



**Final Minutes
HUD Manufactured Housing Consensus Committee
Marriott Tulsa Southern Hills
Tulsa, OK
April 28-30, 2010**

Wednesday, April 28, 2010

Opening of the Meeting

DFO Cocke opened the meeting of the Manufactured Housing Consensus Committee. Mr. Gorman welcomed the Committee to Tulsa. Ms. Cocke noted that the Committee will be taking a field trip in the afternoon to visit Home-Mart, Inc., a retailer, and then to the Great Southwest Home Show. The Committee has also been invited to the Manufactured Housing Association of Oklahoma dinner meeting.

Ms. Cocke announced that this is a meeting of the Manufactured Housing Consensus Committee, a Federal Advisory Committee. She noted that public notice had been published in the Federal Register on April 13, 2010 and that time has been allotted on the meeting agenda for public comments. She also noted that the agenda will be followed. She introduced Theresa Payne, Associate Deputy Assistant Secretary for Regulatory Affairs and Manufactured Housing. Lastly, she thanked Mr. Gorman for arranging the field trip.

Chairwoman Brenton called the meeting to order. Mr. Toner called the roll; a quorum was present. See Page 15 for the attendance list. Ms. Brenton welcomed the members and called for self-introductions. She also asked the guests to introduce themselves.

DOE Presentation

Ms. Cocke introduced Mr. Robert Lucas, DOE Pacific Northwest National Laboratory, for an update on DOE's energy initiatives relating to manufactured housing. Mr. Lucas's presentation will be posted on the MHCC website. Mr. Lucas reported that DOE published an advanced notice of proposed rulemaking (ANOPR) on February 22, 2010 on energy efficiency standards for manufactured housing. A link to the ANOPR will be posted on the MHCC website. (<http://edocket.access.gpo.gov/2010/pdf/2010-3341.pdf>). Written comments were due March 24, 2010. He stated that ten comments have been received. Additional comments would be welcomed. He noted that he cannot discuss the details as DOE is now in "listening mode".

Mr. Lucas stated that DOE needs to work with HUD on integrating energy efficiency into the HUD

codes. Enforcement issues will also have to be worked out. Mr. Weinert asked whether DOE is considering allowing a manufacturer to design for site specific issues such as orientation. It was noted that the DOE climate zones are different from the HUD climate zones. Mr. Lubliner noted that the MHCC has addressed duct leakage testing. Mr. Wade asked whether DOE would use the 2012 International Energy Conservation Code. Mr. Lucas indicated that it would. He also indicated that the actual implementation date has not been determined or whether there will be a phase-in. Ms. Cocke noted that HUD and DOE have been in discussions about manufactured housing issues. Mr. Wade asked whether 3280 Subpart F would be superseded by the DOE regulations. Mr. Mendlen stated that no decisions have been made; some elements of Subpart F may not be dealt with by DOE. Ms. Starkey expressed a hope that DOE has a budget for data collection.

Mr. Weiss noted that MHARR has submitted comments on the ANOPR particularly questioning how DOE will address cost issues. Mr. Lucas noted that DOE has not yet addressed purchase costs versus life-cycle costs. He noted that DOE will be consulting with HUD. Mr. Weiss asked if DOE will come back to the MHCC for information sooner rather than later as this is an important issue. Mr. Lubliner noted that it is good for the MHCC to be proactive on this issue and asked for members to provide input to the MHCC Energy Efficiency Task Force.

Mr. Gorman noted two problems – credit for lower energy costs when there are higher initial costs for energy efficiency units; and, appraisals that do not factor in “comparables” to make the units affordable. Mr. Lubliner noted that HUD could help address issues of appraisals and financing. He indicated that chattel mortgage versus real property mortgage is a real issue. Ms. Cocke asked DOE, as it is considering the cost issue, to tell HUD and the MHCC what data regarding affordability is needed prior to issuing a standard and also, after issuing the standard, how HUD and FHA should address an “energy efficiency credit”. Ms. Cocke also noted that anyone with data should submit it to DOE as the agency will only react to data. Mr. Luttich noted that state energy offices have information, especially on site-built homes, and encouraged members to contact those offices.

Ms. Brenton thanked Mr. Lucas for his presentation and participation in the Q & A follow-up.

