in shower and Accessibility rules prohibit such thresholds. Ms. Mazz asked that the committee take that up as a future work item. MHCC is aware of the issue. Manufacturers are doing these as special order and treating such changes as options. Ms. Mazz expects that provisions for updating the accessibility provisions, including those that affect manufactured housing to be finished during the next administration.
4. The Regulatory Enforcement Subcommittee was called to order. The subcommittee will defer the PIA issue. The subcommittee discussed the onsite completion rule. The new draft on onsite completion rule is out. The determination was that nothing could be decided without the new draft. Background was given on the onsite completion rule. California believes states should control the process fully. New draft section 609 says that states can elect to do onsite inspections under conditions that would show that the state has the same qualifications and credentials required of an IPIA. The difference between onsite completion and installation is the issue. Manufacturers worry about whether the home is taken out of compliance. Section 609 violates other state rights to be an exclusive IPIA. What if the states are inspectors on behalf of the IPIA? California believes this is installation. Communication is necessary between state and IPIA. Reports have to go both ways. Suggestion to change "in lieu of the IPIA" to "on behalf of and to be accountable to the IPIA for inspection" On line 9 and 10, page 15 add SAA to the list. Who has liability for the home? IPIAs object to state pre-emption option. Where are the state's rights found?

There was a motion from Jack Berger to approve new language as suggested by Dana Roberts. Jerry McHale seconded.

New language:

- End of first sentence: "on behalf of and to be accountable to the IPIA for inspection" instead of "in lieu of the IPIA"
- Line 21: insert "on behalf of the IPIA" at the end of the line
- Line 22: after "has" insert "provided to the department information that demonstrates the state has"
- Line 26: cross out #6 and say the state agrees to prepare reports, provide reports, and maintain such reports as required by section 32608; utilizing the approved inspection checklist to ensure the onsite work is done in accordance with the manufacturer's designs, site completion instructions, and quality assurance manuals for the site work to be performed.

Discussion: IPIA perspective – Staff is currently qualified or consulting staff is hired, and there is training. This rebuilds the same weakness back into the program. Manufacturer perspective – likes language where state is working on behalf of IPIA. Want IPIA to remain the contact. Line 19 – state has been approved to operate installation program – these are not the same qualifications. Manufacturer's perspective – areas of proposals cause nervousness.

Manufacturers perspective – don't understand the distinction between installation and construction.

Vote – motion passed.

A conference call is needed to follow up on other changes and discussion relating to the onsite completion rule.

A work group of the subcommittee was assigned to further refine the onsite completion rule with Dana Roberts as Chair. Danny Ghorbani, Mike Zieman, Peter Race, Bill Matchneer, and Richard Weinert will put together another proposal combining these issues together into one draft and will plan to have it back by the end of next week.

The Regulatory Enforcement Subcommittee was adjourned.

5. The Planning and Prioritization Subcommittee resumed its briefing to the full MHCC. Discussion focused on the second tracking report that would follow a proposal after it leaves the MHCC. The intent is to have dates on all of these columns. Only public info will be included. Should it be posted on the website? Chair recommends that the tracking be done with an Excel spreadsheet so it is available to Chairs. HUD asked that the date of approval for OMB on line 31 be taken out. On the website it will be a PDF file and available to subcommittees from Robert upon request as Excel. Updated after every action or Quarterly? Robert and Rhonda will be responsible to provide the updates. Run formatting changes through Bill Lagano.

The committee then discussed the standards cycle and due dates. Currently, anything received by December 1, 2007 will be addressed by the MHCC in 2008. Anything received after that date was returned to the person who sent a proposed change (standards only). Richard Weinert had two issues that were returned– what about expedited consideration? Even after cut off.

The Planning and Prioritization Subcommittee Chair suggested that, on priorities, they will set high, medium, low and defer to subcommittee on actual priority.

