



*What has MHARR's stance been on claims that the Manufactured Housing Consensus Committee (MHCC) is a typical (or not) Federal Advisory Committee (FAC)?*

#### ★ AI Overview

The Manufactured Housing Association for Regulatory Reform (MHARR) maintains that the **Manufactured Housing Consensus Committee (MHCC)** is not a "typical" advisory body, but a **statutory "consensus" committee** with unique authority granted by the **Manufactured Housing Improvement Act of 2000**.



Manufactured Housing Association for Regulatory Reform +1

MHARR's stance is characterized by the following critiques and assertions:

- **Statutory Authority vs. Advisory Role:** MHARR argues that the MHCC was specifically designed by Congress to be a "consensus bulwark" against excessive regulation, rather than a mere advisory panel. They contend it has a unique legal role in the standards-development process that federal agencies, such as the **Department of Energy (DOE)**, have bypassed or ignored.
- **Manipulation and HUD Mismanagement:** MHARR has explicitly accused **HUD** of trying to turn the MHCC into a "clone" of the "discredited" former Advisory Council by using biased, "midnight" appointments and restrictive procedures. They claim these actions subvert the committee's intended independence and legitimacy.
- **FACA and "Dominance" Issues:** While the [Federal Register](#) confirms the MHCC is subject to the [Federal Advisory Committee Act \(FACA\)](#), MHARR argues that HUD's appointment practices favor large conglomerates and "energy special interests". This, according to MHARR, creates a "dominance" by certain interests that violates the statutory requirement for fair and equitable participation.
- **Opposition to "Sham" Rulemaking:** MHARR has criticized the use of "negotiated rulemaking" processes involving the MHCC, labeling them as "covertly coordinated" and "corrupted" by special interests, particularly in relation to energy standards.



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Would you like to see more details on **MHARR's specific legal arguments** regarding the **Energy Independence and Security Act** and how it links to the MHCC?


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AI responses may include mistakes. For legal advice, consult a professional. [Learn more](#)



<https://manufacturedhousingassociationregulatoryreform.org/manufactured-housing-association-for-regulatory-reform-mharr-provides-october-2022-meeting-insights-with-senior-hud-officials/>

MHARR first raised a longstanding unresolved issue – the imbalance of industry representation on the statutory Manufactured Housing Consensus Committee (MHCC) and MHCC procedures which prevent directly interested parties (including MHARR and others) — who are not MHCC voting members — from participating fully and directly in MHCC meetings and debates concerning vital regulatory issues. Since former MHARR President and CEO Danny Ghorbani's term as a member of the MHCC ended a number of years ago, HUD has failed to appoint staff representatives of either MHARR or the Manufactured Housing Institute (MHI) to the MHCC. This is directly contrary to an unwritten understanding that HUD and both industry organizations had at the time of the MHCC's initial organization, and impairs the full and proper representation of the industry's views during MHCC debates. Ostensibly, the refusal to appoint organizational staff representatives from both associations was premised on an Office of Management and Budget (OMB) ban on the appointment of Registered Federal Lobbyists to federal advisory committees under the Federal Advisory Committees Act (FACA). That ban, however — as MHARR has advised HUD multiple times since — was reversed in 2014 after it was found to be in violation of the First Amendment by a federal court of appeals. As a result, there is no legitimate legal basis for the exclusion of industry organization staff representatives from voting membership on the MHCC, and MHARR urged the Assistant Secretary, as the senior HUD official with direct oversight responsibility for the federal manufactured housing program, to address and rectify this failure.

## Part I

### HUD Announces New Appointments to Manufactured Housing Consensus Committee

*Appointments underscore Secretary Turner's ongoing dedication to increasing the supply and affordability of manufactured homes for American homebuyers*

**WASHINGTON** – The U.S. Department of Housing and Urban Development (HUD) announced today the appointment of six new members to serve on the Manufactured Housing Consensus Committee (MHCC), a Federal Advisory Committee. These appointments maintain the MHCC at 21 members authorized under statute to ensure the committee can continue to play its critical role in advising HUD's Office of Manufactured Housing Programs on recommendations to the Manufactured Home Construction and Safety Standards, commonly referred to as the HUD Code.

"Under Secretary Turner's leadership, the department is making good on its promise to increase the supply and affordability of manufactured homes for American homebuyers," **said Federal Housing Commissioner and Assistant Secretary for Housing Frank Cassidy.** "I welcome the new members of the Manufactured Housing Consensus Committee, whose diverse perspectives will help us modernize the HUD Code and reform unnecessary barriers that have long hindered the broad production of efficient, high-quality, and affordable manufactured homes."

The following new MHCC members are being announced today in the Committee's three membership categories of Users/Consumers (U), Producers/Retailer (P/R), and General Interest/Public Official (GI/PO):

- Clayton Camblin, Weatherization Field Specialist, Kansas Housing Resource Corporation (U)
- Brad DeHays, Founder and Chief Executive Officer, Connect Housing Blocks (GI/PO)
- Steve Ervin, Senior Vice President – Head of FHA and Seniors Housing Finance, Berkadia Commercial Mortgage (GI/PO)
- Todd Kopstein, Chief Executive Officer, Cascade Financial (P/R)
- Andrew McCoy, Ph.D, Director, Virginia Center for Housing Research and Associate Director, Myers Lawson School of Construction at Virginia Tech University (U)
- John Weldy, Vice President, Engineering, Clayton Homes Building Corp. (P/R)

### About HUD's Manufactured Housing Consensus Committee

The Manufactured Housing Consensus Committee (MHCC) is a statutory Federal Advisory Committee body charged with providing recommendations to the Secretary of HUD on the revision and interpretation of HUD's Manufactured Home Construction and Safety Standards and related procedural and enforcement regulations. By regulation, HUD has included the MHCC in the process of revising the Manufactured Home Model Installation Standards, Installation Program Regulations, and Dispute Resolution Program regulations.