



MANUFACTURED HOUSING CONSENSUS COMMITTEE

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DRAFT MINUTES MHCC MEETING

October 29 - 31, 2019

Holiday Inn - Capital | Washington, DC

DRAFT MINUTES

MANUFACTURED HOUSING CONSENSUS COMMITTEE (MHCC) MEETING

October 29-31, 2019

Holiday Inn - Capital | Washington, DC

DAY 1: Tuesday, October 29, 2019

Call to Order

MHCC Chairman, Tommy Colley, called the meeting to order at 9:03 a.m. (EDT) and welcomed the MHCC members and the public. Chairman Colley addressed the attendees of the meeting and stated that public comments will be allowed only during the public comment periods as noted in the agenda, and members of the public can sign up prior to each period. Chairman Colley thanked the members and the public for attending previous teleconferences to work on the Deregulation Comments (DRCs) and Log Items.

Roll Call

Kevin Kauffman, Program Manager of the Administering Organization (AO), Home Innovation Research Labs, called the roll and announced that a quorum was present. Mitchel Baker and Peter James were unable to attend the meeting.

Introduction and Opening Remarks

Teresa Payne, Administrator of the Office of Manufactured Housing Programs, and Designated Federal Officer (DFO), welcomed the MHCC members to Washington, DC. DFO Payne introduced the HUD staff present at the meeting.

See [Appendix A](#) for a list of meeting participants.

Approval of the Minutes

MHCC Motion to Approve the Draft April 30 - May 2, 2019 MHCC Committee Meeting Minutes.

Maker: Alan Spencer

Second: Michael Wade

The motion carried unanimously via voice vote with one abstention.

Public Comment Period – Morning Session

The public comments during this period focused on the work the subcommittees did in previous the teleconferences, DRCs that MHCC will be reviewing and general comments about the HUD code.

Leslie Gooch, Manufactured Housing Institute (MHI), informed the Committee that the House and Senate have been informed by Secretary Carson about changes to the HUD code. Ms. Gooch encouraged the MHCC to advance the following specific subcommittee recommendations: the revision of Subpart I and, Subpart M, reassess the value of the dispute resolution program, elevate the Office of Manufactured Housing Programs within HUD's organizational structure, maintain exclusive jurisdiction over energy standards for Manufactured Homes, and emphasize HUD's enhanced preemption authority.

Mark Weiss, Manufactured Housing Association for Regulatory Reform (MHARR), asked for the review of federal manufactured housing program regulations initiated by Secretary Ben Carson pursuant to Trump Administration Executive Orders (EOs) 13771 and 13777. Mr. Weiss proposed the withdrawal of DRC 57 - a pending proposal to include a voluntary fire sprinkler standard in the HUD code.

Explanation of Meeting Rules and Procedures

Mr. Kauffman provided a summary of meeting procedures to ensure compliance with MHCC Bylaws and that Robert’s Rules of Order would be followed. He explained how the Basic Rules and Procedures ([Appendix B](#)) and the Hearing Order and Voting Bloc ([Appendix C](#)) document would be utilized. The full MHCC will be voting on subcommittee recommendations in categories of DRCs and Logs instead of voting on each item individually. The purpose of the Hearing Order and Voting Bloc document was to allow more discussion on items that are more complex and require extended deliberation.

Mr. Kauffman noted that all MHCC actions would be followed-up by a letter ballot and that the actions would not be final until the letter ballot is complete. Thus, allowing members who were not present an opportunity to participate in the process.

Report from the General Subcommittee on their Assigned DRCs and Log Items.

General Subcommittee Chair, Joseph Sadler, introduced the DRC categories. He provided a summary of the subcommittee’s teleconferences held on July 24 and July 30, 2019. The subcommittee’s recommendations on DRCs and Log Items were presented to the full committee. The MHCC and the public were provided the opportunity to remove items off the Voting Bloc to discuss individually.

MHCC Motion: Accept General Subcommittee Recommendation on ‘Regulatory Burden and Overreach’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler

Second: Michael Moglia

The motion carried unanimously via voice vote.

Regulatory Burden and Overreach		
DRC 3 – Refer to HUD	DRC 202 – Refer to HUD	DRC 212 – RP&C
DRC 7 – Refer to HUD	DRC 203 – NFA	DRC 213 – NFA
DRC 15 – NFA ¹	DRC 204 – Refer to HUD	DRC 214 – RP&C
DRC 20 – NFA	DRC 205 – Refer to HUD	DRC 215 – Refer to HUD
DRC 21 – Refer to HUD	DRC 206 – Refer to HUD	DRC 216 – RP&C
DRC 23 – Refer to HUD	DRC 207 – Refer to HUD	DRC 217 – RP&C
DRC 198 – RP&C ²	DRC 208 – Refer to HUD	DRC 218 – NFA
DRC 199 – NFA	DRC 209 – Refer to HUD	DRC 219 – Refer to HUD
DRC 200 – NFA	DRC 210 – RP&C	
DRC 201 – Refer to HUD	DRC 211 – RP&C	
¹ No Further Action (NFA)		
² Reject Premise and Conclusion (RP&C)		

MHCC Motion: Accept General Subcommittee Recommendation on ‘Regulatory Benefits’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Russell Watson
The motion carried unanimously via voice vote.

Regulatory Benefits		
DRC 266 – RP&C	DRC 273 – Refer to HUD	DRC 278 – NFA
DRC 267 – RP&C	DRC 274 – NFA	DRC 279 – NFA
DRC 268 – NFA	DRC 275 – NFA	DRC 280 – NFA
DRC 269 – NFA	DRC 276 – NFA	
DRC 271 – NFA	DRC 277 – NFA	

MHCC Motion: Accept General Subcommittee Recommendation on ‘State Issue’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Michael Moglia
The motion carried unanimously via voice vote.

State Issue		
DRC 29 – NFA	DRC 262 – RP&C	DRC 265 – NFA
DRC 260 – Refer to HUD	DRC 263 – RP&C	
DRC 261 – Refer to HUD	DRC 264 – Refer to HUD	

MHCC Motion: Accept General Subcommittee Recommendation on ‘Land Issues’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Robert Parks
The motion carried unanimously via voice vote.