There was a motion from Doug Gorman that submissions can be collected Dec. 1 of each year, but committee members and HUD don't have to wait until the end of the year. Seconded.

Discussion: Current revision process– no update on a regular basis. Can department or committee member bring issues to the committee, fill out the form and the committee can determine whether it should be in the current revision cycle or the next one? Also, committee can take up an issue and make a proposal. If you allow committee members to break the cycle and receive special treatment it has a bad appearance.

Vote – Motion failed. Mike Lubliner abstained.

Year two is a disposition of each proposal. What does this mean? Completed? Or addressed by a subcommittee? Decision is that bylaws require review and completion by December 1 of this year. The status of items is made available to the public.

There was a motion from Dana Roberts that all proposals be provided to all committee members not just subcommittee. Theresa Defosses seconded.

Vote – unanimous approval.

The discussion returned to the proposal form. There was a suggestion by a subcommittee chair to add a section to the proposal form that shows cost for each proposal. There should be an attempt made to estimate the cost. Should a cost estimate be attached somewhere? Can the section be there so that someone could enter something? Durability, quality, health and safety just as important as cost. There is a provision on the form for cost. No form will be rejected if not complete. Subcommittee has to tackle cost issue.

6. The Technical Structure and Design Subcommittee was called to order. [Dave Jacobs attending as member of subcommittee]

The subcommittee reviewed log items assigned by the Planning and Prioritization subcommittee. Start with **Log #26** – adding CO detector outside of bedrooms with homes with gas. (another CO detector proposal under log #32). **Log #26** requires outside of each bedroom and Log #32 is by each smoke alarm. Location is problem. MHCC members are not familiar with the design and installation rules for CO detectors. HUD requires CO detection in bedroom; the proposed change requires outside of bedroom. Minnesota already has CO regulation for all residential occupancies.

There was a motion from Jack Berger – motion to accept Log #26 reject Log #32 and reevaluate location so that CO device is low and smoke detector is high. Doug Gorman seconded

There was a friendly amendment to have a task group look at this. The amendment was accepted. Amended motion to divert to a task group to come back to subcommittee with further evaluation.

Vote – 1 against. Motion passed. **Log #26** and Log #32 go to the task group. On task group – Jack Berger, Jeff Inks, Mike Lubliner, Catherine Downs.

Log #27 and Log #31, as well as Log #50 and Log #67 are on formaldehyde. HUD introduces by proxy, the proposal sent in by Richard Weinert in March that was returned.

There was a motion from Dana Roberts to form a task group chaired by Richard Weinert to take these proposals and come back with a recommendation. Mike Lubliner seconded.

Discussion: Should industry have to follow California Air Resources Board CARB Standards? It would be a positive action to show that manufactured housing is moving forward on formaldehyde. There was a suggestion to include other groups in the discussions of the task group such as CPA, APA, and HPVA. There was a suggestion to remove formaldehyde label from the home. That action had previously been accomplished.

Chair of the subcommittee is in favor of the general approach– asked that this be included in the minutes.

Vote - Motion passed.

On the task group – Bill Lagano, Richard Weinert (Chair), Karl Braun, Jeff Inks, Mike Lubliner, Jack Berger, CPA, APA, and HPVA

Logs #34, #38-49 and #51-56 are reference standards. It was suggested that a Task Group be formed to look at those.

On the task group – Nader Tomasbi (Chair), Jim Bauer.

Log #36 and #37 – wind standards by David Lowe. They add fourth zone, and update from ASCE 7-1988 edition to the current 2005 edition. It changes a basic design principle to measure a 3 second gust. Expands wind zone two to be further inland and it is likely to have a cost impact. It was suggested that a Task Group be formed to look at this issue.

On the task group – Bill Farish (Chair), Nader Tomasbi, Dana Roberts, Rick Mendlen, Shawn McKee. David Lowe (sponsor) Jay Crandell, and Dick Reinhard from PFS will be asked to participate as well.

