

2 Pre-publication draft for third-party artificial intelligence (AI) facts-evidence-analysis check of pending article for MHPRONews.

## Janet Thome-Tiny House Alliance USA Asserts ICC 1215 Small Residential Units Threaten HUD Code Manufactured Homes and Tiny Home Artisans Among Others by Big Corp Interests-Exclusive plus FEA



"Under the 'guise of standardization', we are witnessing the corporate takeover of tiny houses," said Janet Thome, the founder and president of the Tiny House Alliance USA, a 501(c) 3 nonprofit. She said in her submission to MHPRONews below that "**Under The' Guise of Standardization' Tiny Houses and Manufactured Homes Are Being Squeezed Out**

**By the Arbitrary Unconstitutional Small Residential Unit (SRU).** Also, per Thome: "*I honestly feel that the goal of the Small Residential Unit is to replace manufactured homes.*" To set the stage for what follows from the Tiny House Alliance's Thome, the [ICC 1215](#) is described by [left-leaning Google's artificial intelligence \(AI\) overview](#) as "a developing [International Code Council \(ICC\) standard](#) for the design, construction, inspection, and regulation of tiny houses and Small Residential Units (SRUs) for permanent use, aiming to set minimum safety requirements and support their adoption by local governments, though its scope has expanded beyond just tiny houses on wheels (THOWs) to include larger, fixed tiny homes, leading to debate over vehicle/chassis compliance." The

Manufactured Housing Institute ([MHI](#)) website is silent on the public side of their platform at the time of the screen capture of the search for ICC 1215. At this time, the [Manufactured Housing Association for Regulatory Reform \(MHARR\)](#) website is also silent on the ICC 1215. Will that change following the exclusive commentary by [Tiny House Alliance USA's Thorne](#) to *MHProNews* that is provided in Part I below?

According to [Google's AI powered overview](#).

"Janet Thorne, founder of Tiny House Alliance USA, is a recognized leader and advocate in the tiny house movement, known for spearheading the development of global building standards with ASTM International ([ASTM](#)), focusing on safety, viability, and affordability in housing, with a reputation for being a key figure in standardizing the industry through education, lobbying, and fostering community, though detailed public critiques aren't prominent in the search results."

1) That same [AI overview also said about Thorne](#) the following.

- **Practical Experience:** Beyond advocacy, she's involved in tiny home building and has experience with tiny home villages, bringing practical insight.

In essence, her reputation is built on serious, foundational work to grow and legitimize the tiny house industry through standardization and education, positioning her as a respected, active leader in the movement."

2) [Thorne reached out to MHProNews on 12.12.2025](#). She later submitted a letter to the editor/opinion/commentary column to MHProNews. That column by Thorne is provided in Part I.

3) An [MS Word search of the opinion/commentary column by Janet Thorne, president of the Tiny House Alliance USA, names "David Tompos" with the ICC 7 times](#). Per Thorne in a separate email to MHProNews.

"In the article, I am referring to the Dad, R, I have way more info on the son. He was previously the Vice Chair of the MHCC, ICC has him try to stop the ASTM tiny house committee

I used to be on the board of THIA, I recruited ICCNTA to join THIA...

4) David Tompos is an executive vice president (EVP at the ICC and was contacted by *MHProNews* on 12.12.2025, some 3 days prior to publishing this article, to give him/the ICC an opportunity to respond to elements of Thorne's allegations.

According to the [ICC-NTA.org](#) is the following.

## David A Tompos – Executive Vice President, ICC’s Conformity Assessment Group



David A. Tompos, LEED AP BC+D, served as President and CEO of NTA from 2002 to 2023 where he was responsible for the overall strategic vision and direction of the company. David also oversaw all government-related relationships, including NTA’s involvement with HUD and State agencies.

In his role as Executive Vice President of ICC’s Conformity Assessment Group, David is involved with the oversight of and strategic planning for multiple divisions of the International Code Council’s family of solutions, which include ICC NTA, ICC-ES and IAS.

David studied at Purdue University and holds a Bachelor of Science degree in computer and electrical engineering. After graduating in 1998, David began his career at NTA as Director of Testing Services at the NTA Testing Laboratory. During this time, he gained a thorough understanding of Manufactured Housing testing procedures, including inspection, product evaluation, and in-plant quality control. While as Director, David oversaw the development of the industry’s first electronic plan review software, eDAPIA. This revolutionized the process of Third Party Design Review by eliminating the delay in the traditional mail process, thereby saving manufacturers considerable time and money. Prior to becoming President/CEO, David set the Testing Laboratory on the path to achieving its current A2LA ISO recognition.

5) [David R. Tompos](#) is the father of David A. Tompos and [David R. founded the NTA](#). Per Thorne.



**David R. Tompos**

**FOUNDER, VP, DIRECTOR OF SALES**

David leads the planning and execution of strategic and tactical plans to achieve the sales objectives of ICC NTA.

It is David R. Tompos that Thorne is focused on in what follows, per Thorne via email to MHPProNews.

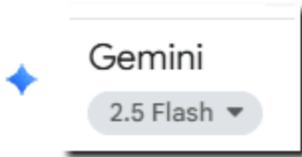
6) The [MHARR website has pages of articles that cite the ICC, as the link here](#) demonstrates. [MHI's website mentions the ICC in 4 different posts](#) on this date. Of those 4 MHI posts, one said this about the ICC.

On May 10, the U.S. Department of Housing and Urban Development (HUD) announced MHI, along with the International Code Council (ICC), the National Multifamily Housing Council (NMHC) and the SBCA Structural Building Components Association as the co-presenters for the 2024 Innovative Housing Showcase, to be held on the National Mall June 7-9.

7) MHARR's remarks about the ICC in a Washington, D.C. update are apparently more relevant. While MHPProNews has reported on that previously, more on that in Part II.

8) To illustrate the possible linkage between the pending federal legislation and the ICC 1215 standards that are the focus of Janet Thome's op-ed is the following Q&A with Google's Gemini.

Gemini, what connections, if any, does the ICC 1215 standards have with the pending "ROAD to Housing Act" or the "Housing for 21st Century Act" bills? Use plain text hyperlinks to support your findings.



The ICC/THIA Standard **1215** on the **Design, Construction, Inspection and Regulation of Small Residential Units and Tiny Houses for Permanent Occupancy** has a connection to the pending legislation through the bills' shared goal of expanding the housing supply and, specifically, through a major provision affecting factory-built housing.

Here is a breakdown of the connection:

- **The Bills' Relevant Provision:** Both the **Renewing Opportunity in the American Dream to Housing Act (ROAD Act)** and the **Housing for the 21st Century Act** include a provision that would essentially **eliminate the permanent chassis requirement for HUD Code Manufactured Homes** and establish HUD as the primary federal authority for manufactured housing construction and safety standards.
  - *Source (ROAD Act):* <https://bipartisanpolicy.org/explainer/whats-in-the-road-to-housing-act-of-2025/>
  - *Source (Housing for the 21st Century Act):* [https://financialservices.house.gov/uploadedfiles/2025-12-11\\_-sbs-\\_housing\\_for\\_the\\_21st\\_century\\_act\\_final.pdf](https://financialservices.house.gov/uploadedfiles/2025-12-11_-sbs-_housing_for_the_21st_century_act_final.pdf)
- **ICC 1215's Focus:** The ICC 1215 standard is designed to codify requirements for **Small Residential Units (SRUs)** and **Tiny Houses for Permanent Occupancy**, including those built on a foundation and **those with wheels and a permanent chassis**. This standard attempts to provide a path for permanent occupancy tiny houses, a sector that currently sits in a complex regulatory space between the International Residential Code (IRC), local zoning, and federal motor vehicle safety laws (for units on a chassis).
  - *Source:* <https://www.iccsafe.org/products-and-services/standards-development/1215-standard/>
  - *Source:* <https://www.tinyhouseallianceusa.org/icc-thia-standard-1215-design-construction-and-regulation-of-tiny-houses-for-permanent-occupancy/>
- **The Regulatory Overlap and Conflict:** Critics of ICC 1215 argue that by including chassis provisions and redefining a unit with a permanent chassis as a "building"

instead of a motor vehicle, the standard is attempting to create a "**shadow regulation**" that avoids existing federal laws governing vehicle safety, labeling, and VIN requirements from the National Highway Traffic Safety Administration (NHTSA) for road-going trailers.