Land Issues		
DRC 287 – Refer to HUD	DRC 290 – Refer to HUD	DRC 293 – NFA
DRC 288 – Refer to HUD	DRC 291 – Refer to HUD	
DRC 289 – Refer to Office of Manufactured Housing	DRC 292 – NFA	

Mark Weiss, MHARR, requested the MHCC to remove DRC 57 from the Voting Bloc for further discussion. Mr. Weiss stated that the rate of fire occurrences in MH housing is less than site-built homes. He stated that this voluntary standard is not required; however, HUD has a tendency to enforce voluntary standards. Manny Santana stated that it’s up to the local enforcement to come up with the fire sprinkler standard. The voluntary standard is a way to get around different jurisdictions adding their own laws. Mr. Santana acknowledges the regulatory creep occurs when voluntary standards are considered as mandatory standards and the industry needs to be aware of it.

DRC 57:FR6075-N-01 – HUD Code

MHCC Motion: Reviewed and Considered – Reject Premise and Conclusion

Maker: Joseph Sadler Second: Russell Watson
The motion carried unanimously via voice vote.

MHCC Motion: Accept General Subcommittee Recommendation on ‘General Comments about Manufactured Housing Construction and Safety Standards’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Russell Watson
 The motion carried unanimously via voice vote.

General Comments about Manufactured Housing Construction and Safety Standards		
DRC 25 – Refer to HUD	DRC 47 – RP&C	DRC 69 – NFA
DRC 30 – Refer to HUD	DRC 49 – NFA	DRC 70 – NFA
DRC 32 – Refer to HUD	DRC 50 – NFA	DRC 71 – RP&C
DRC 33 – Refer to HUD	DRC 51 – Refer to HUD	DRC 72 – NFA
DRC 34 – NFA	DRC 52 – NFA	DRC 73 – NFA
DRC 35 – NFA	DRC 53 – RP&C	DRC 74 – NFA
DRC 36 – NFA	DRC 54 – RP&C	DRC 75 – Refer to HUD
DRC 37 – RP&C	DRC 55 – NFA	DRC 76 – Refer to HUD
DRC 38 – RP&C	DRC 56 – RP&C	DRC 77 – Refer to HUD
DRC 39 – NFA	DRC 60 – RP&C	DRC 78 – RP&C
DRC 41 – NFA	DRC 61 – RP&C	DRC 79 – NFA
DRC 42 – NFA	DRC 62 – Refer to HUD	DRC 82 – Refer to HUD
DRC 43 – NFA	DRC 65 – NFA	DRC 83 – Refer to HUD
DRC 44 – RP&C	DRC 66 – NFA	DRC 84 – Refer to HUD
DRC 45 – NFA	DRC 67 – NFA	DRC 85 – NFA
DRC 46 – NFA	DRC 68 – NFA	

MHCC Motion: Accept General Subcommittee Recommendation on ‘OMHP Administration’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Stacey Epperson
 The motion carried unanimously via voice vote.

OMHP Administration		
DRC 254 – NFA	DRC 256 – NFA	DRC 258 – NFA
DRC 255 – NFA	DRC 257 – NFA	DRC 259 – NFA

MHCC Motion: Accept General Subcommittee Recommendation on ‘MHCC Issues’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Garold Miller
 The motion carried unanimously via voice vote.

MHCC Issues		
DRC 282 – NFA	DRC 285 – NFA	
DRC 283 – NFA	DRC 286 – RP&C	

MHCC Motion: Accept General Subcommittee Recommendation on ‘Miscellaneous’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Russell Watson

The motion carried unanimously via voice vote.

Miscellaneous		
DRC 294 – NFA	DRC 296 – NFA	DRC 298 – NFA
DRC 295 – Refer to Office of Manufactured Housing	DRC 297 – RP&C	DRC 299 – NFA

MHCC Motion: Accept General Subcommittee Recommendation on ‘Financing Issues’ category. See table below showing MHCC action on this category.

Maker: Joseph Sadler Second: Michael Moglia

The motion carried unanimously via voice vote.

Financing Issues		
DRC 229 – NFA	DRC 235 – Refer to Office of Manufactured Housing	DRC 241 – NFA
DRC 230 – NFA	DRC 236 – NFA	DRC 242 – NFA
DRC 231 – Refer to Office of Manufactured Housing	DRC 237 – Refer to Office of Manufactured Housing	DRC 243 – NFA
DRC 232 Refer to Office of Manufactured Housing	DRC 238 – Refer to Office of Manufactured Housing	DRC 244 – NFA
DRC 233 – NFA	DRC 239 – NFA	DRC 245 – NFA
DRC 234 – Refer to Office of Manufactured Housing	DRC 240 – Refer to Office of Manufactured Housing	DRC 246 – NFA

Report from the Regulatory Enforcement Subcommittee on their Assigned DRCs and Log Items.

Regulatory Enforcement Subcommittee Chair, Michael Moglia, introduced the DRC categories. He provided a summary of the subcommittee’s teleconferences held on August 6 and August 14, 2019. The subcommittee’s recommendations on DRCs and Log Items were presented to the full committee. The MHCC and the public were provided the opportunity to remove items off the Voting Bloc to discuss individually.

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘On-site Completion’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Michael Wade

The motion carried unanimously via voice vote.

On-site Completion		
DRC 2 – Refer to HUD	DRC 91 – NFA	DRC 111 – NFA
DRC 17 – NFA	DRC 92 – RP&C	DRC 112 – NFA
DRC 18 – NFA	DRC 97 – NFA	DRC 113 – NFA
DRC 28 – NFA	DRC 98 – NFA	DRC 114 – NFA

DRC 86 – NFA	DRC 100 – NFA	DRC 115 – Refer to Office of Single-Family Housing
DRC 87 – NFA	DRC 101 – NFA	DRC 116 – RP&C
DRC 88 – NFA	DRC 108 – NFA	DRC 117 – NFA
DRC 89 – NFA	DRC 109 – NFA	DRC 118 – NFA
DRC 90 – NFA	DRC 110 – RP&C	

LOG 194: § 3282.7 (j), (x) and adding (III) Definitions

MHCC Motion: Approve as Modified

Maker: Michael Moglia Second: Manuel Santana

The motion carried unanimously via voice vote.

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Procedural and Enforcement Regulations’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: David Tompos

The motion carried unanimously via voice vote.

Procedural and Enforcement Regulations		
Log 163 – Disapprove	Log 182 – Disapprove	

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Alternative Construction Requirement’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Joseph Sadler

The motion carried unanimously via voice vote.

Alternative Construction Requirements		
DRC 63 – NFA	DRC 123 – NFA	DRC 128 – NFA
DRC 80 – RP&C	DRC 124 – RP&C	DRC 129 – Refer to HUD
DRC 81 – NFA	DRC 127 – RP&C	

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Consumer Complaint Handling and Remedial Action’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Alan Spencer

The motion carried unanimously via voice vote.