The Committee recessed for Subcommittee and Task Force meetings and the afternoon field trip.

Thursday, April 29, 2010

Call to Order

Chairwoman Brenton reconvened the Committee and called the meeting to order at 8:00 a.m. Mr. Toner called the roll; a quorum was present. Ms. Brenton, in the way of a heads up, noted that both she and Vice-Chair Lagano cycle off the Committee next year so the members should be thinking about future leadership.

Ms. Brenton opened the floor for public comments.

Public Comments

Mr. Stewart Larrabee addressed the Committee regarding inadequate set-up and installation methods

of manufactured housing employed in numerous instances. Mr. Larrabee's written comments will be posted on the MHCC website. Following Mr. Larrabee's comments Mr. Jewell asked whether HUD conducted audits of state installation programs. Ms. Cocke indicated that HUD is putting a plan for a procurement contract in place that would assist in the collection of such data. She did state that HUD will look at the allegations contained in Mr. Larrabee's comments. She noted that HUD may have limited options because the allegations involve second set ups. Mr. Sheahan reminded HUD that there is a need for a homeowners' bill of rights. Mr. Larrabee noted that it is a financial hardship for the elderly and veterans and the like to be forced to relocate within 30 days. It can cost up to \$10,000 to relocate a double-wide home. He also stated that these problems raise life safety issues.

Mr. Mark Weiss, MHARR, addressed the Committee on HUD's proposed fire sprinkler standard for manufactured housing. He urged that the proposal not be adopted. He stated that HUD should preempt states from imposing sprinkler requirements; manufacturers should be allowed to offer buyers sprinklers as an option; if sprinklers are mandated it should be in Part 3280 rather than 3285 because HUD states that 3285 is not preemptive. Mr. Weinert noted that California has a draft regulation in the works. Mr. Weiss stated that HUD should preempt state regulation or not address sprinklers at all. Mr. King stated that a more affordable option than NFPA 13D should be available.

Mr. Weiss addressed the Committee regarding its role, authority and functionality. He noted that, while the MHCC is a Federal Advisory Committee under FACA, it was given power beyond that of a normal FACA committee by the Manufactured Housing Improvement Act of 2000 (MHIA 2000). He stated that it was not Congress' intent that the MHCC be a "run-of-the-mill" advisory committee. HUD has essentially eliminated the catchall authority of the MHCC in MHIA 2000 section 604(b) (6).

Mr. Weiss also addressed the revised MHCC by-laws particularly as they pertain to non-MHCC members on Subcommittee membership. Traditionally, Subcommittee membership has been open as long as balance has been maintained. In addition, Subcommittee recommendations must be approved by the full MHCC and then approved by the Secretary. Limiting membership on Subcommittees is unnecessary.

Mr. Weiss' written comments will be posted on the MHCC website.

Mr. Gorman noted that the MHCC is unique in that it was created by Congress, not by the agency to which it provides advice. Membership on the MHCC has been an activity in which one took pride because the Committee was created by Congress.

HUD Report

Ms. Cocke thanked the Committee for its patience with the changes at HUD over the past three months. She noted that the rules have slowed down during that period, however new Commissioner David Stevens is 100% behind the Committee activity and wants to move the proposed rules to the Federal Register for public comment. Mr. Mendlen reported that the second set of standards, the roof truss rule, and the on-site completion rule are in the final stages of going to Congress for its required 15 day review. The 3rd group of standards is moving ahead. OMB has finished its review

after a fair amount of back and forth discussion. There will be a 60 day public comment period.

Subpart I is in Department clearance, and then it will go to OMB for its review (90 days), then back through HUD and on to Congress and the Federal Register.

The MHCC comments on the recreational/park trailer rule have been received and a draft rule is being developed.

The PIA rule is being discussed within the Department and with Counsel.

Mr. Lubliner moved that a status report of Committee activity be posted on the MHCC website with anticipated timelines. Motion seconded and carried.

