

**Manufactured Housing Consensus Committee
Regulatory Enforcement Subcommittee
10-18-11 Meeting
DRAFT MINUTES
Sheraton Suites, Alexandria, VA**

Regulatory Enforcement Roll Call	
Members	Attendance
Ishbel Dickens	Y
Tim Sheahan	Y
Terry Nelson	Y
Manuel Santana	Y
Jeff Legault	Y
Michael Wade - Chair	Y
Leo Poggione	Y
William Freeborne	Y
Adam Rust	Y
Frank Walter	Y
Richard Weinert	Y
AO	
Robert Solomon	Y
Pat Toner	Y
Joe Nebbia	Y
HUD	
Jim Everett, DFO	Y
Rick Mendlen	Y
Henry Czauski	Y
Guests	
Mark Weiss, MHARR	Y
Tim King, MHCC Member	Y
Bill Stamer, MHCC Member	Y
Mark Luttich, MHCC Member	Y
Mark Mazz, MHCC Member	Y
Dave Tompos, MHCC Member	Y
Lois Starkey, MHI	Y
Mike Lubliner, MHCC Member	Y

Highlights and Action Items

- March minutes were approved (motion RE1 – Unanimous vote)
- August minutes were approved (motion RE2 – Unanimous vote)
- No further actions were taken

Discussion:

The Regulatory Enforcement Subcommittee was called to order 2:49 p.m.

Motion RE1: Ms. Nelson made a motion to approve March minutes. Mr. Sheahan seconded. Minutes approved unanimously.

Motion RE2: Ms. Nelson made a motion to approve August minutes. Mr. Legault seconded. Minutes approved unanimously.

The Subcommittee did not have any pending action items.

A Subcommittee member in the general interest category asked the status of the Subpart I rule. A HUD representative responded that it was under review.

A representative from MHARR provided comments on the PIA rule. MHARR's view is that the PIA rule should come back to the MHCC for review. If the rule has been changed since reviewed, MHARR suggested that it needed to be viewed again by the MHCC. If the rule is not changed since the last review, MHCC suggested that it should still come back to the MHCC due to a lack of cost information. MHARR urged the Subcommittee to send something to HUD that the MHCC wants this brought back for review.

There was a comment from a Subcommittee member in the producer category that MHARR's comment was an accurate analysis of the situation.

There was a request from a Subcommittee member in the producer category for HUD to verify whether the committee would see the rule again.

A HUD representative responded that the Committee is at liberty to provide comments to HUD as to whether or not it desires to see the new rule. Another HUD representative reminded the Subcommittee that there were several Subcommittee and MHCC calls and in person meetings on this and at the end, the MHCC had elected not to provide comment.

There was clarification from a Subcommittee member in the user category that the rule was edited and put forward, but that there was a failure to gain consensus on those changes.

There was a comment from a HUD representative that a fair number of the comments and issues raised by the MHCC during discussion were addressed in the new rule.

There was a comment from a Subcommittee member in the general interest category that cost was discussed but that cost information was not available on everything.

There was some discussion on whether the PIA rule and the quality assurance process were the same thing. There was clarification that the PIA rule is the legal language that supports the QA process changes.

There was a guest comment that the cost information is possible to find, but that HUD had indicated (as shown in the 2009 minutes) that the cost would be collected in the rulemaking process instead.

There was a comment from a HUD representative that the rule provides other options than throwing PIAs out of the program if problems arise.

There was a guest comment that the current process is a partnership, not punitive. However, once it becomes a regulation, it will become punitive.

Motion RE3: Mr. Santana made a motion to request that HUD send the PIA rule back to MHCC before they send it out as a proposed rule. Motion ME3 failed for lack of a second.

There was a comment from an MHCC member in the user category that the MHCC tries to work for consensus, but if that can't be achieved, HUD has to move forward. There was further comment that the more the group can identify costs up front, the better. There was additional comment that there needs to be clarification between one-time costs of redesign and ongoing costs.

There was a question on whether the MHCC could get advanced notice of the proposed rule being released and have a conference call at that point.

A HUD representative responded that they can't legally do that.

There was a request for the status of the On-site rule.

A HUD representative commented that it is under review. There was further comment that there are matters within HUD within the clearance process. Once it's in that process, HUD is not at liberty to get into the details. HUD informed the group that HUD would give a status update at the first opportunity.

The Subcommittee discussed RV and park model regulations. MHI provided background on the issue. In March of 2010 MHCC considered a recommendation from HUD at the request of RVIA that would have eliminated the size requirement in the exemption for what is an RV. The committee rejected the idea of eliminating the size exemption. They did define RV vs. park trailer. HUD currently has a role in park models over 400 sq ft.

There was a comment from a Subcommittee member in the user category that in Washington State the park model is defined differently. It's an RV used as a permanent residence.

There was a comment from a Subcommittee member in the producer category that in ANSI 119.5 there is language in that code that it's not a permanent dwelling.

There was a comment from an MHCC member in the general interest category that units are exceeding the 400 sq ft by adding on porches and then adding screens, glass, and frames.

There was a suggestion from a HUD representative that this issue is not first in line to be addressed by HUD. Therefore it might be a good opportunity to revisit the issue if the Subcommittee would like to.

There was discussion of park models moving into Manufactured Housing market, but being inferior. There was further discussion of the Manufactured Housing industry being blamed for people getting sick after Katrina in park models between 320 and 400 sq ft.

There was a comment from an MHCC member in the general interest category that many manufacturing facilities in the Northeast are now building park models. They don't belong to RPTIA and don't have to build to the ANSI standard. FEMA is building park model units and limiting them to 400 sq ft because they don't have to be installed by a licensed installer.

MHI stated the position that they oppose any changes that would provide for RVs being larger than 400 sq ft. They also support difference in definition between park model and RV. FEMA is interested in a HUD code home that is small.

There was a comment from an MHCC member in the general interest category that the smaller the house the more difficult it is to meet energy requirements.

There was a comment from a Subcommittee member in the producer category that they are building park models with HUD label and RPTIA label between 320 and 400 sq ft.

There was further discussion of other examples where park models are expanded permanently.

There was some discussion that this issue doesn't get a lot of attention because they are often in camp grounds and considered seasonally occupied.

There was a comment from a Subcommittee member in the user category that they are finding more RV parks that are hooking up all year.

Motion RE4: Mr. Walter made a motion to adjourn. Mr. Legault seconded. Vote on the motion to adjourn was unanimous.