

## **FEDERAL MANUFACTURED HOUSING PROGRAM -- FACT SHEET # 2**

### **COLLECTIVE INDUSTRY REPRESENTATION ON THE MHCC MUST BE RESTORED**

The Manufactured Housing Consensus Committee (MHCC) is the centerpiece reform of the Manufactured Housing Improvement Act of 2000, with the authority to review and comment on all HUD proposals and actions affecting the federal standards and enforcement regulations, and their interpretation.

HUD, though, based on 2009 White House “guidance” regarding registered federal lobbyists serving on federal advisory committees, has barred representatives of the industry’s two national trade organizations from the MHCC. Representatives of both organizations had been appointed as original members of the MHCC, but were not re-appointed when their terms expired. And HUD has now extended this ban to include non-lobbyist employees of industry organizations, even though the White House “guidance” says nothing about this.

This action has severely impacted the representation of the industry on the MHCC, depriving it of the benefits of the collective knowledge, know-how, expertise and institutional memory that it has assembled in Washington, D.C. to address the industry’s collective views and positions on standards and regulatory issues, and ensure that the MHCC functions in full compliance with law. While HUD has appointed representatives of individual industry businesses to the MHCC, those businesses are regulated by HUD and face potential regulatory backlash. In addition, individual company representatives are inevitably affected by company-specific concerns, as contrasted with collective industry representatives, who have a duty to act in accordance with broader interests. Thus, industry businesses which, for years, have entrusted such functions to collective industry representatives, have a right -- equal to any other MHCC interest group -- to be represented on a collective basis.

Indeed, no similar limitation has been placed on any other MHCC interest group. For example, the Executive Director and three members of the Board of Directors of the same national organization of manufactured homeowners currently serve as voting MHCC members. This, together with the ban on collective industry representation, has skewed the balance of the MHCC, contrary to the 2000 law.

Accordingly, HUD should immediately place non-lobbyist representatives of the industry’s national organizations on the MHCC as voting members.