7. The Technical Systems Subcommittee was called to order.

Log #21 was disposed of in May 2007 meeting. Rejected according to minutes – follow up to confirm.

Log #22 is a proposal to add exception regarding attic ventilation.

There was a motion from Jack Berger to reject log #22. Jerry McHale seconds.

Discussion: Moisture can come in if it can go out. Building America practices change with climate. Anywhere where air leakage is a problem, water vapor and moisture is getting in. Should it say “to allow moisture to escape?”

Vote – unanimous approval – motion passes to reject Log #22, moisture goes both ways and how to change section 504A is unclear.

Log #23 – Roll in showers.

There was a motion from Richard Weinert to accept in principle, but would like better language. Mike Lubliner seconded.

Discussion: The measure may already be NFPA in 501 now. Eliminating dam creates other issues - drainage and rising of the floor and perimeter.

Vote – unanimous approval. Motion passes to accept log #23 in principle.

Log #24 – exterior wall vapor barriers.

There was a motion from Jerry McHale to reject Log #24. Seconded.

Discussion: There are questions about validity of research included in report. It is an issue of where vapor barrier is. It is an issue of air movement and moisture in the air. The vapor barrier is already an option in code.

Vote – unanimous approval – motion to reject log #24 passes.

Log #25, #30, #33, and log #59. All deal with adding ASHRAE 62.2 by reference or otherwise in part or whole. A task force will be created to look at these proposed changes.

There was a motion from Dana Roberts to create a task group to look at Logs #25, #30, #33, and #59. Randy Vogt seconded.

Vote – unanimous approval – motion passes.

On the task force – Mike Lubliner (Chair), Jeff Inks, Frank Walter, Dr. Dave Jacobs, Dave Tompos, Mike Zieman.

Log #28 – Energy Star bath fans.

There was a motion from Jack Berger to accept. Seconded.

Vote – 4 in favor. Motion fails.

There was a motion from Dana Roberts to refer Log 28 to task group on ASHRAE logs (Chaired by Mike Lubliner). Jack Berger seconded

Vote – one opposed. Motion passes to refer log 28 to task group.

A conference call will be needed by the Task Group to develop recommended actions for the proposed changes.

The Technical Systems Subcommittee adjourned.

Thursday, June 19, 2008

1. The Chair called the meeting to order and extended an invitation for public testimony.

Mr. Farish made a presentation on behalf of George Porter regarding a moisture study. Mr. Porter found that close to a home's foundation there are fewer moisture problems. Would like more study to find out moisture content under homes in worst conditions to establish that, if site is graded properly, then you can say that the piers under main beam could be surface set. There was a comment that you need proper drainage and insulation and have to keep heat generated on slab.

A representative from Minuteman made public comment on the galvanized anchor issue. Galvanized anchors will force them to buy from an overseas manufacturer. EPA costs for proper handling are huge with galvanized

anchors. These are required in the new edition of 3285. Other non-HUD regulated industries will still use painted anchors. This was a Florida requirement originally. Minuteman is not seeing rusted anchors. They have gone out and done some field testing of old products – through inspections with state people. There are newspaper articles on rusted heads in Florida. There was a suggestion to do random survey of field tests. There was a request that HUD provide the MHCC with the letter from Minuteman submitted during public comment period. There is a response in 3285. HUD will provide the letter to the committee.

Martin Denesse, who lives in a manufactured home in Louisiana, made a public comment. His comment focused on questions about why the HUD standard wasn't used for FEMA trailers, suggestions for research into the formaldehyde issue, an assertion that he has never seen a rusted ground anchor or a broken ground anchor, as well as issues related to installation and siting of manufactured homes (such as delays, improper ducting, moisture barrier problems). There was a comment from the committee that they will have national installation standards as of October 20, 2008 and that there are several proposals with regard to formaldehyde standards.

An invitation was extended to Mr. Denesse to participate as a member of the MHCC.