Committee Organizational Issues

Ms. Brenton asked what prompted the Department to unilaterally make the changes to the Committee by-laws and Subcommittee. Ms. Cocke stated that all Federal Advisory Committees undergo an annual review by GSA. HUD and GSA have been working to reshape the MHCC structure and processes. In the process other agencies' advisory committee websites were reviewed to see how those committees function. GSA has requested HUD to make the MHCC similar to the other advisory committees. She noted that it is the responsibility of the Agency and not the MHCC to do so, hence, Mr. Matchneer undertook a process to revise the MHCC charter and by-laws. The revised charter and by-laws have been posted on the MHCC website. The documents will be sent to the Committee.

Mr. Walter noted that previously it would have been appropriate for such documents to be circulated to the Committee for comment as a courtesy. Ms. Brenton noted the uniqueness of the Congressional creation of the MHCC; the Committee is not the usual advisory committee. Ms. Cocke stated that the Department is aggressively working to ensure compliance with FACA. GSA emphasized that the agenda is developed by the agency; the MHCC is brought together to provide advice on subjects which the agency needs to hear about before developing or finalizing rules. Therefore, the agenda will be developed by the Department to address subjects on which the Agency needs to hear the advice and counsel of the Committee. She gave the example of the FDA advisory committee on IUDs. Mr. Gorman noted that the FDA advisory committees were not created by Congress, the MHCC was. Mr. Weiss stated that the MHIA 2000 established roles for the MHCC outside of the FACA.

It was noted that non-MHCC members have participated on Subcommittees (SC) with approval of the Secretary. Ms. Cocke stated that non-MHCC members may participate in discussions at the request of the Chair or the Committee. GSA told HUD it has to distinguish more between the MHCC and activities of the SCs. When they break into SCs, others can provide input to the technical discussion. It should be only the MHCC members around the table at an MHCC meeting. It should be very clear in the agenda between MHCC activities, SC activities, and public comment periods.

Mr. Lubliner noted that in the past over 20% of the Committee time has been spent on "power

issues". He recommended that a set time be allotted for such discussions and that the Committee move on. Ms. Nelson asked whether the MHCC would have an opportunity to review the by-laws. Ms. Cocke stated that FACA as implemented by the GSA gives the authority to the Agency. Mr. Lubliner moved that the discussion be tabled; motion seconded but failed to pass.

Mr. Lagano noted that in the initial five years the MHCC focused on the initial work to be done. Now time can be spent on establishing roles and responsibilities. He noted that the MHCC no longer has a Planning & Prioritization Subcommittee; this will be handled by HUD and the AO. Mr. Walter asked if HUD sets the agenda, how public proposals will be handled. Ms. Cocke indicated the public proposals will be reviewed by HUD and assigned to Subcommittees; HUD will do the prioritization. Mr. Walter stated that it would be appropriate for submitters of public proposals to participate when their proposals were being discussed. Ms. Cocke indicated that it would be appropriate at the Subcommittee deliberations but there would be no public comment during the MHCC discussion as a Committee of the whole unless the Committee requested it.

It was noted that the 3-year term limits should be reconsidered as it hurts continuity.

HUD was requested to send the charter and by-laws to the Committee again.

Mr. Walter asked how the Subcommittees are to be reorganized. Ms. Brenton indicated that HUD would be making the assignments for Subcommittees and Subcommittee chairs. Ms. Cocke indicated that the MHCC members will be polled for their interest in the four subcommittees. There is not a limit on the number of SCs you can serve on. SCs have to be balanced. Members should express their interest in serving as a chair.

A question was raised regarding Subcommittees meetings being held concurrently or in sequence. Sequentially was preferred. Ms. Cocke noted that most Subcommittee work was conducted by conference call. Until the Subcommittees are reconstituted the Subcommittees should proceed as they have been. New members can select where they wish to participate.

Approval of Minutes

Mr. Lubliner corrected the May 7, 2009 minutes to state that the CO death he mentioned was in Washington State, not Nebraska. The correction being made the minutes were approved.

Mr. Braun corrected the attendance sheet for the July 9, 2009 conference call to indicate that he was on the call. Ms. Brenton noted that "hard" was repeated in the next to last sentence of the third paragraph, section 1. The corrections being made the minutes were approved.

The July 28-30, 2009 minutes were corrected to note that Messrs. Jewell and Sheahan were in the User category. The correction being made the minutes were approved.