- Source: <https://www.tinyhouseallianceusa.org/icc-1215-chassis-silence-or-regulatory-coverup/>
- Source: <https://www.tinyhouseallianceusa.org/nhtsa-complaint-icc-1215-avoiding-chassis-federal-laws/>

The connection is that both the legislation and the ICC 1215 standard are seeking to **modify the regulatory landscape for factory-built housing on chassis** (manufactured homes and tiny houses/SRUs, respectively) in a way that critics argue could undermine existing federal safety and transportation regulations. If the **ICC 1215** standard were to be adopted by jurisdictions and the **ROAD/Housing for the 21st Century Act** were to become law, the interaction of the two efforts would create a significant regulatory shift for factory-built structures, particularly those transported on a chassis.

--- Be that as it may, MHPProNews notes that the screen capture that documents the accuracy of the above is found at this [link here](#). ---

9) In what follows from Janet Thome, only a few subheadings have been made bolder or spacing errors have been corrected (examples: ( THIA) is shown below as (THIA) and ( **SRU**) is shown below as (**SRU**) and MHPPro News is shown below as MHPProNews). The opinion/commentary is otherwise as submitted by Thome to MHPProNews. The thoughts and statements that follow represent the views of Thome as shown, which as with any third-party content published here may or may not reflect the [editorial views of MHPProNews](#). Thome said she created the images that follow below using various tools. Additional [facts-evidence-analysis](#) (FEA) is provided in Part II.

## Part I

### **The War Against Tiny Houses and the Displacement of HUD Code Manufactured Homes With Small Residential Units (SRUs) “ICC and the Consolidation of Regulatory Power”**

***By Janet Thome Tiny House Alliance USA.org***

#### **[Executive Summary](#)**



The MHPProNews published an [article](#) on June 19, 2023 titled **-Trojan Horse-Looming Impact? Troubling Questions, History Raised on Potentially Deceptive “Bait and Switch” Housing Legislation Poised to Harm Manufactured Home Industry? Facts and Analysis.**

I would like to start with an excerpt of the article. Some hypotheticals regarding the International Code Council were listed that I would like to share my opinion on that will answer the questions and prove that most are not hypothetical at all and are unfolding in front of us.

**“Some hypotheticals are warranted.”**

- *“What if [ICC’s influence in this process](#) causes a change in the standards for manufactured housing?”*
- *Then, what would happen to the most affordable types of [mainstream HUD Code manufactured homes which constitute the majority of the HUD Code manufactured housing market?](#)*

- Or what would happen if the proponents of confusion between federally-regulated manufactured housing and other types of off-site built structures (many if not all of which compete with HUD Code manufactured housing) were to use the legislative process triggered by the [ROAD to Housing Act](#) to push for the end of the HUD manufactured housing program?
- What would happen if those self-interested parties tried to end [manufactured housing's federal preemption](#) and return such regulation to the states? Because one must keep in mind that the legislative process is subject to amendments which both supporters and opponents can introduce.
- What would happen if those self-interested parties tried to tie state regulation over manufactured housing to some dominant role for ICC – either in the development of a model manufactured housing code or some type of continuing enforcement role? ‘

***“Under The’ Guise of Standardization’ Tiny Houses and Manufactured Homes Are Being Squeezed Out***

***By the Arbitrary Unconstitutional Small Residential Unit (SRU)”***

The International Code Council (ICC) is developing a tiny house standard by the [OSMTH 1215 Committee](#) and ICC is co-branding the standard with the Tiny Home Industry Association (THIA).

The original title of the standard was called [ICC/THIA 1215 – 202x Design, Construction and Regulation of Tiny Houses for Permanent Occupancy](#).

The original intent was to add chassis provisions to progress tiny houses on wheels as a viable solution for housing and further the progress of [Appendix Q Tiny Houses](#), the first tiny house code in the 2018 IRC, now referred to as Appendix BB Tiny houses in the 2024 IRC.

*“The standard has been completely hijacked by the Small Residential Unit (SRU) and Tiny Houses has now become an incidental focus. “*

**Initial Press Release**

Definition Of the SRU In the Standard

***SMALL RESIDENTIAL UNIT (SRU).*** *A dwelling that is 1200 square feet (111 m2) or less excluding lofts and is constructed as a permanent residential structure with or without a permanent chassis.*

There has been a great debate in the OSMTH 1215 committee regarding the Small Residential Unit takeover of the standard which is the agenda of ICC.

They want to position the Small Residential Unit, a made-up term that is not used by anyone and is not enforceable over Tiny Houses, a codified term in the IRC, making Tiny Houses a subcategory under the Small Residential Unit.

On May 16, 2025, the ANSI Standards Action Newsletter published a revised PINS notification that the International Code Council (ICC) submitted to add the Small **Residential Unit (SRU)** to the title and the scope of the Tiny House standard.

The proposed **new title** is **ICC/THIA 1215-202x, Design, Construction, Inspection and Regulation of Small Residential Units and Tiny Houses for Permanent Occupancy.**

The Small Residential Unit was vigorously opposed at the first 2025 CAH hearing, and ICC did not listen. They had a chance to get the standard back into compliance with the approved title, scope, and intent of the standard, and the primary purpose to add chassis provisions to tiny houses, adopted into the IRC, but instead tiny houses have been hijacked by the Small Residential Unit.

It is clearly an agenda of ICC, and they have an overreach in their involvement as a Standard Developer that is dominating the standard in violation of ANSI Essential Requirements that prohibit dominance.

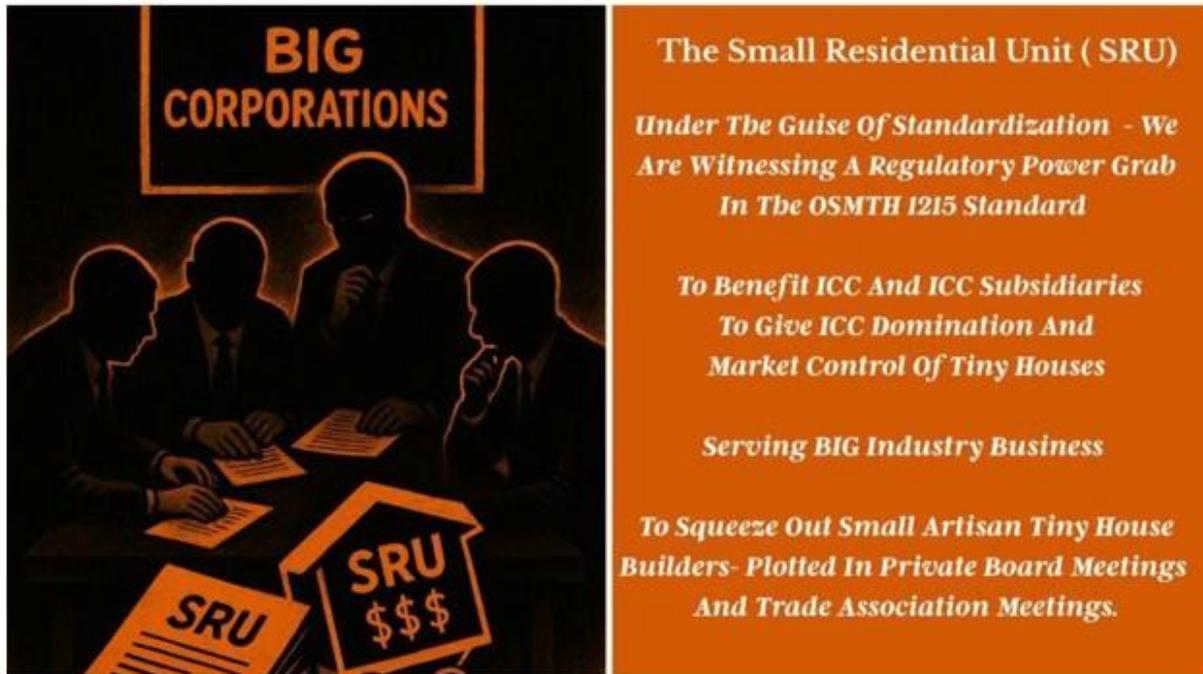
*The standards development process shall not be dominated by any single interest category, individual or organization. Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.*

[Direct Link To Hearing](#)

### **Initial Press Release Of The Standard**

ICC has stacked the voting committee members with THIA, and their close associates, there is not a balance of interests, and it is dominated by ICC and THIA, and the standard is not being developed in an open, fair process as required by ANSI and federal laws in a standard development setting.