Frank Walter made a public comment regarding how to help retailer implement changes – onsite completion, etc. He passed out a checklist/control sheet meant to show who is responsible for what action, and what is to be done at each step.

Public testimony was closed.

2. The committee discussed the minutes of the April 9, 2008 conference call

Item #1 should be agreed "that" instead of "the"

Page 3, 3rd paragraph down – after "private," add "organization"

Page 3, last paragraph, second sentence, take out "is also"

Page 3, 5th paragraph. Mr. Ziemann stated that "states" may not, not "PIAs"

There was a motion from Bill Lagano to accept the minutes as amended. Mike Lubliner seconded.

Vote – Unanimous approval – motion passed.

3. The subcommittees provided reports to the full MHCC.

Regulatory Enforcement Subcommittee report:

- 1) PIA – language from California. Dana – 10 items. One covered, the remaining items regarding PIA issues in the May 20, 2008 memo as seen by Dana Roberts will be discussed in a teleconference call.
- 2) Language approved for onsite completion rules. Balance of the document will be covered under future conference calls. A task group will work with HUD to recast draft to be consistent with approved changes – ASAP schedule. Intent is to get it out to the work group as well as Bill and Peter by Monday to return to Dana Roberts by Wednesday AO to distribute by next Friday.

Technical Structure and Design Subcommittee report:

- 1) Formed four task groups, CO, formaldehyde, reference standards, and wind forces. Going to encourage those groups to have conference calls during July so full subcommittee call can be 1st of August.
- 2) Did not get to flooring for bathrooms and a proprietary tie down system.
- 3) Did not discuss alternative foundations or anchor tests.

Technical Systems Subcommittee report:

- 1) Took actions on logs 22-24
- 2) Set up task group for indoor air quality and bathroom ventilation fans.
- 3) Need a date for task group to meet and then a date for full subcommittee.

General Subcommittee report:

Motion to do nothing concerning the span of units in the 320-400 sq ft. range.

4. The committee considered final actions.

There was a motion from Jack Berger to accept the General Subcommittee's recommendation that the committee do nothing concerning 320-400 sq ft limits pending Congressional action. Mike Zieman seconded.

Discussion: The expectation is that Congress will take this up. There were some second thoughts about the motion. There was a suggestion to indicate that the MHCC should take action but in second cycle as a 2010 work item. There was a suggestion that this is not a big enough issue to justify the effort. Adopting resolutions for park trailers will result in changes in the HUD code. Enforcement will be difficult. Consider a place holder? Is the consumer better off with a change to improve health and safety?

Vote – 4 in favor. 9 opposed – motion to accept the subcommittee's recommendation failed.

There was a motion from Dana Roberts for the committee to address the issue of the units between 320-400 sq ft in second cycle for 2010. Jack Berger seconded.

Discussion: Part of that discussion will address "what is a dwelling." HUD does not define dwelling. This was an active enforcement issue with HUD. Is it manufacturer intent, which is subjective? You can look at the issue objectively as well.

Vote – 2 opposed. 13 in favor – motion passed.

There was a motion from Bill Lagano to take the proposal form issue off the table and discuss. Jerry McHale seconds.

Vote – 2 opposed. Motion passed to discuss the tabled proposal form motion.

There was a friendly amendment from Dana Roberts to clarify that HUD does not have to fill out the form. Friendly amendment accepted.

Discussion can happen without a form. The amended motion now is to require that all work items that come from the public or a member of the committee and that are to be reviewed by the MHCC must include the proper form before MHCC can review it.

There was a motion from Karl Braun to call for the question. Mike Zieman seconded.

Vote – unanimous approval – motion to call for the question passed.

The Voice vote on motion was close and a request to call the roll was made.