The March 23, 2010 conference call minutes were approved.

Mr. Mazz stated that it would be helpful if the minutes indicated topics discussed and actions or votes taken were highlighted. Mr. Walter suggested section titles would be helpful.

Committee Status Reports and Recommendations

Ms. Cocke stated that the Committee reports and Committee recommendations should be combined.

Technical Structure and Design

Wind Zone Task Force

Mr. Farish reported on the progress of the Wind Task Force. His presentation will be posted on the MHCC website. He noted that the work of the Task Force could have a major impact. He indicated that the work is not complete so there are no recommendations at this time. He reviewed the new wind tables, noting that there is now a table for each wind zone, the wind zone maps have been redrawn and a new wind zone, wind zone 4, has been created. He reviewed the alternatives considered and discussed the “Alabama Compromise” alternative which was chosen.

Mr. Jewell noted that deaths have been increasing in the last few years. It was noted that they were in wind zone 1. Mr. Walter noted that the new wind zones differ from those in ASCE 7. Mr. Scott asked if there would be any changes in structural design. Mr. Farish noted that the corner band is increased from 3’ to 4’. This area is still being worked on. Mr. Walter asked if manufacturers of modular homes and manufactured homes would follow the same standard. It was noted that modular home manufacturers follow ASCE 7. Manufacturers might be permitted to use ASCE 7 if they chose. Mr. Sheahan asked whether old wind zone 3 is the new wind zone 4. New zone 4 is slightly more conservative. Mr. Tompos noted that there would be more testing of cladding materials. It was noted that the Wind Task Force work has not been compared to the IRC. It might limit materials.

Mr. Farish stated that the draft will be sent to several manufacturers for costing. A weighted average of homes by wind zone will developed. A code change proposal in underline/strikeout format will developed. Ms. Cocke asked about a timeline. Mr. Farish indicated that a proposal might be ready for the next face-to-face MHCC meeting. Mr. Walter asked how this effort is being funded. Mr. Farish stated that Mr. Low is being funded by FEMA. Mr. Lubliner noted that solar panel manufacturers have done some uplift testing. He suggested that in the future manufacturers might want to offer solar-ready homes.

Technical Systems

Mr. Weinert noted that the Technical Systems has three Task Forces, Indoor Air, Energy Efficiency, and, Formaldehyde.

Energy Efficiency Task Force

Mr. Lubliner reported that the Energy Efficiency Task Force has two proposals that have not yet been considered by the MHCC.

A proposal on duct testing was favorably considered at the May 22-24, 2007 meeting. Unfortunately a numerical count of the vote was not recorded so it could not be shown that the required 2/3 majority was obtained although no objections were noted. Mr. Wade noted that many manufacturers are doing duct testing. It was noted that such testing was a good idea. Mr. Lubliner circulated a copy of a report from NIST titled "*Airtightness, Ventilation, and Energy Consumption in a Manufactured House: Pre-Retrofit Results*". Mr. Jewell moved that the discussion be tabled until the next day so that the duct testing proposal could be circulated to the Committee. Motion seconded and carried.

Mr. Lubliner reported that consideration of a proposal on U_o was rejected by the MHCC as it will be left to DOE.

Mr. Lubliner reviewed his earlier proposal to amend 3280.509(c) (2) regarding compression of insulation to clearly state how to minimize compression of the insulation. The proposal will be submitted to the Subcommittee for ballot.

It was noted that it would be helpful if the proposals were submitted in underline/strikeout format.

Formaldehyde Task Force

Mr. Weinert reported that the Task Force met and had a lengthy discussion of a proposal to align 3280.308 with the California Air Resources Board (CARB) restrictions on formaldehyde. The Task Force generally did not have a problem with the basic proposal. However there is a problem in that the 3280.308 requires certification of products coated with a surface finish while the CARB regulation only deals with the base wood product. Information will be sought on the composition of the surface coatings. Mr. Lubliner indicated that there may be information available from the NIST healthy house program and/or the University of Texas, Dr. Segall. Ms. Starkey noted that H.R.4805 is pending and S.1660 is on the Senate calendar that copy the CARB regulation.