Alternative Construction Requirements		
DRC 63 – NFA	DRC 123 – NFA	DRC 128 – NFA
DRC 80 – RP&C	DRC 124 – RP&C	DRC 129 – Refer to HUD
DRC 81 – NFA	DRC 127 – RP&C	

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Consumer Complaint Handling and Remedial Action’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Alan Spencer

The motion carried unanimously via voice vote.

Consumer Complaint Handling and Remedial Action		
DRC 5 – RP&C	DRC 141 – NFA	DRC 146 – NFA
DRC 26 – NFA	DRC 142 – RP&C	DRC 147 – NFA
DRC 27 – RP&C	DRC 143 – RP&C	DRC 148 – NFA
DRC 139 – RP&C	DRC 144 – NFA	DRC 149 – NFA
DRC 140 – NFA	DRC 145 – NFA	

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Preemption’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Joseph Sadler
The motion carried unanimously via voice vote.

Preemption		
DRC 130 – Refer to HUD	DRC 133 – NFA	DRC 136 – NFA
DRC 131 – NFA	DRC 134 – NFA	DRC 137 – NFA
DRC 132 – NFA	DRC 135 – NFA	DRC 138 – NFA

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘HUD Regulation’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: James Husom
The motion carried unanimously via voice vote.

HUD Regulation		
DRC 1 – RP&C	DRC 188 – NFA	DRC 193 – NFA
DRC 184 – NFA	DRC 189 – NFA	DRC 194 – NFA
DRC 185 – NFA	DRC 190 – NFA	DRC 195 – NFA
DRC 186 – NFA	DRC 191 – NFA	DRC 196 – NFA
DRC 187 – NFA	DRC 192 – NFA	DRC 197 – NFA

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Dispute Resolution’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Michael Wade
The motion carried unanimously via voice vote.

Dispute Resolution		
DRC 6 – Refer to HUD	DRC 250 – NFA	DRC 252 – NFA
DRC 249 – NFA	DRC 251 – NFA	DRC 253 – NFA

LUNCH BREAK

The following Log Items were removed off the Voting Bloc and discussed individually.

LOG 206: § 3280.403 Requirements for windows, sliding glass doors, and skylights

MHCC Motion: Approve as Modified

Maker: Michael Moglia Second: Joseph Sadler
The motion carried unanimously via voice vote.

The Committee discussed if the reference standard referred to the correct year. The Committee corrected the reference standard year.

LOG 198: § 3280.202 Definitions

MHCC Motion: Approve as Modified

Maker: Michael Santana Second: Alan Spencer

The motion carried unanimously via voice vote.

The discussion for Log 198 focused on the definition of a Manufactured Home and how to make it more modern. The Committee discussed how a three-story home would change the definition and if taking language from the International Residential Code (IRC) would be valid. The Committee decided to edit the definition of a manufactured home to ensure that the Manufactured Housing industry can provide affordable housing to its consumers.

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Carports’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Joseph Sadler

The motion carried unanimously via voice vote.

Carports		
DRC 16 – NFA	DRC 126 – RP&C	

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘Model Manufactured Home Installation Standards’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Manuel Santana

The motion carried unanimously via voice vote.

Model Manufactured Home Installation Standards		
Log 192 - Disapprove		

MHCC Motion: Accept Regulatory Enforcement Subcommittee Recommendation on ‘RV Rule’ category. See table below showing MHCC action on this category.

Maker: Michael Moglia Second: Joseph Sadler

The motion carried unanimously via voice vote.

RV Rule		
DRC 220 – NFA	DRC 223 – NFA	DRC 226 – NFA
DRC 221 – NFA	DRC 224 – NFA	DRC 227 – RP&C
DRC 222 – NFA	DRC 225 – NFA	DRC 228 – NFA

LOG 166: § 3285.5 Definitions

MHCC Motion: Approve

Maker: David Tompos Second: Joseph Sadler

The motion carried unanimously via voice vote.

The MHCC decided to allow the four subcommittees to meet to discuss the assigned DRCs and Log Items.

Public Comment Period – Afternoon Session

No public comments.

Reconvene

The MHCC adjourned at 4:45 p.m.

DAY 2: Wednesday, October 30, 2019

Reconvene

MHCC Chairman, Tommy Colley, reconvened the meeting at 9:02 a.m. DFO Payne welcomed the Committee back into session. Kevin Kauffman (AO) called the roll and announced that a quorum was present. The Committee decided to review assigned Subcommittee DRCs and Log Items and reconvene with the full MHCC in the afternoon to review the Subcommittee's recommendations.

See Subcommittee minutes from all the Subcommittees to review the discussion on October 30, 2019.

To review Subcommittee minutes from October 29-31, 2019 meeting visit:

https://www.hud.gov/program_offices/housing/rmra/mhs/subcomitt

Public Comment Period – Morning Session

No public comments.

LUNCH BREAK

Public Comment Period – Afternoon Session

Mark Weiss, MHARR, discussed the merits of the Interpretative rule based on the Executive Order that was issued on October 9th, 2019. The HUD guidance documents (Interpretive Rules and any document used to offer clarification or guidance) cannot be enforced without a comment period. Mr. Weiss informs the Committee about how the Interpretive Rule is not valid due to the law.

MHCC Review of Current Log & Action Items

The MHCC reconvenes after all the subcommittees have met to discuss their recommendation.

LOG 180: § 3285.5 Definitions

MHCC Motion: Approve as Modified

Maker: Manuel Santana

Second: Michael Wade

The motion carried unanimously via voice vote.

Report from the Structure and Design Systems Subcommittee on their Assigned DRCs and Log Items.

Structure and Design Subcommittee Chair, Cameron Tomasbi, introduced the DRC categories. He provided a summary of the subcommittee's discussion that from the morning session. The following Log Items were removed off the Voting Bloc and discussed individually.

DRC 159: FR6075-N-01 – Foundation Burdens

MHCC Motion: Reviewed and Considered – No Further Action Required

Maker: Manuel Santana Second: Robert Parks
The motion carried via voice vote with one abstention.

MHCC Motion: Accept Structure and Design Subcommittee Recommendation on 'Foundation Requirements' category. See table below showing MHCC action on this category.

Maker: Cameron Tomasbi Second: Michael Wade
The motion carried unanimously via voice vote.

Foundation Requirements		
DRC 155 – NFA	DRC 163 – NFA	DRC 168 – NFA
DRC 159 – NFA	DRC 164 – RP&C	DRC 180 – NFA
DRC 160 – NFA	DRC 165 – NFA	DRC 181 – NFA
DRC 161 – NFA	DRC 166 – RP&C	DRC 182 – NFA
DRC 162 – NFA	DRC 167 – RP&C	DRC 183 – RP&C

The MHCC adjourned at 4:55 p.m.