- Jack Berger – no
- Karl Braun – yes
- Catherine Downs – yes
- Bill Farish – yes
- Danny Ghorbani – no
- Jeff Inks – no
- Bill Lagano – no
- Mike Lubliner – abstained
- Mark Lutich – yes
- Jerry Mchale – no

- Terry Nelson– yes
- Dana Roberts – no
- Bill Stamer – yes
- Randy Vogt – yes
- Richard Weinert – yes
- Mike Ziemer – no
- Sue Brenton – yes

9 yes and 7 no – motion passed. One abstain was noted.

There was a motion from Richard Weinert that HUD look at the galvanized anchor issue that was discussed during the public comment period. Dana Roberts Seconded.

There was a friendly amendment that the anchor manufacturer could demonstrate equivalency.

Vote – unanimous approval – motion passed.

Upcoming meeting dates – there was a recommendation that the MHCC meet twice a year. There was a suggestion that we focus more on technical issues during MHCC meetings.

There was a motion from Bill Lagano that HUD and the MHCC consider a meeting in December. Catherine Downs seconded.

Vote – Unanimous approval.

No further action or business necessary. The MHCC voted to adjourn the meeting at 11:15 AM.

Summary of Actions Taken

Motion	Subcommittee Action Taken on the Motion	MHCC action taken on the Motion	Next Steps
Motion that HUD communicate to states that the effective date for the installation rule is Oct 20, 2008 and states can implement then.	N/A	Motion passed – unanimous approval	Communication from HUD
Motion that the committee be provided guide book for the investigating and reporting quality control and a memo on how HUD plans on using and applying the guide book. After HUD develops guidance, the MHCC will hold a conference call to respond.	N/A	Motion passed – 2 opposed (Richard Weinert and Randy Vogt asked that their no vote be recorded in the minutes)	Guidebook passed out during meeting; further HUD guidance will be developed; MHCC conference call.
Motion for HUD to send updated references to subcommittees for review and update on an ongoing basis starting with the third set of standards.	N/A	Motion passed – unanimous approval	References from HUD to MHCC
Motion for HUD not to take action to remove the 400 sq. foot limit from the RV exemption.	N/A	Motion passed – Unanimous approval	None. NOTE: Later actions supersede this action.
Motion to refer to General Subcommittee to address regulations governing 320-400 sq ft should be developed modified, etc.	N/A	Motion passed – Unanimous approval	None – Subcommittee took action on this item during the meeting.
Motion to refer the PIA issue to the Regulatory Enforcement Subcommittee to look at changing the potential regulations needed for this subject.	N/A	Motion passed	None – Regulatory Enforcement Subcommittee took action on this item during the meeting.
Motion for HUD to come back with specific wording to the committee on the PIA issue based on California model so that the committee has something to work with.	Regulatory Enforcement Subcommittee Motion passed – 1 opposed	Pending	MHCC consideration of the motion.
Motion for the Work Group, Regulatory Enforcement Subcommittee and full committee to address the following 10 items as well as anything else the committee feels necessary <ol style="list-style-type: none"> 1) Look at Trigger point 2) Look at California model for continuity 3) To provide HUD info 	Regulatory Enforcement Subcommittee Motion passed – unanimous approval	Pending	Draft will be circulated to MHCC for future action.

<p>about why plan has a problem.</p> <p>4) Focus on quality not numbers</p> <p>5) HUD is saying we need the ability to communicate to everyone that we have the right to review a plant's certification</p> <p>6) We know HUD can do it</p> <p>7) As the plant ongoing activities change we need a better trigger point</p> <p>8) Right now we have to hold PIA accountable as an entity. Would like accountability by plant</p> <p>9) There is no mechanism for HUD to have progressive actions to stimulate an improvement of PIA performance</p> <p>10) The issue of the unsold home being taken out of compliance due to some reason such as damage</p>			
Motion that the MHCC do nothing regarding the 320-400 sq ft range pending action from congress	General Subcommittee Motion passed 8-4	Motion failed 4-9	None
Motion to approve new language (see minutes) to the Onsite Completion Rule.	Regulatory Enforcement Subcommittee Motion passed	Pending	MHCC to consider the motion
Motion that standards submissions can be collected Dec. 1 of each year, but committee members and HUD don't have to wait until the end of the year.	N/A	Motion failed – Mike Lubliner abstained	None
Motion that all proposals be provided to all committee members not just subcommittee.	N/A	Motion passed – Unanimous approval	AO action
Motion to reject Log 22	Technical Systems Subcommittee Motion passed – unanimous approval	Pending	MHCC to consider the motion
Motion to accept Log 23 in principle	Technical Systems Subcommittee Motion passed – unanimous approval	Pending	MHCC to consider motion
Motion to reject log 24	Technical Systems	Pending	MHCC to consider motion

