

**AUGUST 30, 2017**

**TO: MHARR MANUFACTURERS  
MHARR STATE AFFILIATES  
MHARR TECHNICAL REVIEW GROUP (TRG)**

**FROM: MARK WEISS**

**RE: HUD PROGRAM RAMPING-UP MORE MH REGULATION**

At a time when federal rulemaking has reached historically-low levels, reflecting the regulatory policies of the Trump Administration, the HUD manufactured housing program, under its current administrator, continues to churn out new and amended regulatory requirements at an aggressive pace.

In addition to the pending “Interpretative Bulletin” for manufactured home foundations in freezing climates and related efforts to effectively dictate installation standards in all 50 states, the Department, in the latest edition of its Semi-Annual Regulatory Agenda (SRA), published in the Federal Register on August 24, 2017 (copy attached), indicates that it will soon issue a proposed rule that – as described by HUD --would “add new standards that would establish requirements for carbon monoxide detection, stairways, fire safety considerations for attached garages, and draftstops when there is a usable space above and below the concealed space of a floor/ceiling assembly.” (Emphasis added). In addition, the impending proposed rule, according to HUD, “would establish requirements for venting systems to ensure that proper separation is maintained between the air intake and exhaust systems.”

If there were need for a further illustration of the urgent need for new leadership at the HUD manufactured housing program – with the re-assignment and replacement of the current Obama Administration holdover director (who remains administrator due, in part, to the silence of some within the industry) – the August 24, 2017 SRA provides that illustration, as the impending manufactured housing rule is the only proposed rule for HUD, as an entire department, that is listed in the Federal Register SRA and the comprehensive SRA maintained at the [www.reginfo.gov](http://www.reginfo.gov) website.

While HUD maintains in the SRA that the impending proposed rule “is based on the third set of recommendations” developed by the Manufactured Housing Consensus Committee (MHCC), it also acknowledges that those recommendations were subjected to “editorial revisions” by HUD. Such “editorial revisions,” in the past, have been used by the program to significantly modify the substance of MHCC recommendations to make them more onerous and more costly – without basis – as occurred with the final HUD “on-site completion” rule, which completely distorted a carefully devised MHCC recommendation, and the requirement for “at least monthly” service record inspections, instead of “periodic” inspections as recommended to HUD, among others.

MHARR will continue to carefully monitor the rulemaking process for this new round of manufactured housing standards to ensure that the program does not engage in its customary manipulations in violation of the Manufactured Housing Improvement Act of 2000.

cc: Other Interested HUD Code Industry Members