There is also an overabundance of manufacturers and the environment is hostile, with an ICC paid staff VP of an ICC subsidiary that has been bullying interested parties, and he is a voting member and was on the board of THIA for almost 5 years, including the initial planning of the OSMTH 1215 committee.



## What Are Our Greatest Concerns?

Under the 'guise of standardization', we are witnessing the corporate takeover of tiny houses. They are trying to get rid of the tiny house term, and eventually the tiny house code known now in the 2024 IRC as Appendix BB Tiny Houses in future code cycles.

Some have called the term tiny house 'inflammatory'. At a recent meeting on March 19, 2025, there was a motion that removed the chassis from the definition of a TINY HOUSE.

**Note:** *The original draft definition of a TINY HOUSES included the **chassis**.*

TINY HOUSE. A SMALL RESIDENTIAL UNIT 400 square feet or less **with or without a PERMANENT CHASSIS system.**

**Current Definition: TINY HOUSE.** A SMALL RESIDENTIAL UNIT that is 400 square feet (37 m2) or less excluding lofts.

[Meeting Notes: March 19, 2025](#)

[Initial Draft Of The Standard](#)

The Small Residential Unit will throw the tiny house industry in chaos, and disrupt all the great progress of Appendix Q Tiny Houses, the crowning achievement of the industry that was the first step toward uniformity.

We need to preserve the grassroots tiny house movement re-ignited by Jay Shafer, the God Father of the tiny house industry that inspired a nation of owner builders, also known as DIYers and advocates that are working diligently for tiny houses on wheels to be legally allowed and to be recognized as housing.

### **Protecting The Interests of Small Manufacturers and Owner Builders**

Our motive is to protect the interests of small manufacturers, and owner builders so the tiny house industry is not swallowed up by corporate interests, over the top regulations, expensive certification, including 100% factory certification, and the squeezing out of small manufacturers, opportunities for owner builders, and creating a barrier to entry.

We want to protect the progress of tiny houses and further the tiny house industry, as an **independent industry**, not swept under Modular or HUD requirements, as the only requirements that will be out of reach for many, and answer the call for affordable housing, creating a path for tiny houses on wheels.

### **Why More Manufacturers Do Not Build Tiny Houses to The HUD Code?**

The heart of the tiny house industry are very small manufacturers that cannot afford the 100% plant inspection that HUD requires.

### **HUD Does Not Regulate Tiny Homes and Tiny Homes Fall Between the Cracks of HUD And RVs**

HUD does not regulate tiny houses, though they recognize that they can be built to multiple codes and standards, including modular, the HUD code, and recreational vehicle standards.

Typically, most tiny house manufacturers currently build tiny houses on wheels to RV standards, though they are not considered housing in most jurisdictions, and RVIA will kill any state legislation associated with tiny houses and RV standards, which is one reason the industry has sought a path for standards for tiny houses on wheels to be recognized as housing.

### **Affordable Housing Efforts Threaten RV Industry**

*In an effort to increase affordable housing, some policymakers across the country have begun to look to tiny homes as a solution. Unfortunately, these efforts have led some legislators, officials and other interest groups to attempt to co-opt RV and PMRV standards and definitions to use them for permanent-use tiny home standards. Washington state was the most active in this effort this year.*

*Although both NFPA 1192 and ANSI A119.5 specifically state that these standards are for temporary-use vehicles, bills in Washington would have incorrectly defined all types of RVs and used the RV and PMRV standards to define permanent structures.*

*It is expected that this push by affordable housing advocates to find some type of permanent use tiny home definition will continue. The state team will continue to defend against these kinds of bills to ensure RVs are not confused with any type of permanent housing.*

[RVIA Article](#)

## **The Back Story**

### **What Is the Financial Agreement Between ICC And THIA?**

There has been a secret battle for tiny houses that has been simmering for years that most are not aware of, and it is time to blow the lid off and reveal all. I will try to give a short summary.

Tiny Houses have been held captive by the executives of ICC for over 7 years for their desired outcome that benefits ICC and their services. [Appendix Q Tiny Houses](#), that was adopted into the 2018 IRC, originally had provisions for movable structures, but the head of the ICC code approval process said that he would not accept the proposal as written because he believed it was what they call in the industry a “hijack” of the original proposal.

Originally when [ICC/MBI 1200 and 1205](#) were developed, tiny homes were excluded, then included, but after the 2024 IBC hearing, when the standards were turned down, they removed all the terms relating to tiny houses from the committee description, scope of the standards, and the body of the standards, with the ‘**notion**’ that tiny homes were inclusive, and there was no need to call them out.

**Note:** *G102-21 Was the Code Proposal That Referenced The ICC/MBI 1200 And 1205 Standards.*

[For More Back Story: Tiny Home Terms Deleted From The Standard](#)

[G102- CAH Disapproval Video](#)

[G102-PCH Disapproval Video](#)

## **Short Summary**

The short version is that the International Code Council and a trade association called the Tiny Home Industry Association (THIA) jointly fought the formation of an [ASTM committee](#) on tiny houses for a year with a false claim of duplication. It is important to note that David

Tompos Sr. was not only on the board of THIA, but paid staff of ICC, and the VP of ICCNTA, a third-party inspection, certification, testing lab, with engineering services.

We won every milestone honestly and overcame all their objections, and now have a subcommittee called E06.26 Tiny houses within the E06 Performance Of Buildings committee.

A few months later, ICC and THIA announced they were co-branding a tiny house standard together, OSMTH 1215. It is a complete duplication of our standard development, though they put out a disingenuous press release stating they joined the ASTM subcommittee to help the committee and make sure there was not an overlay. ***It is a complete overlay.***

### [News Release](#)

#### **The Joint Venture of ICC And THIA**

ICC and THIA have created a joint venture with the purpose of controlling the tiny house marketplace and they tried to restrict trade ***in a housing crisis.***

ICC stacked the vote on the OSMTH 1215 committee with THIA board members and close associates, to make sure their back door plan for the Small Residential Unit was ushered in.

The move to have tiny houses as a subcategory under the made up term, Small Residential Unit, is symbolic of the control ICC wants to have over tiny houses, in favor of large industry players that they certify, and to make sure tiny houses are tightly controlled under the umbrella of ICC to feed the services of their subsidiaries, especially for certification and accreditation of third parties.

#### **Fast Forward**

I have attended the meetings as an interested party, and it has been a disturbing experience. I stayed involved because I was immediately concerned about the direction the standard was going in with the direction of the Small Residential Unit and FORCING the provisions of ICC/MBI 1205 on the industry for certification.

I even had a 4-hour call with a couple of the voting committee members and interested parties early on to find some understanding and hopefully collaboration. The call was very positive, but it did not affect anything positive toward the standard.

***“I honestly feel that the goal of the Small Residential Unit is to replace manufactured homes.”***

Manufactured homes still face old unfair stigmas of trailer parks, and Modular homes do not have that stigma.

I feel that ICC wants to bring more business to their subsidiaries, including ICCNTA, which certifies both manufactured homes, and modular homes, and they developed a standard called ICC/MBI 1205 Standard Off-Site Construction: Inspection and Regulatory Compliance which has been referenced in a current code proposal that will reference this standard and other 1200 series in both the IRC and IBC in the 2027 code cycle.