Mr. Tompos noted that there may be a formaldehyde issue even if the CARB regulation is adopted because of the surface finish. Mr. Wade noted that in the HUD QC program manufacturers are required to verify that products meet the formaldehyde test requirement.

Mr. Walter moved that the AO/Department research the coating materials and emissions after being applied. Mr. Lubliner asked how the Manufactured Housing Research

Institute handles the issue in its green standards. He also suggested that the ASHRAE research program may be helpful. Walter motion seconded and passed with one opposed.

Indoor Air Task Force

The Indoor Air Task Force did not meet due to lack of time. Mr. Lubliner requested time to report to the MHCC on Indoor Air as MHCC time permits.

General Subcommittee

Mr. Lagano noted that Mr. Berger is Chair of the Subcommittee but could not attend the meeting. Mr. Lagano noted that there are no outstanding issues before the Subcommittee.

Accessibility Task Force

It was noted that Mr. Mazz requested that the Accessibility Task Force be reactivated for a discussion of the subject. Ms. Brenton noted on two previous occasions the Committee consensus was that every manufacturer made accessible homes available as an option for consumers and therefore nothing needed to be done. Mr. Walter asked how the MHCC would receive proposed changes to the standards. It was noted that a member could submit a proposal to the AO who would then forward it to HUD for consideration for placement on an MHCC agenda.

Mr. Mazz stated that there are two distinct issues for discussion – accessibility and visitability. Visitability means that the home would allow a wheelchair to enter the home and to visit the bathroom, i.e., no stairs and wider doorways. Accessibility means the former plus space to turn around in the kitchen, accessible countertops and other accessible requirements. Standards for each purpose would need to be developed. Ms. Nelson suggested creating a minimum standard requiring one floor, one bedroom, one bath, and one hallway be accessible so the home could “grow” with the homeowner. Mr. Mazz noted that jurisdictions are considering creating a standard for single family homes and a similar standard could be created for manufactured homes. Mr. Walter recommended that Mr. Mazz write up a proposed change and submit it to the AO. Mr. Walter also suggested that a standard be developed for grab bars.

Proposals

Ms. Cocke stated that the Department had tentatively assigned the HUD proposals to Subcommittees: Sprinklers to Technical Structures; Vent/Exhaust Outlets, Entertainment Outlets, and, Fireplace Venting/Crawl Space Ventilation to Technical Systems; Proposed Amendment-Ground Anchor Assembly Testing Protocol to Technical Structures. Ms. Cocke noted that because these are HUD proposals to the MHCC they fall under the 120 day response requirement of the MHIA 2000. However, she stated that the 120 day clock would not be started until Subcommittee member assignments were made and reviewed with Ms. Payne. The MHCC will be notified when the 120-day clock would start.

Ms. Cocke also stated that the Department had tentatively assigned the public proposals to Subcommittees: Venting System Terminations (Log 69), Tankless Water Heater (Logs 70 and 71), and, Receptacle Outlets (Log72) to Technical Systems and Tie Down System (Log 66) to Technical Structures. She noted that there is no time deadline for responding to the public proposals. However, she did note that a public proposal could be reworked by HUD and submitted as a HUD proposal and then would be subject to the 120-day response.

Mr. Farish asked whether Task Forces should be assigned to deal with each of the HUD proposals. Ms. Cocke stated that the full MHCC should have a 20-30 minute discussion of each proposal. Mr. Weinert noted that the NFPA Committee had done away with Task Force approach, handling all proposals at the Subcommittee level.

HUD Proposals

It was requested that HUD proposals be submitted in underline/strikeout format like public proposals. It was also requested that proposals be distributed and assigned to Subcommittees prior to meeting.

Vent/Exhaust Outlets

It was noted that this proposal was developed in response to Mr. Tom Rodgers' presentation at the July 28-30, 2009 meeting. The proposal was developed after reviewing the IMC and IRC.