DAY 3: Thursday, October 31, 2019

Reconvene

MHCC Chairman, Tommy Colley, reconvened the meeting at 9:02 a.m. DFO Payne welcomed the Committee back into session. Kevin Kauffman (AO) called the roll and announced that a quorum was present.

Public Comment Period – Morning Session

William Sherman, NY Department of State, thanked the MHCC for their hard work. Mr. Sherman reminded the MHCC that the changes to the standard have long-term effects on the program and the members need to keep that in mind when proposing and accepting changes to the standards.

After the Public Comment Period, the MHCC allowed the Regulatory Enforcement Subcommittee to meet to discuss changes to Subpart M.

Reconvene

The MHCC reconvened at 11:40 a.m. to discuss all remaining subcommittee recommendations.

Report from the General Subcommittee on their Assigned DRCs and Log Items.

- DRC 64:** **FR6075-N-01 – HUD Code**
MHCC Motion: Approve as Modified
Maker: Joseph Sadler Second: Russell Watson
The motion carried unanimously via voice vote.
- DRC 281:** **FR6075-N-01 – MHCC**
MHCC Motion: Reviewed and Considered – No Further Action Required.
Maker: Joseph Sadler Second: Luca Brammer
The motion carried unanimously via voice vote.
- DRC 284:** **FR6075-N-01 – MHCC**
MHCC Motion: Reviewed and Considered – No Further Action Required.
Maker: Joseph Sadler Second: Stacey Epperson
The motion carried unanimously via voice vote.

Report from the Structure and Design Systems Subcommittee on their Assigned DRCs and Log Items.

- LOG 193:** **§ 3280.4 Incorporation by Reference & 3280.801 Scope**
MHCC Motion: Disapprove
Maker: Cameron Tomasbi Second: James Husom
The motion carried unanimously via voice vote.
- LOG 173:** **§ 3280.105 Exit facilities; exterior doors**
MHCC Motion: Disapprove
Maker: Cameron Tomasbi Second: James Husom
The motion carried unanimously via voice vote.
- LOG 174:** **§ 3280.203 and 3280.204 Fire protection and Kitchen Cabinet**
MHCC Motion: Approve as Modified
Maker: Cameron Tomasbi Second: James Husom
The motion carried via voice vote with 3 negatives.
- LOG 196:** **§ 3280.208 Requirements for foam plastic thermal insulating materials**
MHCC Motion: Approve
Maker: Cameron Tomasbi Second: Manuel Santana
The motion carried unanimously via voice vote.
- LOG 197:** **§ 3282.404(a) Manufacturers' determinations and related concurrences.**
MHCC Motion: Disapprove
Maker: Cameron Tomasbi Second: James Husom
The motion carried unanimously via voice vote.

LOG 202: § 3280.403 Requirements for windows, sliding glass doors, and skylights

MHCC Motion: Disapprove

Maker: Cameron Tomasbi Second: James Husom

The motion carried unanimously via voice vote.

LOG 203: § 3280.404 Standard for egress windows and devices for use in manufactured homes

MHCC Motion: Disapprove

Maker: Cameron Tomasbi Second: James Husom

The motion carried unanimously via voice vote.

LOG 204: § 3280.405 Standard for swinging exterior passage doors for use in manufactured homes

MHCC Motion: Disapprove

Maker: Cameron Tomasbi Second: James Husom

The motion carried unanimously via voice vote.

Report from the Technical Systems Subcommittee on their Assigned DRCs and Log Items.

LOG 205: § 3280.508 Heat loss, heat gain and cooling load calculations

MHCC Motion: Disapprove

Maker: Michael Wade Second: Russell Watson

The motion carried unanimously via voice vote.

MHCC Review of Current Log & Action Items

After the Technical System Subcommittee update, the MHCC reviewed the following Log Items after reviewing all subcommittee recommendations.

LOG 190: § 3286.803 State qualifying installation program & 3286.2 Applicability

MHCC Motion: Disapprove.

Maker: David Tompos Second: Alan Spencer

The motion carried unanimously via voice vote.

Public Comment Period – Afternoon Session

Mark Weiss, MHARR, stated his disappointment with the Committee's vote on the Interpretative Rule – DRC 57 and that the Interpretative Rule is still valid. Mr. Weiss thanked the Regulatory Enforcement Subcommittee on the Subpart I and Subpart M work. He also thanked the MHCC for their time and a productive meeting.

Leslie Gooch, MHI, noted the productivity of the meeting and thanked the MHCC members for their work. She looked forward to edits on Subpart M and move the new Subpart M quickly through the consensus process. Ms. Gooch mentioned that Manufactured Housing is part of the conversations about innovative solutions for housing.

Wrap-up

The Committee discussed on how to best address Log Items in the 2021-2022 Cycle. The MHCC members were looking to move to the Voting Bloc method for future MHCC meetings and allowing the Subcommittee to initially review the Log Items. The following motion was made based on the discussion:

MHCC Motion: Automatically send Log Items to the Subcommittees first to review.

Maker: Garold Miller

Second: Michael Wade

The motion carried unanimously via voice vote.

Michael Wade thanked Chairman Colley, DFO Payne, and the AO for a successful and a productive meeting. AO Kauffman reminded members to participate in the letter ballot and that the vote will be finalized after the final letter ballot. DFO Payne and Chairman Colley thanked the MHCC members, the HUD staff, the public participants, the AO and the meeting planners for a successful and productive MHCC meeting.

The MHCC meeting adjourned at 12:15 p.m.

DRAFT



MANUFACTURED HOUSING CONSENSUS COMMITTEE

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MHCC MEETING
October 29 - 31, 2019

APPENDIX A: Participant List



HUD Manufactured Housing Consensus Committee Meeting

October 29–31, 2019
Holiday Inn Washington–Capitol • Washington, DC

Participant List

Manufactured Housing Consensus Committee Members

Dave Anderson

Executive Director
National Manufactured Home Owners
Association
2380 Wycliff Street, Suite 200
St. Paul, MN 55114
Phone: 202-800-9795
Email: david.r.anderson.nmhoa@gmail.com

Luca Brammer, P.E.