ICCNTA is audited by [IBTS](#). IBTS monitors and audits third parties. Bringing more of the business under the ICC umbrella would result in less auditing of ICC.

I later found out that 2 building officials on the committee, including the chair, were proponents of the code proposal that referenced the 1200 series. That was a huge conflict of interest that was not disclosed and shows they could not be impartial. I asked for a certification workgroup for one year and it was denied. They finally threw the discussion in another work group, but we were never allowed a good discussion about it, without being told we had to use the provisions of ICC/MBI 1205 for certification.

ICC tried to FORCE this voluntary standard - ICC/MBI 1205 on the tiny house industry as '[requirements](#)', which I successfully fought, with the help of others, although they still won, because it will just be bundled with the other series of [ICC off-site construction standards](#).

What was also disturbing, is that David Tompos Sr. circulated a document to the entire committee and me, and created a group boycott of a competitive standard, which is the criteria that one of the third parties of the committee meet for personnel requirements. This company certifies every single manufacturer on the committee. But they did not stand up for it.

**Note:** *ICC/MBI 1205 is currently being removed as a mandatory provision as we go through public comments.*

### **How will A Small-Scale Artisan Tiny House Builder Compete with A Large Scale Small Residential Unit Manufacturer?**

*They cannot compete on price.*

I just looked at the financial report of a large manufacturer that builds Manufactured Homes, Modular, and Park Models. They have an umbrella name, and they are the parent company of many other manufacturers.

In the last few years, they invested over **100 million in acquisitions**, over **100 million** in expansion for their plants, over **300 million to their shareholders**, with over **300 million left in cash**. They also own subsidiaries for mortgages and insurance.

At this time, there is legislation to remove the mandatory requirement for a permanent chassis on a manufactured home and there are new allowances for duplexes, and triplexes on a HUD manufactured home, and if you notice, there is a lot of marketing of HUD labeled homes that are marketed as tiny homes or a line of small cottages.

These large manufacturers of Small Residential Units (They Are Just Not Using the Name Yet) that are spending millions of dollars as described above will be pitted against the small, tiny house artisan builders that will not be able to compete in pricing.

### **Manufactured Homes Will Have an Edge Over Modular Homes**

If the requirement of the permanent chassis is removed from the manufactured home, there will be massive competition occur between manufactured homes and modular homes, because manufactured homes preempt building codes, so they will have an edge over Modular Homes, and this is why I feel ICC wants to stay ahead of this, and create the Small Residential Unit with duplexes, and triplexes, as a competitive housing type to manufactured homes to keep the regulatory compliance under ICC.

### **Is The Tiny House Industry Going to Repeat History from the 70's Recession That Hit The Mobile Home Industry With A Decline in Sales?**

Blame for the industry's troubles often centers on the HUD Code, which was stricter in both requirements and enforcement than previous mobile home regulations. Arthur Bernhardt gestures towards this in "Building Tomorrow," a long-term study of the mobile home industry published in 1980:

"The dramatic shakeout of the 1973-1975 recession resulted in an industry where the "surviving" firms are financially sophisticated. Increasing government intervention has forced these "survivors" to develop new staff and expertise in dealing with the new regulatory red tape.

...The irony seems to be that consumerism and government have raised entry barriers to the point that new competition is discouraged from entry and production costs are significantly higher. "

**"And Allan Wallis makes similar claims in "Wheel Estate," a history of the mobile home industry published in 1991:**

In previous recessions, small manufacturers would go out of business and larger manufacturers would close some of their branch plants until the economy turned around.

Coming out of this recession, however, small manufacturers were faced with a new set of regulations and a complicated design approval and inspection system. Instead of spot-checking units, every unit being manufactured now had to be inspected in the plant.

**For a small firm turning out just a few units a week, the cost of filing drawings for approval and paying an inspector to come for a factory visit might mean the difference between being competitive or out of the market. ”**

ICC is violating the WTO Coherence agreement not to duplicate, ANSI Essential Requirements, including dominance, balance, appeals, openness, ICC Consensus Procedures, and antitrust violations in a standard development setting, and more.

At every meeting the director of standards calls out a large list of the policies they are supposed to be following and then he always mentions we cannot discuss marketing, with the elephant in the tiny house, that ICC has given THIA their own [marketing page on the ICC website with their joint publications.](#)

“Attending the meetings is like going to church in the back room of a speakeasy during prohibition. When you walk in you see pink lemonade and sweet tea on the counter, but you swear you can smell the moonshine brewing. ”



**Follow The Money**

*"ICC appears to be acting in a bad faith, opaque, monopolistic manner to dominate the Tiny House regulatory market and prevent any competition".*

— Eric Fried  
Chief Building Official

### **For More of the Back Story**

Building Official Exposes ICC Tiny House Monopoly

Colorado Chief Building Official Files PINS Complaint Against BSR/ICC/THIA 1215-20 On May 19, 2023, Larimer County, Colorado Eric Fried, Chief Building Official filed a PINS complaint against proposed ANSI standard BSR/ICC/THIA 1215-202X "Design, construction and regulation of Tiny Houses for permanent occupancy."

When the standard was first announced in 2023, Eric Fried submitted a PINS complaint to ICC. A key point was:

*"ICC appears to be acting in bad faith, opaque, monopolistic manner to dominate the Tiny House regulatory market and prevent competition."*

-Eric Fried

[Learn More](#)

## Recent ICC October 2025 CAH Hearing

### Tiny Houses on Wheels Left on The Side of The Road- Now for The Third Time At ICC



### We Have Been Spinning Our Wheels with ICC For 9 Years

RB42-25-1 was a public comment that was submitted at the second ICC CAH for the 2027 IRC born out of response to the ICC 1215 standard that is currently being developed and has changed into a direction with the takeover of the Small Residential Unit, placing tiny houses as a subcategory under the Small Residential Unit. (SRU).

There has been a lot of opposition to the Small Residential Unit, including two [petitions](#) that gathered almost 700 signatures and the ICC 1215 standard had huge opposition because of the SRU. ICC 1215 will not be developed in time for 2027 IRC.

Nine years ago, movable provisions were not allowed in the tiny house code that resulted in Appendix Q Tiny Houses that was approved for inclusion to the 2018 IRC. The movable provisions were considered a 'hijack' of the code proposal.

The tiny house code has been the crowning achievement for the tiny house industry but pertains to tiny houses without a chassis.

The tiny houses code was the first step in creating uniformity for building officials, manufacturers, architects, engineers, designers and more for more placement, but the

wheels have presented a problem because wheeled structures are regulated by NHTSA and DOT.

Sadly, the public comment to the code proposal RB42-25 was disapproved that would have added chassis provisions to Appendix BB Tiny Houses and is now the 3rd time the chassis provisions were not approved at ICC. The proponents did an amazing job on all their testimonies, and the vote was very close-6 to 4.

The proponents have one more chance to go back to the next hearing in the spring, but they are now contemplating how much energy they must put into this. They have yet to announce their plans.

### **The Opponents Did Not Have a Clear Understanding About Motor Vehicles**

It was so sad to hear the opponents that do not quite have all the facts regarding motor vehicles which include trailers and some think tiny houses on wheels are all RVs.



Chassis provisions for Tiny Houses on Wheels have been treated like an anomaly for now 4 ICC code cycles and now it has been pushed over to the next code cycle which will not be until **2030**. Affordable housing cannot wait. Across the world there is a battle for tiny

houses on wheels and the question by the regulatory bodies that could approve and regulate them is " Is A Tiny House on Wheels A Structure or A Vehicle?".

“The compliance path is for both. “



The wheels conjure up complete confusion, and they are treated like Godzilla coming down the road instead of a viable solution for housing. Not everyone can afford to buy land and the mobile nature of tiny houses on wheels are especially important for those who are seeking an alternative to traditional sized houses.