Mr. Santana asked whether the proposal would apply to all vents. It could be interpreted to require a 10' stack. He moved that the proposal be reworded to indicate the three feet requirement applies when the vent is within 10' of an intake discharging into habitable areas. Motion seconded. Mr. Mazz recommended that ASHRAE 62.2 be referenced. Mr. Lubliner moved that the proposal be tabled as it is redundant with the work of the Indoor Air Task Force. Motion seconded. Mr. Walter noted that it could take years to implement ASHRAE 62.2. Mr. Luttich stated that it is important to address this current hazard. The motion to table was withdrawn. It was noted that the National Technology Transfer Act required agencies to consider nationally recognized standards; adoption of ASHRAE 62.2 should be considered. The Santana motion was amended to read "Venting systems, when located within 10 feet of any motor-driven air intake discharging into habitable areas, must terminate at least 3 feet above that intake". Amended motion seconded and passed unanimously.

Public proposal Log 69, which dealt with the same subject, was withdrawn by Mr. Jewell who was the proponent of the proposal.

Entertainment Outlet Receptacles

Mr. Mendlen indicated that this proposal deals with a concern with entertainment centers in baths where a TV could fall into a tub. Mr. Farish asked what the new language adds to the current code. Mr. King recommended that HUD issue an interpretive bulletin to address the concern. It was noted that the issue has been around for years. Mr. Weinert

stated that the current code is protective. It was moved and seconded that the proposal be rejected. Mr. Luttich noted that the HUD code is more protective than the codes for site built homes. Mr. Jewell noted that HUD already has the power to issue an interpretive bulletin. The motion to reject the proposal was approved without objection.

Fireplace Venting/Crawl Space Ventilation

Mr. Mendlen stated that the proposal was developed in response to a letter from Pennsylvania describing a situation where the fireplace air intake vent did not penetrate the skirting. Mr. Luttich moved that the proposal be accepted as written. Motion seconded. Mr. Weinert noted that he had never heard of a situation where the skirting was air tight and furthermore there is a large volume of air under a unit. Mr. King noted that consumers try to button up the space and improve the aesthetics. Mr. Santana stated that the proposal should be given a second look.

Mr. Walter noted three editorial corrections to 3280.709(g) (ii) – delete comma after “fireplace stove” on the 4th line, change “that” to “which” on same line, and, insert “duct” after “air inlet” on last line. Corrections approved. Motion to approve the editorially corrected proposal failed, 6 in favor, 9 opposed.

Mr. Santana asked whether crossover piers would be considered obstructions. Mr. Farish indicated a concern with 3285.505(f) (2). Mr. Weinert stated that the change to 3285.505 is poorly written. Mr. Santana moved that the proposal be sent to the Technical Systems Subcommittee for revision. Motion seconded and carried.

Sprinklers

It was noted that this is an entirely new Section for 3280. Mr. Walter moved that the proposal be referred to a Subcommittee because the Committee does not presently have access to NFPA 13D. Motion seconded. Mr. King recommended that the Subcommittee also look at the sprinkler requirements in the IRC as an alternative. The AO was requested to provide 6-8 copies of 13D to the Subcommittee. Mr. Weinert noted that a previous sprinkler proposal based on California regulation was shot down. He noted that NFPA 13D is very technical and questioned whether copies of 13D were necessary. He recommended that a previous sprinkler proposal be reviewed. Motion to refer the proposal to the Subcommittee carried.

Ground Anchor Assembly Testing Protocol

Mr. Mendlen provided a brief background of the proposal. Mr. Stamer asked who is to do the soil testing and where. Mr. Mendlen indicated that the installer could do the testing on-site. Mr. Mendlen noted that testing of the protocol has been conducted and a report has been provided. Mr. Braun moved that the proposal be referred to the Subcommittee or Ground Anchor Task Force. Motion seconded. Mr. King asked what is currently being done. Mr. Mendlen indicated that if a state has a program, whatever the state accepts, HUD accepts.

Ms. Cocke noted that before a proposal could be sent to a Subcommittee, the Department needs to re-compose the Subcommittees and Task Force membership.

DFO Cocke, with the Committee's approval, invited guests to speak to the subject.

Mr. Scott Oliver, Oliver Technologies, stated that he agrees with sending to the Subcommittee and they would like to participate as they have several additions or changes to recommend.

Mr. George Waechter, Minuteman Anchors, stated that anchor manufacturers, including Minuteman, Tie Down Engineering, Oliver Technologies and Stylecrest and others use a method that is similar and consistent. He agrees that a protocol is needed. He agrees that the protocol should be referred to the Subcommittee.