	Subcommittee Motion passed – unanimous approval		
Motion to accept the minutes as amended.	N/A	Motion passed – unanimous approval	AO action
Motion for the MHCC to address the issue of the units between 320-400 sq ft in second code cycle.	N/A	Motion passed 13-2	MHCC action in second cycle for 2010
Motion to require that all work items that come from the public or a member of the committee and that are to be reviewed by the MHCC must include the proper form before MHCC can review it.	N/A	Motion passed 9-7	MHCC to require form going forward (HUD exception)
Motion that HUD look at the Galvanized anchor issue and that equivalency could be demonstrated.	N/A	Motion passed – unanimous approval	HUD action
Motion that MHCC considers meeting in December	N/A	Motion passed – unanimous approval	HUD action

Task Groups Created During this Meeting

Purpose	Assigned by	Membership	Next Steps
A task group will put together another proposal combining issues for the onsite completion rule together into one draft and will have back by the end of next week.	Regulatory Enforcement Subcommittee	Dana Roberts (Chair); Danny Ghorbani; Mike Zieman; Peter Race; Bill Matchneer; and Richard Weinert	Conference call to discuss proposed changes, resulting in draft changes to the regulatory subcommittee.
Task group to review Logs 26 and 32 (CO monitors) and come back to subcommittee with further evaluation.	Technical Structure and Design Subcommittee	Jack Berger(Chair); Jeff Inks; Mike Lubliner; Catherine Downs	Conference call
Task group to review Logs 27, 31, 50, and 67, as well as Richard Weinert's (through HUD) proposal that was returned (formaldehyde), and come back with recommendation.	Technical Structure and Design Subcommittee	Richard Weinert (Chair); Karl Braun; Jeff Inks; Mike Lubliner; Jack Berger; CPA; APA; and HPVA	Conference call
Task group to review Logs 34, 38-49 and 51-56 (reference standards)	Technical Structure and Design Subcommittee	Nadir Tomasbi (Chair); Jim Bauer	Conference call
Task group to review Logs 36 and 37 (wind zones)	Technical Structure and Design Subcommittee	Bill Farish (Chair); Nader Tomasbi; Dana Roberts; Rick Mendlen; Shawn McKee; and will ask David Lowe (sponsor) Jay Crandell, Dick Reinhard from PFS.	Conference call; confirm David Low, Jay Crandell and Dick Reinhard participation.
Task Group to review Logs 25, 28, 30, 33, and 59 (ASHRAE 62.2 related)	Technical Systems Subcommittee	Mike Lubliner (Chair), Jeff Inks, Frank Walter, Dr. Dave Jacobs, Dave Tompos, Mike Zieman	Conference call

Follow-up Items

- A conference call to be held by the Regulatory Enforcement Subcommittee after receiving recommendations from the onsite completion task group.
- Confirm that Log 21 was disposed of in May 2007 meeting. Check minutes to confirm that it was rejected.
- HUD to provide committee with the letter from Minuteman submitted during public comment period on galvanized ground anchors
- AO to send MHCC application form to Martin Denesse
- Conference calls to be held by all task groups
- MHCC to vote on outstanding final action items forwarded by subcommittees