*The regulatory path for tiny houses on wheels for the chassis is already in place including SAE, NHTSA, DOT, the FMVSS, FNCSA, and the Motor Carrier Safety Improvement Act Of 1999.*

*Tiny Houses on Wheels have fallen in between the cracks of HUD, RVs, And ICC. HUD does not regulate the use and occupancy of tiny houses on wheels, they are NOT RVs unless they are built to RV standards, and now ICC is ignoring the regulatory path of NHTSA, FMVSS, FMCSA and does not want to recognize that trailers are motor vehicles and they are trying to override federal laws already in place.*

[See ICC 1215 is Promoting A 'Ghost Trailer' For Tiny Houses.](#)

When ICC objected to the potential ASTM Tiny House Committee, they stated there was not a need for anything regarding tiny houses, and said it could not be a **standard**, it had to be a **CODE**.

For them to turn around and duplicate ASTM, to develop their **OWN standard**

And then the tiny house **CODE was turned down**.

[Listen To The Hearing](#)

### **The Small Residential Unit Is Arbitrary and It Is Unconstitutional**

If the Small Residential Unit (SRU) and the provision that placed tiny houses under the SRU was ever argued in court, I feel that the term and provision regarding a tiny house placement under the SRU would be considered arbitrary and unconstitutional.

Building codes and standards that incorporate made-up terms solely to favor private-sector interests, without a clear public safety justification, can be challenged on legal grounds, potentially being deemed arbitrary and unconstitutional.

The **'Small Residential Unit'** is a brand of ICC and a **personal whim**, and it lacks a rational basis related to legitimate needs like structural integrity, life and fire safety, and public welfare.

The 1200 square footprint of the Small Residential Unit is working against the trend to lower requirements for smaller footprints. Many jurisdictions have lowered their square footage requirements to accommodate tiny houses that are typically 400 square or less.

### **Everything Is Deferred to David Tompos Sr. In The ICC 1215 Committee**

David Tompos Sr. has misled the committee to justify the use of the term Small Residential Unit. He is the VP of sales for ICCNTA, a for profit subsidiary of ICC, he is a voting committee member of OSMTH 1215 and was on the board of the Tiny Home Industry Association (THIA) for almost five years and has had undue influence in the standard development. ICC and THIA are co-branding OSMTH 1215 together after they jointly fought the approval of an ASTM Tiny House committee.

ICCNTA's services include testing, inspection, and certification for building product manufacturers, services for off-site construction that include design review, and evaluation of modular and panelized systems for code compliance, and HUD services that include plan review and inspection services.

**Tiny Homes Were First Excluded, Included, And Then Deleted From ICC/MBI 1200 and 1205 Standards** Later with The Notion That Tiny Homes Were '*Inclusive*' *Without Mentioning Them*.

***Note: Not Mentioning Tiny Homes in A Standard Will Really Fly Open the Doors for Tiny Homes -NOT- Do You Have Whip Lash Yet?***

When ICC/MBI 1200 and 1205 were developed, David Tompos Sr. was the chair of the committee and he made the decision ( MISTAKE) along with the committee to present the proposal to the 2024 IBC hearing in 2021 and has misled this committee to believe that the disapproval was because of tiny house terms when in actuality, it was proposed to the IBC, instead of the IRC as one reason, along with other multiple reasons that had nothing to do with tiny houses.

The IBC code applies to all buildings (including commercial) EXCEPT detached one- and two-family dwellings and townhouses up to three stories.

The IRC code applies to single and two-family dwellings and townhouses using prescriptive provisions.

Appendix AQ Tiny Houses (2021 IRC) And Appendix BB Tiny House (2024 IRC) applies to tiny houses used as single family houses.

Because everyone refers everything to David Tompos Sr., the committee has EXPANDED the myth that the tiny house terms were responsible for the disapproval of the ICC/MBI 1200 and 1205 and is the reason they feel the committee MUST use the term small residential unit (SRU). It is a complete fabrication - an agenda of David himself.

No one stated at the G102-1 hearing that they thought tiny houses were RVs- but is what David Tompos Sr. has continued to say.

[G102- CAH Disapproval Video](#)

[G102-PCH Disapproval Video](#)

[Back Story: Tiny House Terms Deleted From ICC Standards](#)



**Breaking News!**

**Victory For Tiny Houses!**

Court Rules in Favor of  
Georgia Nonprofit's  
Challenge  
Against Calhoun's Ban on  
Building Small Homes

City Sued For Not Allowing Tiny Homes  
Landmark Case

Thank You Institute For Justice For Your Tireless Work!

### **Institute For Justice Wins Tiny House Victory in Calhoun, Ga.**

**CALHOUN, Georgia**—Today, Tiny House Hand Up (THHU) won an important legal victory in their challenge to the city of Calhoun's ban on building homes smaller than **1,150 square feet**. THHU is a Calhoun nonprofit that wants to use donated land to fill a niche for smaller, less costly homes. After the Institute for Justice (IJ) argued on their behalf, the judge ruled from the bench, granting a motion in THHU's favor. A [written order](#) will be coming in the next few weeks.

"This is not just a win for our clients, it's a win for the people of Calhoun," said IJ Attorney Joe Gay. "The city spent years telling Tiny House Hand Up that they can't build modest cottages on their property. We are thrilled to finally have their constitutional rights vindicated in court."

"Small homes offer flexibility for people who might not be able to afford larger homes or who just prefer to downsize," said IJ Senior Attorney Dan Alban. "Imposing arbitrary limits on home size makes no sense and violates the Georgia Constitution."

### **[Video Court Strikes City's Ban on 'Small' Homes](#)**

[Learn More](#)

### **Frame On and Frame Off Modular Homes**

The vote stacked committee of ICC 1215 that argued about NOT using the tiny house term in a tiny house standard and considered the term inflammatory do not have to use the term at all and the goal of a larger footprint already exists; it is called a frame on or off modular. The size requirements would only be for a habitable room, but they have continued to ignore this logic, because the Small Residential Unit is ICC's agenda. ICC has failed to keep a firewall between their identity as a Standard Developer, the proprietary standards they sell and the services of their subsidiaries.

**Note:** *Vote stacking, in the context of a standards committee, typically refers to the act of manipulating the voting process or membership to favor a particular outcome or interest group. It involves tactics used by a specific party or group to influence the decision-making process within the committee, often to gain a competitive advantage or push through a particular standard. This can raise antitrust concerns if it distorts the standards development process and hinders competition.*

## **Unintended Consequences Of The SRU**

The Small Residential Unit (SRU) is a term that is not enforceable, not currently recognized by HUD, building officials, architects, engineers, designers, builders, loan officers, insurance agents, legislators, city council members, planning departments, code enforcement, testing labs, third party agencies, manufacturers of products, NHTSA, DOT, consumers, police officers, and firefighters to name only a few organizations and types of industries that the term Small Residential Unit could affect if the standard remains with the focus of the Small Residential Unit.

*Think about how much change it would take to introduce this new term, which is more of a description of a house, and already closely associated with ADUs, and single residential units to all the above organizations, and industries.*

### ***“Why Has It Been Concluded That the SRU Is an ICC Agenda?”***

- **October 2024 Long Beach, Ca.** *Expo Webinar Shared the First Draft of OSMTH 1215 And Had a Webinar on Approving Small Residential Dwelling Units That Included ADUs And Tiny Homes.*

*The Hierarchy Within the Voting Committee Is Manipulating the Standard, With the Help Of Jonathon, the chair, the vice chair, and Karl Aittaniemi, the Director of Standards, With the Blessing of The ICC Board of Directors And THIA, Who Is Co-Branding the Standard With ICC.*

**Jan. 10, 2025 Deadline to Submit A Code Proposal:** RB42-25 Proponents Had to Submit by That Date, But There Was No Discussion in The Meetings Regarding the Topic When They Did This and RB42-25 Including Referencing the Standard.

**February 21, 2025:** RB42-25 Was Re-Submitted on The ICC Website in CP Access. Oddly, The Proposal Omitted the Chassis from The Definition of the SRU, Nor Did It Add the Chassis to Appendix BB Tiny Houses. The January Proposal Was Analyzed by ICC Staff and Then Re-Submitted to Cp Access After the ICC Analysis.