President
Hallmark Southwest
25525 Redlands Boulevard
Lomda Linda, CA 92354
Phone: 858-336-6627
Email: lbrammer@hallmarksouthwest.com

Tommy Colley

Assistant Administrator
Alabama Manufactured Housing Commission
511 Central Road
Eclectic, AL 36024
Phone: 334-850-0554
Email: tommy.colley@amhc.alabama.gov

Loretta Dibble

Organizer
MHOA-NJ
P.O. Box 104
Jackson, NJ 08527
Phone: 732-708-1880
Email: dibble@rutgers.edu

Stacey Epperson

President and Founder
Next Step Network
2005 Longest Avenue
Louisville, KY 40204
Phone: 502-694-1972
Email: s.epperson@nextstepus.org

Robert Garcia

Engineer
Fleetwood Enterprises
2275 Sampson Avenue, Suite 203
Corona, CA 92879
Phone: 602-283-9074
Email: robert.garcia@fleetwoodhomes.com

James Husom

President and Chief Executive Officer
PFS Corporation
1507 Matt Pass
Cottage Grove, WI 53527
Phone: 608-839-1372
Email: jim.husom@pfsteco.com

Garold Miller

President
Manufactured Housing Association of
New Jersey
48 Boxwood Drive
Jackson, NJ 08527
Phone: 732-534-0085
Email: garnoldmiller@gmail.com

Michael Moglia
Program Manager
Housing Standards Division
Pennsylvania Department of Community and
Economic Development
400 North Street, Fourth Floor
Harrisburg, PA 17120
Phone: 717-720-7416
Email: mmoglia@pa.gov

Robert Parks
Consultant
P.O. Box 3127
West Monroe, LA 71294
Phone: 318-355-1918
Email: bobby@parksair.com

Joseph Sadler, Jr., P.E.
Deputy Commissioner
North Carolina Department of Insurance
1202 Mail Service Center
Raleigh, NC 27699
Phone: 919-647-0052
Email: joe.sadler@ncdoi.gov

Manuel Santana
Director of Engineering
Cavco Industries, Inc.
3636 N. Central Ave
Phoenix, AZ 85012
Phone: 602-283-9228
Email: manuells@cavco.com

Alan Spencer
President
Dakotaland Homes
1301 S. Lyons Avenue
Sioux Falls, SD 57106
Phone: 605-201-3394
Email: aspencer@dakotalandhomes.com

Cameron Tomasbi, P.E.
Director of Engineering
The Commodore Corporation
1423 Lincolnway East
Goshen, IN 46527
Phone: 574-533-7100
Email: ctomasbi@commodorehomes.com

David Tompos
President
NTA, Inc.
305 North Oakland Avenue
Nappanee, IN 46550
Phone: 574-773-7975
Email: tompos@ntainc.com

Michael Wade
Director of Lean Manufacturing
Cavalier/Clayton
144 Corporate Way
Addison, AL 35540
Phone: 256-747-7504
Email: mwade@cavhomesinc.com

Russell Watson
Director at Large
Federation of Manufactured Home Owners of
Florida Inc.
1771 Golden Ponds Road
Fort Pierce, FL 34945
Phone: 860-910-8259
Email: rsw_52@att.net

Catherine Yielding
Founder/Administrator
United Manufactured Home Owner Volunteers
(UMHOV)
9421 East Main Street, #142
Mesa, AZ 85207
Phone: 254-368-7809
Email: catyknot02@aol.com

U.S. Department of Housing and Urban Development

Barry Ahuruonye

Management Analyst
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-7306
Email: Barry.U.Ahuruonye@hud.gov

Dennaire Anderson

General Engineer
Office of Manufactured Housing
U.S. Department of Housing and Urban
Development
451 7th Street, S.W.
Washington, DC 20410
Phone: 202-402-3282
Email: dennaire.b.anderson@hud.gov

Adrian C. Browner

Management Analyst
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-4532
Email: Adrian.C.Browner@hud.gov

Tommy Daison

Management Analyst
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-3720
Email: George.T.Daison@hud.gov

Alan Field

Management Analyst
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-2341
Email: Alan.J.Field@hud.gov

Dorian Hawkins

Attorney-Advisor
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9240
Washington, DC 20410
Phone: 202-402-5969
Email: Dorian.S.Hawkins@hud.gov

Leo Huott

Management Analyst
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-4538
Email: Leo.S.Huott@hud.gov

Andrew Lee

Attorney-Advisor
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9240
Washington, DC 20410
Phone: 202-402-6190
Email: Chung-yiu.Lee@hud.gov

Patricia McDuffie

Manufactured Housing Specialist
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-5607
Email: Patricia.A.Mcduffie@hud.gov

Jason McJury

Senior Engineer
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9176
Washington, DC 20410
Phone: 202-402-2480
Email: Jason.C.Mcjury@hud.gov

Paul Olin

Advisor
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-3672
Email: paul.m.olin@hud.gov

Teresa B. Payne

Administrator
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-5365
Email: Teresa.L.Payne@hud.gov

Glorianna Peng

Senior Advisor
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-2122
Email: Glorianna.Y.Peng@hud.gov

Barton Shapiro

Senior Advisor
Office of Housing
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-5605
Email: Barton.X.Shapiro@hud.gov

Demetress Stringfield

Management Analyst
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-2239
Email: Demetress.E.Stringfield@hud.gov

Angelo Wallace

Civil /Structural Engineer
Office of Manufactured Housing Programs
U.S. Department of Housing and Urban
Development
451 7th Street, S.W., Room 9170
Washington, DC 20410
Phone: 202-402-3848
Email: Angelo.M.Wallace@hud.gov

HUD Support Services Contractor Personnel

MHCC Administering Organization Staff

Kevin Kauffman

Research Engineer II
Home Innovation
400 Prince George's Boulevard
Upper Marlboro, MD 20774
Phone: 888-602-4663
Email: mhcc@homeinnovation.com

Nay Shah

Research Engineer
Home Innovation
400 Prince George's Boulevard
Upper Marlboro, MD 20774
Phone: 888-602-4663
Email: mhcc@homeinnovation.com

Meeting Planning Contract Staff

La'Shaune Morant

Senior Meetings and Events Manager
JDC-Events
8720 Georgia Avenue, Suite 801
Silver Spring, MD 20910
Phone: 240-316-3202
Email: lashaune@jdc-events.com

Antoinette Price

Project Manager
BLH Technologies, Inc.
1803 Research Boulevard, Suite 500
Rockville, MD 20850
Phone: 240-399-8727
Email: aprice@blhtech.com

Bill Horten

Communications and Logistics Specialist
BLH Technologies, Inc.
1803 Research Boulevard, Suite 500
Rockville, MD 20850
Phone: 240-399-8734
Email: bhorten@blhtech.com

