

Final minutes  
HUD Manufactured Housing Consensus Committee  
Conference Call  
May 7, 2009

1. Chairwoman Brenton called the meeting to order at 11:00 a.m. Mr. Solomon called the roll; a quorum was present. Mr. Solomon checked for guests. Mr. Matchneer introduced HUD staff on the call.

Mr. Matchneer noted that this call is to pick up where the April 7, 2009 left off. He reported that the updated list of reference standards was ready. Mr. Solomon noted that he had researched what reference standards were available and which were not. It was noted that two copies of the reference standards must be included in the documentation. Mr. Matchneer indicated that more research may be needed.

Ms. Brenton asked whether the Subcommittees should do the review. Mr. Farish agreed that the Technical Subcommittees should do the review. Mr. Matchneer noted that it is in everyone's best interest to use the most current standard but each must be checked. Mr. Lubliner noted that the NFPA 501 Committee had done a review. Mr. Ghorbani noted that the MHCC has a different charter than the NFPA 501 Committee. Mr. Solomon noted that he went through the 501 reference standards in his research and checked with the respective standard organization for the most current version and availability of older versions.

It was moved, seconded and carried that a discussion of the 3<sup>rd</sup> set of standards be added to the agenda.

Mr. Ghorbani asked why the bylaw discussion had been removed from the agenda. Mr. Matchneer noted that the bylaws and MHCC charter are being reviewed with the GSA and HUD ethics department. He indicated that it will take a while but, when done, it will be back on the MHCC agenda. He noted that the GSA is responsible for oversight of all Government Advisory Committees and it conducts an annual review of all committees. Mr. Ghorbani stated that the GSA review should have been conducted before putting the topic on the MHCC agenda. In addition, Mr. Ghorbani also questioned the role of the GSA rules and review of the MHCC as what GSA concludes does not matter and is not relevant to the MHCC. Mr. Matchneer concluded that the GSA role regarding procedures for all Federal Advisory Committees is a very important subject for the proper management and function of the MHCC.

It was moved, seconded and carried that the agenda be amended to include a discussion of the bylaws as agenda item 3 and a discussion of the 3<sup>rd</sup> set of standard revisions as item 5.

2. Mr. Roberts read a statement regarding his involvement with the Congressional roundtables. Mr. Roberts' statement is attached. There was no other public testimony.
3. Mr. Ghorbani stated that he agreed that the bylaw change should have been withdrawn by HUD because the proposal was based on Mr. Roberts' participation on the two Congressional roundtables. He stated that Mr. Roberts April 7, 2009 and May 7, 2009 statements should be made part of the record as attachments to the minutes.

Mr. Berger moved that Mr. Roberts' statements and any responses be forwarded to the Committee. Motion seconded and carried.

Mr. Berger moved that the Committee note its support for Mr. Roberts' participation in the Congressional roundtables as he had done nothing improper as he had indicated that he was acting as a private citizen and not as representing the MHCC. Mr. Berger also stated that the MHCC is an extension of Congress given that the creation of the MHCC was at the behest of Congress through passage of the MHIA of 2000. Mr. Weinert questioned whether the invitation to participate was based on Mr. Roberts' role on the MHCC, his position in the state of Oregon, or, as an expert on manufactured housing. He noted that all this could have been avoided if five minutes of a meeting or conference call had been devoted to the invitation. Mr. Berger noted that Mr. Roberts had been invited as an expert and, therefore, his participation was proper. Mr. Vogt agreed with Mr. Weinert. Mr. Farish stated that it is premature to approve the motion until all the documents have been reviewed by the Committee. Mr. Lubliner agreed. Mr. Stammer questioned why this was being brought up now as it happened three to five years ago. Mr. Ghorbani noted that it was the basis for the proposed bylaw change and the MHCC has to protect its role. A motion to table the action until the in-person meeting was passed.

4. Mr. Berger reported that the Carbon Monoxide Task Group had agreed to recommend that CO detectors be mandatory. There is a question as to whether all-electric homes should be exempted. He noted that the International Residential Code already requires CO detectors. The CPSC testified that from 2000 - 2004 there has been 166 deaths, 81 of which are attributed to heating devices. The estimated cost to the homebuyer for the CO detector would be about \$150. He noted that the NFPA does not recommend the combination CO and smoke detectors because the units have different life cycles. A question was raised as to whether consideration of the recommendation by the MHCC bypasses the Technical Systems

Subcommittee. Mr. Ghorbani requested that the Task Group minutes and report be posted on the website. Mr. Berger stated that he would send the report to the AO.