**End Of February:** As Announced By ICC, the code change proposals for Group B codes will be viewable on [cdpACCESS](#) by the end of February 2025.

**March 3, 2025:** The Meeting Discussed the Definitions of The Small Residential Unit and Tiny Houses and It Was Decided at The Next Meeting There Would Be a Vote.

**March 19, 2025:** In the Middle of Approving Public Comments, A New Motion Passed to Remove the Chassis from The Definition of the Standard. The Meeting Notes Also Stated: **This scope and purpose do seem to conflict with the title.**

**April 2, 2025:** Karl Stated That Staff Is Discussing Amending the **Title** of the Standard to Include SRUS Because Of '**Confusion**' We Are Not Confused. Why Is ICC Staff Involved in This Decision at All? Karl, Jonathan, Voting Committee Members And The ICC Board Of Directors Have Ignored Our Complaints That The SRU Is A Hijack Of The Standard, And That The Draft Is Out Of Compliance With The Title, Scope, Pins Notification In Standard Action, Press Release, And Description On The ICC Website, Instead Of Bringing The Standard Back Into Compliance With The Original Intent Of The Tiny House Standard- To Add The Chassis To Tiny Houses.

A New Pins Notification as Required by ANSI For Substantive Changes and The Change in Stakeholders Was Denied Early in The Standard Development By ICC.

*It Is Obvious That the Standard Will Never Be Adopted into the IRC, Nor Does It Seem to Be the Goal and Is Being Manipulated By ICC To Be Written To Benefit ICC, So The Standard Can Be Bundled With The ICC 1200 Series Standards That Can Be Adopted By The State Or Locally Without Inclusion To The IRC.*

[Long Beach Webinar: Approving Small Residential Dwelling Units](#)

[March 19, 2025 OSMTH 1215 Meeting Notes](#)

[April 2, 2025 OSMTH 1215 Meeting Notes](#)

[My Complaint Regarding The Title Change And Failing To File A New Pins Notification](#)

### **The Hierarchy of the Committee Is Withholding Information**

It has obviously been determined once again that wheeled structures do not belong in the IRC, because they are not industrialized buildings. A tiny house on wheels is vehicular unit, a motor vehicle that complies with the Federal Motor Vehicle Safety Standards, regulated by NHTSA, and DOT, and NHTSA allows self-certification for the manufacturers, so we are back to where we started from 9 years, when the movable provisions in the code that resulted into Appendix Q Tiny Houses were not allowed in the code proposal and were considered a hijack of the proposal, and the proponents were advised to remove them, or the entire proposal would be turned down.

### **Current Status of The ICC 1215 Standard**

There was an initial draft of the standard and now a current draft that was submitted for public comments.

There has been rigorous debate about the Small Residential Unit and about requirements for the chassis. The standard references an integral chassis that stays with the dwelling and a temporary carrier system (chassis) that is referenced in the standard that is used to transport a modular home.

My public comments were heavily focused on the transportation section. I was involved as an interested party for over a year and the whole-time certain people from the committee denied there was a need for VIN numbers, and to comply with NHTSA/DOT and FMVSS for trailers. There were vigorous discussions in the open public meetings, work group meetings, and in emails. What I discovered was that the modular industry has been using a

carrier system that acts like a temporary chassis that is never in the NHTSA/DOT system. This method has been used for over 50 years undetected.

ICC recently published the draft with the public comments, and it was disturbing to find that my comments were edited in the reason section of my comments and omitted a great deal of my comments.

On Dec. 9, 2025, I received a reply from the International Code Council regarding a complaint that I sent to them regarding that ICC 1215 was trying to override federal laws for the chassis in the standard and was in conflict with federal laws and [ICC policy #49](#).

ICC did not agree with my complaint.

My complaint challenges the ICC/THIA 1215 draft for intentionally omitting and redefining long-standing federal and state motor-vehicle requirements that govern trailers, VIN issuance, labeling, certification, and registration—creating an unlawful “ghost trailer” pathway for tiny houses on wheels that exists outside the NHTSA/DOT system.

Rather than addressing these omissions, ICC’s response relies on citations and interpretations that do not resolve the core issue: a private standard cannot lawfully bypass federal preemption through silence, alternate definitions, or invented compliance pathways, nor can voting building officials approve provisions they will later enforce when those provisions conflict with federal law.

The result is a procedurally defective standard that misleads manufacturers, exposes consumers to safety and liability risks, and places local officials in an untenable position. The full record—including statutory citations, documented correspondence, and a detailed breakdown of where the response fails to address the complaint—is provided in the linked blog post below.

## Trailers Are Motor Vehicles

We do manufacture some of these low-bed trailers, they are strictly for *our own use in transporting our modular homes*, and in this case are we required to submit this report and also label any trailers we would build in the future?"

Trailers are motor vehicles under the National Traffic and Motor Vehicle Safety Act and are required to comply with applicable standards.

They are also required to be certified by the manufacturer in accordance with the Certification regulations (Part 567), and as a manufacturer of trailers you are required to submit the information specified in Part 566.

### ICC 1215: Chassis Silence or Regulatory Coverup?

#### **Who Is the International Code Council?**

The International Code Council (ICC) is a 501(c)(6) trade association that owns multiple subsidiaries called ICC's family of solutions. They were established by merging three code development organizations, BOCA, ICBO, and SBCCI in 1994. They acquired a third-party for-profit business called NTA in 2019, now known as ICCNTA, that offers testing, inspection, engineering, CAD services and more.

ICC has a membership of over 65,000 members that include building officials, architects, legislators, government officials, manufacturers.

ICC develops building codes, and they are an ANSI Accredited Standard Developer.

"ICC functions as a dominant market actor" in the housing sector.

I have witnessed potential antitrust violations that include the Clayton Act, the Sherman Act, Standards Development Organization Act of 2004, the FTC Act, and federal laws on competition and joint ventures, the ANSI Essential Requirements for due process, and multiple ICC policies during the development of ICC 1215.

ICC functions as a central coordinating entity in a structure that raises concerns commonly associated with **hub-and-spoke market arrangements** under antitrust theory.

In this structure, ICC sits at the center, while building officials, nonprofit organizations, trade associations, and manufacturers participate across interconnected standards-development, publishing, training, and promotional activities. These relationships include joint standards development, co-publishing of standards and books, joint trade shows and webinars, and the promotion of ICC-affiliated services—particularly accreditation and third-party conformity assessment through ICC subsidiaries such as IAS and ICCNTA.

The cumulative effect of this vertically integrated ecosystem is the **consolidation of regulatory and commercial influence**, where ICC both develops the standards and controls key pathways for compliance, inspection, and certification. This structure can create **barriers to entry for independent third-party agencies**, discourage open competition, and limit meaningful alternatives for manufacturers and regulators—outcomes that antitrust scholars have long warned can arise when standard-setting authority and commercial interests intersect without adequate structural separation.

The third parties cannot openly object because their employees are ICC inspectors and could be accredited by IAS, another ICC subsidiary.

I have personally witnessed a restriction of trade. I can prove they create tying agreements in their business model, in their standards and services. They also create interlocking agreements between other Standard Development Organizations, with overlapping board members and management staff.

They stack the votes in their committees, and they have interlocked the entire housing industry that they have complete control over in the US, now expanding globally.

I can prove conclusion with ICC and a state, with the ICC President having an overlapping position with a state and boycotting a competitive standard.

I have been bullied, silenced, disparaged, denied an appeal, ignored, and threatened that I was close to a libel suit after exposing a publication.

### **ICC Is Gaining a Reputation of Duplicating Standards For Competition Instead Of Industry Need And A Failure To Follow Their Own Policies**

Unfortunately, I recently learned of the misapplication of the *ANSI Essential Requirements* by the International Code Council (ICC) for strictly competitive reasons. While (as mentioned in my previous article), ICC follows a Governmental Process for their I-Codes, where only governmental members are afforded a vote, they also create some standards via an ANSI-accredited process. Unfortunately, they seem to be ignoring some *ANSI*

*Essential Requirements* in the process for at least one of these standards. Furthermore, I have also learned that ICC has filed Notice of Intent for three additional standards that conflict with existing ANSI-accredited standards, further suggesting that ICC refuses to participate in the betterment of the industry but rather creates confusion for competitive reasons, which jeopardizes health and safety. It is also unfortunate that ICC has taken advantage of a pandemic (Covid-19), as they have used “post-covid” as justification to duplicate existing national standards.