Other Attendees

Danny Ghorbani

Senior Advisor
Manufactured Housing Association for
Regulatory Reform
1331 Pennsylvania Avenue, N.W., Suite 512
Washington, DC 20004
Phone: 202-783-4087
Email: dannyghorbani@aol.com

Barry Gupton

Technical Services Manager
NCDOI/OSFM
325 North Salisbury Street, Room 501
Raleigh, NC 27603
Phone: 919-647-0004
Email: barry.gupton@ncdoi.gov

Lesli Gooch

Executive Vice President and Chief Lobbyist
Manufactured Housing Institute
1655 Fort Myer Drive, Suite 200
Arlington, VA 22209
Phone: 703-558-0660
Email: lgooch@mfghome.org

Paul Hancher

Director
IBTS
45207 Research Place
Ashburn, VA 20147
Phone: 703-867-7971
Email: phancher@ibts.org

Michael S. Henretty
Installation Program Manager
19100 Mockingbird Heights Road
Triangle, VA 22172
Phone: 703-407-1094
Email: michaelhenretty@hotmail.com

Parker Holloway
Program Analyst/Subject Matter Expert/
FAC-COR II
Federal Emergency Management Agency
U.S. Department of Homeland Security
500 C Street, S.W.
Washington, DC 20472
Phone: 202-714-3083
Email: parker.holloway@fema.dhs.gov

Devin Leary-Hanebrink
Vice President and Counsel
Manufactured Housing Institute
1655 Fort Myer Drive, Suite 200
Arlington, VA 22209
Phone: 703-558-0400
Email: dlearyhanebrink@mfghome.org

Jeffrey T. Legault, P.E.
Director, Engineering
Champion Home Builders
2520 By-Pass Road
Elkhart, IN 46514
Phone: 574-206-3279
Email: jlegault@skylinecorp.com

James Martin
Senior Risk Analyst
Federal Housing Finance Agency
400 7th Street, S.W.
Washington, DC 20219
Phone: 202-649-3407
Email: james.martin@fhfa.gov

Steve Pinckard
Programs Manager
Alabama Manufactured Housing Commission
350 South Decatur Street
Montgomery, AL 36104
Phone: 334-242-1418
Email: steve.pinckard@amhc.alabama.gov

Matthew Rabkin
Manufactured Home Program Manager
Federal Emergency Management Agency
U.S. Department of Homeland Security
500 C Street, S.W.
Washington, DC 20472
Phone: 202-212-1011
Email: matthew.rabkin@fema.dhs.gov

William Sherman
Administrator
New York Department of State, Division of
Building Standards and Codes
One Commerce Plaza
99 Washington Avenue, Suite 1160
Albany, NY 12231-0001
Phone: 518-486-5067
Email: william.sherman@dos.ny.gov

James Turner
Contractor
IBTS
45207 Research Place
Ashburn, VA 20147
Phone: 703-481-2019
Email: jturner@ibts.org

Mark Weiss
President
Manufactured Housing Association for
Regulatory Reform
1331 Pennsylvania Avenue, N.W., Suite 512
Washington, DC 20004
Phone: 202-783-4087
Email: mmarkweiss@aol.com



MANUFACTURED HOUSING CONSENSUS COMMITTEE

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MHCC MEETING
October 29 - 31, 2019

APPENDIX B: MHCC – Basic Rules and Procedures



MANUFACTURED HOUSING CONSENSUS COMMITTEE

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Basic Rules and Procedures Manufactured Housing Consensus Committee Meeting

1. The Consensus Committee (CC) is required to take a **Formal Action** on **each Log Item and Deregulation Comment**.

To Dispose of a Log Item typically, one of the following three Motions are used:

- **Approve**
- **Approve as Modified (AM)**
- **Disapprove**

For a Deregulation Comment, one primary Motion is used followed by a secondary Motion that disposes the Deregulation Comment:

- **Primary Motion: Reviewed and Considered**
Secondary Motion (examples):
 - **No Further Action Needed**
 - **Reject premise and conclusion of comment**
 - **Approve (choose one of two paths)**
 - **Non-Technical Change - Refer to HUD for consideration**
 - **Technical Change – Approve Pending Regulatory Language from the Subcommittee**
 - ***any other motions that dispose of the Deregulation Comment**

2. **A Second** is required on all motions. (Seconding a motion does not indicate agreement with the item or motion.)

3. Reason Statement:

Approve: No statement is required.

Approve as Modified or Disapprove: A reason, preferably technical in nature, is required for each Formal Action.

Deregulation Comments: A reason is required for all Deregulation Comment regardless of motion.

4. The **Hearing Order and Voting Bloc** will be followed.
5. **Voting Bloc** items will be voted in blocks by categories / topics. **Any Comment** can be **removed** from the **Voting Bloc** at the request of a committee member or the public present at the meeting who wants to address the committee to speak against the Subcommittee recommendation. The request for removing an item from the Voting Bloc must occur before an action is taken on the Voting Bloc.
6. Items not on the Voting Bloc are voted individually.
7. Once all the individual items removed from the Voting Bloc have been addressed, the Voting Bloc is moved by the Chair of the Subcommittee responsible for the Category. The motion is to **“Accept Subcommittee Recommendation on all Voting Bloc items for the *stated category*”**. The motion must be seconded and receive at least 2/3 votes in the affirmative (not counting abstentions and those absent at the time of the vote).
8. An item can be moved back in the hearing order, if requested.
9. Items can be re-opened following the Roberts Rules of Order.

EXAMPLE OF HOW “THE HEARING ORDER AND VOTING BLOC” IS FOLLOWED:

1. The Chair / Subcommittee Chair will introduce the category / topic from the Hearing Order and Voting Bloc.
2. The Subcommittee Chair will ask the MHCC member if they have any items (DRCs or Log Items) that they would like to remove from the Voting Bloc to discuss individually. This is done if a member doesn't agree with the Subcommittee recommendation. Based on requests, the Subcommittee Chair will move the requested items and the AO will note down which member requested the item to be moved.
3. The Subcommittee Chair will ask the public if they have any items (DRCs or Log Items) that they would like to remove from the Voting Bloc to discuss individually. This is done if a member of the public doesn't agree with the Subcommittee recommendation. Based on requests, the Subcommittee Chair will move the requested items and the AO will note down which member of public requested the item to be moved.
4. The MHCC will discuss those DRCs or Log Items individually and take an action on it. The Subcommittee Chair asks the MHCC member or member of the public who removed the item from the Voting Bloc to state their case for disagreeing with the Subcommittee Recommendation.
5. Once all the individual items removed from the Voting Bloc have been addressed, the Subcommittee Chair will make a motion to **“Accept Subcommittee Recommendation on all Voting Bloc items for the **stated category**”**. A MHCC member will have to provide a second.
6. A voice vote or a roll call vote will be taken on the motion.
7. If the motion passes, it means that Subcommittee Recommendations become MHCC Actions.
8. After all items within a category/topic have a MHCC Action, the Subcommittee Chair will introduce the next category / topic.