Mr. Vogt asked how many of the CPSC reported deaths were attributed to CO coming in from garages. Mr. Berger stated that number was not provided by the CPSC. Mr. Lubliner noted that in a Washington case a car had been left running in the garage and therefore all-electric homes should not be exempt.

Mr. Berger moved and seconded that CO detectors be required in all manufactured homes per NFPA 720 and UL 2034. Mr. Zieman offered a friendly amendment that the Task Group put the requirement into regulatory language for consideration at the next meeting. Mr. Lubliner agreed. Mr. Ghorbani asked if there were any data on HUD code homes. Mr. Berger stated that it was not broken out in the CPSC data. Mr. Weinert noted that there is good data on smoke deaths; the data on CO deaths is not as robust. He suggested that the requirement be left to the AHJ for the first cycle to allow for feedback as the data presented do not rise to the same level of seriousness that other conditions have. Mr. Vogt noted that action should be considered before a legislative body steps in. There was a question as to whether there should be an explicit effective date or be left to the AHJ. Mr. Zieman moved that HUD put the requirement into regulatory language for consideration by the MHCC at the next meeting. Mr. Berger withdrew his original motion. Zieman motion seconded and carried. There was a question about replacement; Mr. Matchneer noted that HUD does not have jurisdiction beyond the original sale. Mr. Jewell noted that detectors are designed to be easily replaced.

5. Mr. Lubliner reviewed the background for the duct testing proposal. He noted that a Task Group had been convened and had worked through the proposed requirement. He noted that the MHCC had given informal support to the need for a requirement. Mr. Solomon noted that the subject was discussed at one of the meetings in 2006 but there was no recorded vote. Mr. Ghorbani asked if there was any interface with DOE initiatives. Mr. Matchneer indicated that he did not think DOE is considering the issue. Mr. Lubliner noted that issue is not only an energy conservation issue but also an indoor air quality issue. The latter may even be more important.

Mr. Ghorbani stated that if DOE is not addressing the issue the MHCC should. Mr. Farish doubted that DOE has discussed the issue. Mr. Weinert questioned why DOE has not discussed the issue. Mr. Lubliner indicated that DOE is focusing on U<sub>o</sub> thermal efficiency standards. Mr. Lubliner expressed some frustration that after two years the issue has not been considered because a vote was forgotten to be recorded. Mr. Roberts stated that the MHCC had not voted on the issue. He recommended that Mr. Lubliner submit the proposal as a public comment. Mr. Ghorbani expressed a concern

about the effect on small manufacturers. Mr. Weinert stated that the MHCC has a responsibility to inform DOE of the need. Mr. Berger agreed that the issue should be addressed. Mr. Ghorbani noted that Congress recognized that DOE should liaise with HUD and MHCC. Mr. Matchneer indicated that there is no reason not to start now to address the issue.

Mr. Zieman moved that the requirement be adopted with the following amendments:

In paragraph 1) "5% of the floor area" be replaced with "0.05 cfm/sqft"; and, "positive or" be deleted; and,

a new paragraph be added:

3) Installed with all registers and crossover connections sealed. Floor sections of multi-floor homes shall be tested separately.

Motion, as amended, was moved, seconded and carried. The proposal is to be balloted by the MHCC

6. It was agreed that the 3<sup>rd</sup> set of standards should be returned to the respective Subcommittees for a final review. Mr. Inks asked when the MHCC had approved the 3<sup>rd</sup> set for submission to HUD. Mr. Solomon indicated that they were approved in 2006. Mr. Solomon indicated that the 3<sup>rd</sup> set are/will be posted on the website. Mr. Matchneer indicated that the changes are being put in rule format and are not ready for public review.

Mr. Matchneer reported that the 2<sup>nd</sup> set of standards were ready to be published at the end of the last administration, however, the new administration wanted to be fully briefed prior to publication.