### **Duplication for Competitive Reasons Adds Confusion to Industry**

These actions lead me to believe that the only reason ICC wishes to develop this standard is because of competitive reasons. Why not just work with IAPMO on the Water Demand Calculator? Why create something completely separate from the work IAPMO is doing? Perverting the ANSI process for competitive reasons should be concerning for the entire industry: It should not be tolerated.

### **ICC 815: Preventing Industry Participation**

I have learned that ICC is requiring their volunteers to sign a non-disclosure agreement (NDA) to participate in their processes, such as for ICC 815. An NDA should not be a prerequisite to participate in an open consensus process for the formulation of an industry standard, especially one that obviously duplicates other efforts. Volunteers should be able to participate, collaborate, and share of information without fear of a lawsuit by ICC.”

[ASPE Pipeline: May 2024 Professional Engineer’s Perspective: Duplicating Standards Is Not Good For The Industry.](#)

### **A Circle OF Unaccountability**

The ICC review process is open and offers many opportunities for engagement, but it does not elevate scientific evidence to inform decision-making. Regardless of the quality of the analysis provided for each proposed code change, voters cannot reasonably be expected to become well-informed on the number of rules proposed to the ICC each code cycle. In the 2019 code cycle, nearly 2,300 public sector members cast close to 370,000 governmental consensus votes. The ICC has about 15,000 public sector members, so most of them didn’t find it worth their while to participate. Knowing that their vote will have only a

small probability of affecting the outcome disincentivizes them from spending the time to study each proposed rule even if it were feasible to do so.

[CATO Institute](#)

## **Outrage Erupts Over Claimed Watering-Down of 2024 Model Energy Code**

Sustainability advocates are censuring the International Code Council after the ICC's board of directors removed mandatory provisions relating to building decarbonization readiness from its draft 2024 International Energy Conservation Code and placed them in the optional appendix. The board action on March 18, motivated by appeals and taken against the [recommendations of ICC's own board of appeals](#) and staff, finalized the new code—giving objectors no recourse.

Environmental and other groups charge that the board caved to special interests and, in doing so, compromised the council's reputation as a model code developer.

[Source ENR](#)

### **ICC Closed Loop System**

ICC has created a closed loop system, the ICC board of directors are building officials, the building officials vote on the codes and standards, the building officials then adopt the code and standards.

ICC co-brands their standards with the Modular Building Institute, the Tiny Home Industry Association, and RESNET as examples and have a closed loop system that intersects back to them, they are tied to Congress with The National Institute of Building Sciences an independent 501(c)(3) non-profit, non-governmental organization that supports advances in building science and technology that was **established by the U.S. Congress in the Housing and Community Development Act of 1974, Public Law 93-383**. Congress recognized the need for an organization to serve as an interface between government and the private sector – one that serves as a resource to those who plan, design, procure, construct, use, operate, maintain, renovate, and retire physical facilities.

### **Off- Site Construction Council: Established by the National Institute Of Building Sciences**

In 2013, the National Institute of Building Sciences established the Off-Site Construction Council (OSCC) to serve as a research, education and outreach center for relevant and current information on off-site design and construction for commercial, institutional, and multifamily facilities.

***There are individuals that are both on the board or paid staff of ICC (past and present) that are also on the board of the above organizations.***

### **I Have Barely Scratched the Surface**

This article barely scratches the surface of what I have witnessed and what I have had to endure.

**[For More Information: Small Residential Unit Hijacking Tiny Houses In OSMTH 1215](#)**

### **Closing Brief: From Hypothetical to Documented Reality**

Two years ago, MHPProNews asked a series of hypothetical questions about whether ICC's expanding influence could reshape housing standards in ways that undermine federal preemption, distort competition, and blur the lines between federally regulated manufactured housing and other off-site construction.

Those questions were not alarmist—they were prudent. What I have witnessed firsthand in the development of ICC/THIA 1215 shows that these concerns are no longer theoretical.

The introduction of the Small Residential Unit, the subordination of a codified IRC term, the omission of federal motor-vehicle requirements for trailers, and the consolidation of regulatory and commercial interests within a closed standards ecosystem collectively reflect the very outcomes MHPProNews warned could occur.

This article is not an indictment of standardization itself, but a documented account of how silence, procedural manipulation, and conflicts of interest can quietly reshape an industry under the guise of consensus—unless scrutinized in real time.

Janet Thome President

[Tiny House Alliance USA](#)

[janet@tinyhouseallianceusa.org](mailto:janet@tinyhouseallianceusa.org)

**Author's Statement and Disclaimer**

I was a **proponent who spearheaded the tiny-house effort within ASTM**, working collaboratively to establish the **E06.26 Tiny Houses Subcommittee** under the Committee on Performance of Buildings. I currently serve as **Membership Secretary** for the subcommittee.

***Disclaimer:** I do not represent ASTM International, and the views, findings, and conclusions expressed in this document are my own, based on my own experience, experience, public information and independent research. This submission is made in my individual capacity as President of Tiny House Alliance USA, in support of transparency, lawful compliance, and open participation in standards development.*

## **Part II. Additional Facts-Evidence-Analysis (FEA) or other information from sources as shown.**

1) On February 19, 2025 according to [MHARR at this link](#).

### **STATES SUE HUD OVER IECC APPROVAL**

A coalition of state attorneys general, together with the National Association of Home Builders (NAHB) has filed a lawsuit against HUD and the U.S. Department of Agriculture (USDA) to stop those agencies from requiring new homes financed through HUD and USDA programs meet the energy efficiency standards of the 2021 International Energy Conservation Code (IECC). While the federal programs at issue in this litigation do not directly involve manufactured housing, rulings made in the case could have some impact on pending DOE “energy conservation” regulations, also based on the 2021 IECC, that do target HUD Code manufactured housing.

Citing National Horsemen’s Benevolent & Protective Association v. Black, a lawsuit from the early 2020s which upheld the “cardinal constitutional principle ... that federal power can be wielded only by the federal government,” the plaintiffs argue that Congress ceded “the authority to update statutory HUD (and USDA) energy efficiency standards” to the International Code Council (“ICC”) “if the administrative agencies declined to do so.” The ICC, the developer and administering organization of the IECC, is described as private entity in the complaint. By moving authority from the federal government to the private sector, the complaint asserts that the underlying statute violates the aforesaid “cardinal constitutional principle.” Further, the plaintiffs point to HUD providing “those private entities with an ongoing authority to revise the energy efficiency standards,” which HUD declares it must accept.

All of this is potentially relevant to manufactured housing, because the manufactured housing energy standards mandate of the Energy Independence and Security Act of 2007 (EISA) is arguably similar to the provision challenged in the state lawsuit. In relevant part, EISA (42 U.S.C. 17071) directs DOE to establish manufactured home energy conservation standards based on “the most recent version” of the IECC, and further directs DOE to update its manufactured housing energy standards within “one year after any revision to the International Energy Conservation Code.” By establishing such a mandate, EISA essentially vests ICC and the IECC with governmental authority – *i.e.*, the *de facto*, unilateral authority to change governmental standards through purely private action – that the state lawsuit seeks to invalidate.

Again, MHARR will carefully monitor this court action for potential use against the pending DOE/HUD manufactured housing “energy conservation” regulations, in the event that those mandates are not voluntarily withdrawn by the Trump administration, as specifically sought by MHARR.

2) MHPProNews and our MHLivingNews sister sites have periodically reported on the tiny house movement for a variety of reasons. Some of that has been referenced by Thome in her op-ed above.

