



HOUSING ALERT

August 17, 2017

Tell HUD to Withdraw its Proposal About Foundation Requirements in Freezing Climates

HUD is seeking comments about its proposed installation Interpretive Bulletin regarding foundation requirements in freezing climates, entitled Interpretive Bulletin (IB) for Model Manufactured Home Installation Standards Foundation Requirements in Freezing Temperatures Areas Under 24 CFR 3285.312(b). According to HUD, the purpose of the proposed IB is to provide guidance on designing and installing manufactured home foundations in areas subject to freezing climates with seasonal ground freezing.

MHI will be submitting comments to HUD objecting to the proposed IB because it limits much of the discretion afforded to the industry in 24 CFR Part 3285. The proposal prohibits the use of existing systems and state-approved systems without providing any evidence of performance issues. The prescriptive requirements of the proposed IB contradict designs that meet HUD Code requirements and are contrary to designs that have been developed by professional certified engineers or architects. MHI's comments to HUD will call for a withdrawal of the proposed IB and a focus on highlighting performance-based best practices.

During this comment period, you can join MHI's efforts. With MHI's online action center, submitting your comments to HUD is easy. [Click here](#) and follow the simple steps on MHI's website. The letter to HUD has already been composed - all you have to do is insert your home address, personalize the letter as you deem necessary, and click submit by August 21!

The letter MHI has prepared for you makes the following points:

- The proposed IB restricts options currently allowed under 24 CFR Part 3285.
- HUD has not provided any evidence of performance issues or problems.
- DAPIA and state-approved professional engineer designs currently utilized in the field will no longer be acceptable, which contradicts both the engineering community and HUD's definition of "acceptable engineering practice."

MHI has been expressing its concern to HUD about this move to prescribe foundation designs for freezing climates since the interim guidance came out last year. At that time, MHI raised concerns that the interim guidance was a restriction of discretion afforded by the HUD Code. In response to MHI's concerns, Representative Bruce Poliquin (R-ME) questioned then-HUD Secretary Castro about the interim guidance when he testified before the House Financial Services Committee in July 2016. Rep. Poliquin explained to Secretary Castro that manufactured housing is critical to the supply of affordable housing in Maine, where one in eight of his constituents reside in a manufactured home.

Poliquin said, "You came out with new rules...telling our state how to deal with building a frost-free foundation...if I may Mr. Chairman, there's nobody in the country, other than the folks in the state of Maine, who knows winter [and] how to build a frost-free wall. I hope we can work such that our state regulators can continue to have the flexibility to do what the law says."

The public comment period to HUD will end on Monday, August 21, at midnight (Eastern Time). Please take the time to submit comments to ensure that HUD hears loud and clear from the manufactured housing industry that the proposed IB should be withdrawn because it limits acceptable engineering practices and fundamentally alters the discretion provided for in the HUD Code. States with approved programs should be permitted to establish and enforce regulations and determine acceptable alternative designs, as they do today...

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The above was the bulk of the MHI release on this topic. It was forwarded to *MHProNews*, which obviously originated with an MHI member, for comment under fair use guidelines.

<http://www.MHProNews.com/blogs/daily-business-news/mharr-statement-on-huds-frost-free-ib-rule>

<http://www.MHProNews.com/blogs/daily-business-news/sparks-fly-as-mhis-lesli-gooch-weighs-in-mharrs-mark-weiss-says-fake-news/>

The bottom-line commentary is simple. MHI postures standing up to HUD, but where's are the results? Without changing the program director, how can they possibly hope to see an actual change? [And what's up with the move from Lois Starkey from MHI to HUD?](#)

The president of a multi-state member operation told *MHProNews* he wanted to know just what MHI has accomplished with the millions spent. MHI asks, "Got Clout?" Do they?



Classic Wendy's commercial asks, "Where's the Beef?"

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Smaller companies are often struggling under regulations that bigger companies are better able to handle. So long as MHI postures that they are 'helping,' without actually accomplishing anything, they will be – per allegations and concerns from numerous sources – fostering a climate that causes smaller companies to routinely be 'consolidated' into larger ones; at prices that would be reduced from what their value would if the industry was doing far more new home sales.



"Follow the Money."

– MHI-award winner, Marty Lavin, JD.

"Pay more attention to what people do than what they say."

– Marty Lavin, finance, community, retail veteran.



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