Motion to refer the proposal to the Subcommittee was approved.

DFO Cocke indicated that the public proposals and an Indoor Air Task Force update would be carried over to the Friday morning session.

The Committee recessed at 4:45 pm.

Friday, April 30, 2010

Call to Order

Chair Brenton reconvened the Committee and called the meeting to order at 8:00 a.m. Mr. Toner called the roll; a quorum was present.

Ms Cocke clarified the earlier discussion regarding FACA that in many instances GSA or the FACA may not have actual requirements; there are general guidelines. In training and dialogue with GSA staff, HUD has also been given advice. In many instances HUD is following this guidance. However, the FACA guidance may have been over-stated in the earlier discussions.

Energy Efficiency Task Force (cont'd)

Supply Duct Leakage Testing

Mr. Lubliner reviewed the proposed change to 3280.715(a) (4) regarding supply duct leakage testing. Mr. Weinert asked whether the test is part of the Energy Star program. Mr. Lubliner described the duct blaster tester. Mr. Tompos indicated that the cost of the tester is several thousand dollars. Mr. Weinert noted that duct leakage is a big issue in energy conservation. Mr. Santana indicated that he needed time to review the proposal. He moved that the discussion be tabled; motion seconded. Mr. Mazz asked the DFO to ask Mr. Lucas, DOE, to speak to the issue. Mr. Lucas noted that the EISA gives DOE the mandate to develop energy efficiency standards for manufactured housing. Motion to table called. Motion to table failed 7 in favor, 9 opposed. Mr. Tompos noted that there are a number of manufacturers that do leak testing. He said it needs to be done.

Mr. Toner noted that this proposal had been approved by the Committee at the May 22-24, 2007 meeting. Unfortunately a numerical count of the vote was not recorded so it

could not be shown that the required 2/3 majority was obtained although no objections were noted.

DFO Cocke stated that since the proposal was voted on at a previous meeting there was no need to do it again. Mr. Toner noted that there is a circulation ballot for members to confirm or change their vote.

A question was raised as to whether proposals voted on yesterday would be subject to a written ballot. Mr. Toner indicated that there would be a circulation ballot.

Mr. Walter moved that a written ballot that requires a 2/3 majority to pass be conducted. Motion seconded.

Ms. Cocke stated that there will be a written ballot and that the Committee could move ahead with the agenda.

Public Proposals

Venting System Terminations, Log 69

It was noted that Log 69 was withdrawn by the Mr. Jewell, proponent of the proposal as the matter was dealt with by the earlier HUD proposal accepted by the Committee.

Vented Gas-Fired Space Heating Appliances Log 70

It was noted that Log 70 was incorrectly titled Tankless Water Heater. Mr. Luttich asked if these appliances have been dealt with by AC letters. Ms. Cocke indicated that they have been.

Ms. Cocke noted that the MHCC has several options; accept and send to a Subcommittee; approve and forward to HUD; or, reject it. Mr. Weinert moved that it be accepted-in-principle and send to the Technical Systems Subcommittee; motion seconded. Motion carried unanimously.

Tankless Water Heater Log 71

Mr. Jewell moved that the proposal be combined with the previous proposal and sent to the Subcommittee. Motion seconded.

Ms. Cocke invited the proponent, Mr. Donald Emen, Rinnai America Corp., to speak to his proposal. He stated that the proposal would add tankless water heaters to the HUD code. The proposal references an ANSI standard and a DOE standard. A question was raised related to temperature and pressure relief valves and drain pan under the unit and the need for these components. Mr. Emen stated that his proposal did not address these components leaving that to local requirements. It was noted that electric tankless units should also be accounted for.

Motion to combine with Log 70 and send to the Subcommittee was approved unanimously.

Receptacle Outlets Log 72

Mr. Farish noted that tamper-resistant outlets are available and are included in the 2008 NEC. Mr. Weinert recommended that for the moment the MHCC should stay with the 2005 NEC and let the codes evolve. He moved that the proposal be rejected. Motion seconded and carried with one opposed.