[caption id="attachment\_195928" align="aligncenter" width="600"]



<https://www.manufacturedhomepronews.com/national-spotlight-tiny-house-calhoun-suit-nonprofit-attorneys-institute-of-justice-sue-wheres-manufactured-housing-institute-plant-a-home-manufactured-housing-improvement-act-en/>[/caption][caption

id="attachment\_163879" align="aligncenter" width="600"]



**“GREAT RESET:  
TINY HOUSES**

**Pushed As Solution To Climate Change,” Media,  
Manufactured Home Industry Insights**

<https://www.manufacturedhomepronews.com/great-reset-tiny-houses-pushed-as-solution-to-climate-change-media-manufactured-home-industry-insights/> [/caption]

An MHPProNews post that Thome cited in her op-ed in Part I is linked below.

[caption id="attachment\_189799" align="aligncenter" width="600"]

**TROJAN HORSE LOOMING IMPACT?**

**TROUBLING QUESTIONS, HISTORY RAISED ON POTENTIALLY DECEPTIVE**

- “BAIT AND SWITCH”
- HOUSING LEGISLATION
- POISED TO HARM
- MANUFACTURED HOME
- INDUSTRY? FACTS AND ANALYSIS

<https://www.manufacturedhomepronews.com/trojan-horse-looming-impact-troubling->

[questions-history-raised-on-potentially-deceptive-bait-and-switch-housing-legislation-poised-to-harm-manufactured-home-industry-facts-and-ana/](#)[/caption]

MHProNews more recently posted the following.

[caption id="attachment\_225549" align="aligncenter" width="600"]



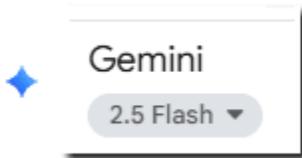
<https://www.manufacturedhomepronews.com/chairman-french-hill-ranking-member-maxine-waters-reps-mike-flood-emanuel-cleaver-release-housing-for-21st-century-act-whats-up-at-manufactured-housing-institute-mountain-of-crumb/>[/caption][caption id="attachment\_225590" align="aligncenter" width="600"]



<https://www.manufacturedhomepronews.com/mhis-seemingly-illogical-or-self-defeating->

[legislative-behavior-is-best-explained-by-the-investor-relations-ir-pitches-of-its-corporate-leaders-plus-sunday-weekly-headlin/\[/caption\]](#)

3) From the full Q&A with Gemini at this [link here](#) is the following response by Gemini.



This facts-evidence-analysis (FEA) examines the claims and concerns raised by Janet Thome of the Tiny House Alliance USA regarding the **ICC/THIA 1215 Standard for Small Residential Units (SRUs)** and its alleged threats to the HUD Code manufactured housing industry.

### **I. Confirmation and Clarification of the Preface and Actors**

The user's introductory points are largely confirmed or clarified by the evidence:

- **Thome's Expertise and Interaction:** The document confirms that Janet Thome is the founder and president of the 501(c)3 non-profit Tiny House Alliance USA. The submission to MHPProNews is an exclusive op-ed, confirming the limited and recent direct interaction, though MHPProNews has covered the tiny house topic previously.
- **MHI's Stance: MHI has not weighed in publicly on the specific regulatory conflicts of the ICC 1215 SRU standard itself.** MHI has, however, strongly supported the legislative efforts (like the ROAD to Housing Act) to allow HUD Code manufactured homes to be built **without a permanent chassis**. This support for chassis removal addresses one structural barrier for manufactured housing, but it does not address Thome's primary concern that the SRU code, by regulating a competing factory-built structure, is undermining the *exclusive authority* of the HUD Code.
- **MHARR's Stance (Fair and Accurate):** The user's impression is **fair and accurate**. MHARR's primary focus, as confirmed by the FEA in the document, is on defending the HUD Code's preemptive authority against federal actions, such as the Department of Energy (DOE) energy standards. MHARR has not prominently and publicly raised the **specific chassis/VIN/NHTSA regulatory conflicts** detailed by Thome concerning the ICC 1215 SRU standard.

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## II. Facts-Evidence-Analysis of Thome's Concerns and Allegations

### A. Core Allegation: ICC 1215 SRU as a "Trojan Horse"

**Thome's Claim:** Thome asserts that the ICC 1215 standard, particularly with the introduction of the **Small Residential Unit (SRU)** classification (up to 1,200 sq. ft.), is a "Trojan Horse" driven by "Big Corp Interests" with the goal of ultimately trying to "replace manufactured homes" and "squeeze out" tiny home artisans.

#### Evidence & Analysis (Confirmed):

- **SRU Scope Creep:** External documentation from the Tiny House Alliance USA confirms the controversial shift in the standard's focus. The initial intent was to address *Tiny Houses* (generally 400 sq. ft. or less), but it was allegedly "hijacked" by the much larger **SRU** classification (up to 1,200 sq. ft.). This shift is significant because a 1,200 sq. ft. home directly overlaps with the mainstream manufactured housing and small modular home market.
- **Corporate Agendas:** Critics allege this shift benefits larger manufacturers and that ICC has an "agenda" to position the SRU as primary, creating a conflict of interest and leading to concerns of dominance in the ANSI standard development process.

### B. Technical and Regulatory Conflicts (Chassis/VIN/NHTSA)

**Thome's Specific Regulatory Allegations:** The central issue is that the ICC 1215 standard attempts to regulate structures built on a chassis, which legally classifies them as trailers/motor vehicles when transported on public roads.

#### Evidence & Analysis (Confirmed):

- **Conflict with Federal Motor Vehicle Safety Standards (FMVSS):** The Tiny House Alliance USA provides extensive evidence that the ICC 1215 standard treats the permanent chassis used in these units as if it exists in a "regulatory vacuum".
- **Lack of Compliance:** Thome's claims are validated by documentation detailing that ICC 1215 often avoids acknowledging the necessity for federally mandated requirements for trailers traveling on public roads, including:

- Exemption from **VIN requirements** (Vehicle Identification Numbers).
  - Exemption from **NHTSA registration**.
  - Exemption from **Federal Motor Vehicle Safety Standards (FMVSS)**.
  - **Regulatory Strategy:** Critics contend that this "silence" or omission of federal transportation laws is a "regulatory strategy" designed to preserve an unlawful system by defining a road-going trailer as a building, thereby circumventing federal jurisdiction.
- 

### III. The Intersection with Enhanced Preemption Risk

Thome's most critical concern for the **HUD Code manufactured housing industry** lies in the long-term threat to the **Enhanced Preemption** provision of the Manufactured Housing Improvement Act of 2000.

#### The Risk to Enhanced Preemption:

1. **Creation of a Competing Federal/Consensus Standard:** The HUD Code is the single, preemptive federal standard for the design and construction of manufactured homes. The ICC 1215 SRU standard, a consensus-based code (like the IRC/IBC) developed with the International Code Council (ICC) and ANSI approval, establishes a separate, non-HUD code for a factory-built dwelling up to 1,200 sq. ft..
2. **Blurring the Lines:** Since an SRU on a chassis in size and form is functionally very similar to a small, single-section manufactured home, its successful adoption nationwide creates a competing product and regulatory path for factory-built housing.
3. **Undermining Exclusivity:** Enhanced Preemption means that no state or locality can establish or enforce any standard *which is not identical* to the HUD Code. If a state or locality begins adopting the ICC 1215 SRU standard to regulate a type of small, factory-built home that HUD *could* regulate, it provides ammunition for legal challenges against the **exclusivity** of the HUD Code's preemption. The argument would be that if one non-HUD code (ICC 1215) can regulate a class of factory-built housing, the federal government's authority is no longer exclusive or comprehensive

over all factory-built housing, thus weakening its preemptive shield against state and local building codes for the HUD Code product itself.

4. **The "Big Corp" Strategy:** The FEA suggests that larger, diversified corporate interests that produce both HUD Code and modular/IRC-based housing (like SRUs would be) may benefit from this blurring of regulatory lines, as it could eventually funnel all factory production into a set of state/local-enforced standards, thus weakening the unique advantage of the national, preemptive HUD Code. This, the analysis suggests, would align with a market consolidation strategy by reducing regulatory hurdles for the corporate-aligned construction methods.

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