10. See below more in-depth information on common motions and scenarios that may occur during the meeting.

List of Motions and Resulting Formal Actions or Scenarios for Individual Log Items

#	Motion on Public Comment	Vote	CC Action on the Motion	Committee Formal Action on the Log Item
1	Approve	≥2/3	Passes	Approve Log Items.
2	Approve	<2/3 vote	Fails	Open for a new motion.
3	Approve as Modified	≥2/3	Passes	Approve with modification.
4	Approve as Modified	<2/3 vote	Fails	<u>Scenario 1:</u> Default back to previous motion (approve or disapprove). <u>Scenario 2:</u> No previous motions were made on this item – Open for a new motion.
5	Disapprove	>1/2	Passes	Disapprove.
6	Disapprove	≤1/2	Fails	Open for a new motion.
7	Postpone to a certain time	>1/2	Passes	Postpone Log Item to a certain time.
8	Refer to a Subcommittee	>1/2	Passes	Refer Log Item to a Subcommittee.

List of Common Secondary Motions for Individual Deregulation Comments and Resulting Actions

#	Secondary Motion on Deregulation Comments	Vote	Action on the Motion	Resulting Action
1	No Further Action Needed	≥1/2	Passes	Deregulation Comment closed out by the MHCC.
2	Reject premise and conclusion of comment	≥1/2	Passes	Deregulation Comment closed out by the MHCC.
3	Refer to HUD for consideration (non-technical comment)	≥2/3	Passes	Deregulation Comment closed out by the MHCC.
4	Approve Pending Regulatory Language from Committee (technical comment)	≥2/3	Passes	Deregulation Comment is set aside temporarily. Committee to provide and approve regulatory language at a future time.
5	* any motions to dispose of the Deregulation Comment	Varies	Passes	Deregulation Comment closed out on Subcommittee level. Recommendation will be presented to full committee via Voting Bloc.
6	Refer to a Subcommittee	>1/2	Passes	Refer Deregulation Comment to a Subcommittee.
7	* any motions	N/A	Fails	Open for a new motion.

The table below provides a list of common main motions in order of precedence and how to introduce these motions. A motion can be introduced if it is higher on the chart than the pending motion.

Main Motions

#	Purpose	You Say
1	Close meeting	I move to adjourn.
2	Take break	I move to recess for ...
3	Close Debate	I move the previous question.
4	Postpone to a certain time	I move to postpone the motion to ...
5	Refer to subcommittee	I move to refer the motion to ...
6	Modify wording of motion	I move to Approve as Modified by ...
7	Approve or Disapprove	I move to Approve or I move to Disapprove



MANUFACTURED HOUSING CONSENSUS COMMITTEE

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MHCC MEETING
October 29 - 31, 2019

APPENDIX C: Hearing Order and Voting Bloc

REGULATORY ENFORCEMENT SUBCOMMITTEE RECOMMENDATIONS

Items to be discussed individually	Voting Bloc		
Approve - Negative Votes Approved as Modified – Any Votes Requested	Approve - Unanimous Votes Disapprove – Any Votes No Further Action (NFA) – Any Votes Reject Premise and Conclusion (RP&C) – Any Votes Refer to ... – Any Votes		
On-Site Completion			
	DRC 2 – Refer to HUD	DRC 91 – NFA	DRC 111 – NFA
	DRC 17 – NFA	DRC 92 – RP&C	DRC 112 – NFA
	DRC 18 – NFA	DRC 97 – NFA	DRC 113 – NFA
	DRC 28 – NFA	DRC 98 – NFA	DRC 114 – NFA
	DRC 86 – NFA	DRC 100 – NFA	DRC 115 – Refer to Office of Single-Family Housing
	DRC 87 – NFA	DRC 101 – NFA	DRC 116 – RP&C
	DRC 88 – NFA	DRC 108 – NFA	DRC 117 – NFA
	DRC 89 – NFA	DRC 109 – NFA	DRC 118 – NFA
	DRC 90 – NFA	DRC 110 – RP&C	
Procedural and Enforcement Regulations			
Log 194 – Approve as Modified	Log 163 - Disapprove	Log 182 - Disapprove	
Alternative Construction Requirements			
	DRC 63 – NFA	DRC 123 – NFA	DRC 128 – NFA
	DRC 80 – RP&C	DRC 124 – RP&C	DRC 129 – Refer to HUD
	DRC 81 – NFA	DRC 127 – RP&C	
Consumer Complaint Handling and Remedial Actions			
	DRC 5 – RP&C	DRC 141 – NFA	DRC 146 – NFA
	DRC 26 – NFA	DRC 142 – RP&C	DRC 147 – NFA
	DRC 27 – RP&C	DRC 143 – RP&C	DRC 148 – NFA
	DRC 139 – RP&C	DRC 144 – NFA	DRC 149 – NFA
	DRC 140 – NFA	DRC 145 – NFA	
Preemption			
	DRC 130 – Refer to HUD	DRC 133 – NFA	DRC 136 – NFA
	DRC 131 – NFA	DRC 134 – NFA	DRC 137 – NFA
	DRC 132 – NFA	DRC 135 – NFA	DRC 138 – NFA

Items to be discussed individually	Voting Bloc		
<p align="center"> Approve - Negative Votes Approved as Modified – Any Votes Requested </p>	<p align="center"> Approve - Unanimous Votes Disapprove – Any Votes No Further Action (NFA) – Any Votes Reject Premise and Conclusion (RP&C) – Any Votes Refer to ... – Any Votes </p>		
HUD Regulation			
	DRC 1 – RP&C	DRC 188 – NFA	DRC 193 – NFA
	DRC 184 – NFA	DRC 189 – NFA	DRC 194 – NFA
	DRC 185 – NFA	DRC 190 – NFA	DRC 195 – NFA
	DRC 186 – NFA	DRC 191 – NFA	DRC 196 – NFA
	DRC 187 – NFA	DRC 192 – NFA	DRC 197 – NFA
Dispute Resolution			
	DRC 6 – Refer to HUD	DRC 250 – NFA	DRC 252 – NFA
	DRC 249 – NFA	DRC 251 – NFA	DRC 253 – NFA
Multi-family vs. Single-family Homes			
Log 206 – Approve as Modified			
Log 198 – Approve (Moglia)			
Carports			
	DRC 16 – NFA	DRC 126 – RP&C	
Model Manufactured Home Installation Standards			
	Log 192 - Disapprove		
RV Rule			
	DRC 220 – NFA	DRC 223 – NFA	DRC 226 – NFA
	DRC 221 – NFA	DRC 224 – NFA	DRC 227 – RP&C
	DRC 222 – NFA	DRC 225 – NFA	DRC 228 – NFA