7. Mr. Gorman reported that the Regulatory Enforcement Subcommittee will have a conference call on May 20, 2009 to review the draft PIA rule. It was noted that the MHCC only has until August 4, 2009 to respond to HUD. Mr. Matchneer indicated that it would most likely take more than one Subcommittee conference call to prepare a recommendation for the MHCC. Mr. Solomon suggested that two calls be set on consecutive days.

Mr. Matchneer reported that the Tulsa manufactured home show will be considered for the 2010 in-person meeting if the program gets direct funding. The show is in late April, early May. Mr. Berger moved that the 2010 in-person meeting be held in Tulsa at the manufactured home show. Motion seconded and carried. Mr. Solomon will obtain the exact dates from Mr. Gorman. It was suggested that the COSAA meeting be tied into the show. Mr. Matchneer indicated that it was considered for this year but the contract could not be done in time. Motion carried.

Mr. Lubliner briefly reported on the activity of the Indoor Air Task Group. He noted that there was a tie in with the discussion on energy efficiency. The Task Group had an excellent meeting with representatives from ASHRAE and NIST participating. The Task Group is reviewing ASHRAE 62-2. Mr. Weinert reported that he had not had time to convene the Formaldehyde Task Group.

Mr. Ghorbani requested that all members get notices of Task Group meetings. Mr. Solomon will check with Ms. Pereira.

8. The call concluded at 1:10 pm.

**HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE  
ATTENDANCE SHEET  
TELECONFERENCE  
Wednesday, May 7, 2009**

STATUS: M=MEMBER; NVM=NON VOTING MEMBER; AO= ADMINISTERING ORGANIZATION  
**SEC=SECRETARY**

NAME	STATUS	ORGANIZATION	Attendance	
			Yes	No
Berger, Jack	M	Berger Reconstruction	X	
Braun, Karl	M	NAMH – MHOAA	X	
Brenton, Susan	M	MHCA	X	
Denese, Martin	M	GHCM-CTED		X
Desfosses, Theresa	M	ME Manufactured Homes		X
Farish, William	M	Fleetwood Homes	X	
Ghorbani, Danny	M	MHARR	X	
Gorman, Doug	M	Home – Mart, Inc.	X	
Inks, Jeffrey	M	MHI	X	
Jewell, Kevin	M	Consultant	X	
Lagano, William J.	M	Commonwealth Consulting		X
Lubliner, Michael	M	WAU Energy Program	X	
Luttich, Mark	M	NB SAA	X	
Matchneer, William III	HUD	NVM/DFO	X	
Nelson, Terry	M	MHOA OF IL		X
Sheahan, Timothy	M	GSMOL/MHOAA	X	
Solomon, Robert	AO	NFPA	X	
Stamer, William	M	Champion Homes	X	
Toner, Pat	AO/SEC	NFPA	X	
Vogt, Randy	M	State of MN, Dept. of Admin Building Codes	X	
Wade, Michael	M	Cavalier Home Builders, Inc.		X
Walter, Frank	M	Consultant	X	
Weinert, Richard	M	State of CA	X	
Zieman, Mike	M	RADCO	X	

**HUD MANUFACTURED HOUSING CONSENSUS COMMITTEE  
TELECONFERENCE  
Wednesday, May 7, 2008**

**GUEST ATTENDANCE SHEET**

<b>NAME</b>	<b>ORGANIZATION</b>	<b>ATTENDANCE</b>
Aguolu, Uju	HUD	X
Brolin, John	HUD	X
Brolin, John	HUD	X
Carpio, Daniel	HUD	X
Cocke, Liz	HUD	X
Colson, Kirstin-Ivey	HUD	X
Cornejo, Eleanor	HUD	X
Dickerson, Rhonda	HUD	X
Mendlen, Rick	HUD	X
Pethel, Lane	HUD	X
Podzius, Casey	HUD	X
Postiglione, Amanda	HUD	X
Race, Peter	HUD	X
Reder, Alan	NTA, Inc.	X
Roberts, Dana	Self	X
Tompos, Dave	NTA, Inc.	X
Wallace, Angelo	HUD	X
Weiss, Mark	MHARR	X
Weldy, John	CMH Manufacturing, Inc	X