Tie Down System Log 66

It was noted that this proposal was considered last year for inclusion in 3280. It was rejected. HUD has brought it back for consideration under 3285 as it was originally proposed. Mr. Weinert moved that the proposal be rejected as it does not provide a specific code proposal and also because it appears to be based on proprietary technology. Motion seconded. Mr. Jewell asked whether there is anything in the HUD code that would prohibit the use of the technology. It was noted that there was not. Manufacturers are free to use the technology if they see fit. Motion to reject approved unanimously.

Vented Gas-Fired Space Heating Appliances Log 70

Mr. Walter requested that Log 70 be reconsidered. Mr. Jewell moved that Logs 70 and 71 be uncombined. Motion seconded and carried unanimously. It was noted the Log 71 should go to the Subcommittee.

Mr. Weinert moved that the change to 3280.703 be accepted. Motion seconded and passed unanimously.

Mr. Weinert moved that the change to 3280.707(d) (2) be rejected as not sufficient information was provided to consider acceptance. Mr. Jewell asked Mr. Emen, the proponent, to provide additional technical support. Mr. Weinert suggested that DOE would address the subject. Mr. Lubliner indicated that DOE is not considering appliances, only building envelope. Motion to reject approved, 2 opposed.

Mr. Walter stated that many of the proposals were not presented in good code underline/strikeout format. He recommended that the AO return such proposals to the proponent for revision.

Upcoming Meetings, Closing Announcements and Adjournment

The Wind Task Force will schedule a conference call to follow-up on the progress made at this meeting.

Ms. Cocke stated that meetings of the Subcommittee will have to wait until the Subcommittee membership is established. The members will be polled for their Subcommittee interest(s).

Ms. Cocke stated that the budget for the Committee includes a meeting in the fall in the Washington DC area and indicated that that the first day of the meeting would possibly cover some type of evaluation of the Committee and a review of the GSA Advisory Committee guidelines. The Committee will be polled for potential meeting dates in November.

Ms. Cocke noted that she has heard the desire for more time for Subcommittee meetings and the desire to have them sequentially. She noted that a lot was accomplished at this meeting and would like to this type of speed continue.

Mr. Stamer thanked NFPA for providing one document with the minutes and proposals prior to the meeting.

Mr. Gorman thanked HUD and the Committee for coming to Tulsa.

Chair Brenton thanked Mr. Gorman for the arrangements.

Mr. Lubliner thanked Ms. Cocke and the HUD staff for their efforts through the transition.

The meeting was adjourned at 9:40 a.m.

ATTENDANCE MHCC APRIL 28-30, 2010

MHCC Members		
Susan Brenton, Chair	MHCA	X
William Lagano, Vice-Chair	Commonwealth Consulting Corp.	X
Jack Berger	Consultant; Berger Construction	-
Karl Braun	NAMH – MHOAA	X
Elizabeth Cocke	HUD, Designated Federal Official	X
Theresa Defosses	State Manufactured Homes, Inc	-
Bill Farish	Clayton Homes	X
Douglas Gorman	Home – Mart, Inc.	X
Kevin Jewell	Texas Low-Income Housing Information Service	X
Tim King	NY Department of State	X
Michael Lubliner	Washington State University /Energy	X
Mark Luttich	NE Public Service Commission, Housing & Recreational Vehicle Dept.	X
Mark Mazz	Architect	X
Terry Nelson	MHOA OF IL	X
Manny Santana	Cavco Industries	X
Gregory Scott	Scotbilt Homes	X
Timothy Sheahan	GSMOL/V.P. MHOAA	X
Robert Solomon	NFPA	-
William Stamer	Champion Enterprises	X
David Tompos	NTA	X
Pat Toner	NFPA	X
Michael Wade	Cavalier Home Builders, Inc.	X
Frank Walter	Consulting Civil Engineer	X
Richard Weinert	State of California	X
HUD Attendees		
Jim Everett		X
Rick Mendlen		X
Casey Podzius		X
AO/NFPA		
Pat Toner	NFPA	X
James Lyons	Newport Partners	X
Guests		
Robert Lucas	PNNL	X
Mark Weiss	MHARR	X
Stewart Larrabee	Self	X
Lois Starkey	MHI	X
Dan Pate	Dan Pate Enterprises	X
Sean Oglesby	Scotbilt Homes	X
Tony Kovach	MHMSM.com	X