GENERAL SUBCOMMITTEE RECOMMENDATIONS

Items to be discussed individually	Voting Bloc		
Approve - Negative Votes Approved as Modified – Any Votes Requested	Approve - Unanimous Votes Disapprove – Any Votes No Further Action (NFA) – Any Votes Reject Premise and Conclusion (RP&C) – Any Votes Refer to ... – Any Votes		
Regulatory Burden and Overreach			
	DRC 3 – Refer to HUD	DRC 202 – Refer to HUD	DRC 212 – RP&C
	DRC 7 – Refer to HUD	DRC 203 – NFA	DRC 213 – NFA
	DRC 15 – NFA	DRC 204 – Refer to HUD	DRC 214 – RP&C
	DRC 20 – NFA	DRC 205 – Refer to HUD	DRC 215 – Refer to HUD
	DRC 21 – Refer to HUD	DRC 206 – Refer to HUD	DRC 216 – RP&C
	DRC 23 – Refer to HUD	DRC 207 – Refer to HUD	DRC 217 – RP&C
	DRC 198 – RP&C	DRC 208 – Refer to HUD	DRC 218 – NFA
	DRC 199 – NFA	DRC 209 – Refer to HUD	DRC 219 – Refer to HUD
	DRC 200 – NFA	DRC 210 – RP&C	
	DRC 201 – Refer to HUD	DRC 211 – RP&C	
Regulatory Benefits			
	DRC 266 – RP&C	DRC 273 – Refer to HUD	DRC 278 – NFA
	DRC 267 – RP&C	DRC 274 – NFA	DRC 279 – NFA
	DRC 268 – NFA	DRC 275 – NFA	DRC 280 – NFA
	DRC 269 – NFA	DRC 276 – NFA	
	DRC 271 – NFA	DRC 277 – NFA	
State Issue			
	DRC 29 – NFA	DRC 262 – RP&C	DRC 265 - NFA
	DRC 260 – Refer to HUD	DRC 263 – RP&C	
	DRC 261 – Refer to HUD	DRC 264 – Refer to HUD	

Items to be discussed individually	Voting Bloc		
<p align="center">Approve - Negative Votes Approved as Modified – Any Votes Requested</p>	<p align="center">Approve - Unanimous Votes Disapprove – Any Votes No Further Action (NFA) – Any Votes Reject Premise and Conclusion (RP&C) – Any Votes Refer to ... – Any Votes</p>		
Land Issues			
	DRC 287 – Refer to HUD	DRC 290 – Refer to HUD	DRC 293 – NFA
	DRC 288 – Refer to HUD	DRC 291 – Refer to HUD	
	DRC 289 – Refer to Office of Manufactured Housing	DRC 292 – NFA	
Regulatory Benefits			
<u>DRC 57 – RP&C (Weiss)</u>	DRC 25 – Refer to HUD	DRC 47 – RP&C	DRC 68 – NFA
	DRC 30 – Refer to HUD	DRC 49 – NFA	DRC 69 – NFA
	DRC 32 – Refer to HUD	DRC 50 – NFA	DRC 70 – NFA
	DRC 33 – Refer to HUD	DRC 51 – Refer to HUD	DRC 71 – RP&C
	DRC 34 – NFA	DRC 52 – NFA	DRC 72 – NFA
	DRC 35 – NFA	DRC 53 – RP&C	DRC 73 – NFA
	DRC 36 – NFA	DRC 54 – RP&C	DRC 74 – NFA
	DRC 37 – RP&C	DRC 55 – NFA	DRC 75 – Refer to HUD
	DRC 38 – RP&C	DRC 56 – RP&C	DRC 76 – Refer to HUD
	DRC 39 – NFA	DRC 57 – RP&C	DRC 77– Refer to HUD
	DRC 41 – NFA	DRC 60 – RP&C	DRC 78 – RP&C
	DRC 42 – NFA	DRC 61 – RP&C	DRC 79 – NFA
	DRC 43 – NFA	DRC 62 – Refer to HUD	DRC 82 – Refer to HUD
	DRC 44 – RP&C	DRC 65 – NFA	DRC 83– Refer to HUD
	DRC 45 – NFA	DRC 66 – NFA	DRC 84– Refer to HUD
	DRC 46 – NFA	DRC 67 – NFA	DRC 85 - NFA

Items to be discussed individually	Voting Bloc		
<p align="center">Approve - Negative Votes Approved as Modified – Any Votes Requested</p>	<p align="center">Approve - Unanimous Votes Disapprove – Any Votes No Further Action (NFA) – Any Votes Reject Premise and Conclusion (RP&C) – Any Votes Refer to ... – Any Votes</p>		
OMHP Administration			
	DRC 254 – NFA	DRC 256 – NFA	DRC 258 – NFA
	DRC 255 – NFA	DRC 257 – NFA	DRC 259 – NFA
MHCC Issues			
	DRC 282 – NFA	DRC 285 – NFA	
	DRC 283 – NFA	DRC 286 – RP&C	
Miscellaneous			
	DRC 294 – NFA	DRC 296 – NFA	DRC 298 – NFA
	DRC 295 – Refer to Office of Manufactured Housing	DRC 297 – RP&C	DRC 299 – NFA
Financing Issues			
	DRC 229 – NFA	DRC 235 – Refer to Office of Manufactured Housing	DRC 241 – NFA
	DRC 230 – NFA	DRC 236 – NFA	DRC 242 – NFA
	DRC 231 – Refer to Office of Manufactured Housing	DRC 237 – Refer to Office of Manufactured Housing	DRC 243 – NFA
	DRC 232 Refer to Office of Manufactured Housing	DRC 238 – Refer to Office of Manufactured Housing	DRC 244 – NFA
	DRC 233 – NFA	DRC 239 – NFA	DRC 245 – NFA
	DRC 234 – Refer to Office of Manufactured Housing	DRC 240 – Refer to Office of Manufactured Housing	DRC 246 – NFA