Enclosure A

HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE

June 17-19, 2008
 Holiday Inn Arlington
 Arlington, VA

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

NAME	STATUS	ORGANIZATION	Tuesday June 17 th	Wednesday June 18 th	Thursday June 19 th
Susan Brenton - <i>Chair</i>	M	MHCA	X	X	X
William J. Lagano - <i>Vice Chair</i>	M	Commonwealth Consulting Corp.	X	X	X
Joe Nebbia	(Acting) SEC/AO	NFPA - Newport Partners	X	X	X
Jack D. Berger	M	Consultant; Berger Construction	X	X	X
Karl Braun	M	NAMH – MHOAA	X	X	X
Theresa Desfosses	M	State Manufactured Homes, Inc	X	X	X
Catherine Downs	M	NHTSA	X	X	X
William Farish	M	Fleetwood Homes	X	X	X
Danny Ghorbani	M	MHARR	X	X	X
Doug Gorman	M	Home – Mart, Inc.	X	X	
Jeffrey Inks	M	Manufactured Housing Institute	X	X	X
Michael Lubliner	M	Washington State University /Energy	X	X	X
Mark Luttich	M	NE Public Service Commission, Housing & Recreational Vehicle Dept.	X	X	X
Archie Major	M	Consultant			
Jerome L. McHale	M	FMHO of Florida	X	X	X
Terry Nelson	M	MHOA OF IL	X	X	X
Dana Roberts	M	Oregon Manufactured Home Owners	X	X	X
William Stamer	M	Champion Enterprises	X	X	X
Nader Tomasbi	M	Commodore Homes	X	X	
Randy E. Vogt	M	State of MN Dept. of Labor & Industry	X	X	X
Richard Weinert	M	State of California	X	X	X
Mike Zieman	M	RADCO	X	X	X
William W. Matchneer	DFO	HUD	X	X	X
Robert Solomon	AO	NFPA	X	X	X

M- Member
 DFO- Designated Federal Official
 AO- Administrating Officer

HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE

GUEST ATTENDANCE

June 17-19, 2008
Holiday Inn
Arlington, VA

NAME	COMPANY
Aguolu, Ujo	HUD
Asebe, Tewabe	HUD
Bauer, Jim	SE Homes, Inc.
Brolin, John	HUD
Carpio, Daniel	HUD
Charlton, Joe	NFPA
Garpow, Bill	RPTIA
Chattoo, Larry	Weiner Brodsky Sidman Kider, PC
Cocke, Elizabeth	HUD
Colsen, Kirsten Ivey-	HUD
Cooney, Brian	MHI
Cornejo, Eleonora	HUD
Danner, Pamela	Danner & Associates
Denesse, Rev. Dr. Martin	GHCM – CTED Center
Denesse, Micah	GHCM – CTED Center
Dickerson, Rhonda	HUD
Doherty, Brian	Federation of American Scientists
Early, Chris	U.S. Department of Energy
Ferrante, Vic	HUD
Garrison, Veronica	HUD
Hopkins, Bruce	RVIA
Kritikos, Effie	HUD- OGC
Mazz, Marsha	US Access Board
McKee, Shawn	HUD
McNabb, Nancy	NFPA
Mendlen, Richard	HUD
Pethel, Lane	HUD
Podzius, Kasey	HUD
Postiglione, Amanda	HUD
Race, Peter	HUD - OGC

HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE

GUEST ATTENDANCE

June 17-19, 2008
Holiday Inn
Arlington, VA

NAME	COMPANY
St. Onge, Richard	IBTS
Tompos, David	NTA, Inc.
Varrieur, Brian	OGC - HUD
Wade, Michael	Cavalier Home Builders
Wald, Matt	RVIA
Waechter, George	Minute Man Anchors
Wallace, Angelo	HUD
Walter, Frank	Consultant; GI
Weiss, Mark	MHARR
Yentel, Diane	Oxfam American