



**OHIO SENATE  
FINANCE-GENERAL GOVERNMENT & AGENCY REVIEW SUBCOMMITTEE**

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OHIO MANUFACTURED HOMES ASSOCIATION  
MAY 18, 2017**

**SUB HB 49--MAINTAIN OHIO MANUFACTURED HOMES  
COMMISSION EXISTING LAW AS RESTORED BY HOUSE**

Chairman Jordan, Vice Chair O'Brien and members of the Committee

I am Tim Williams, Executive Director of the Ohio Manufactured Homes Association (OMHA). Since 1947 the Association has represented all business segments of the manufactured homes (MH) industry.

Our 500 business members support the House passed version of the state budget (Sub HB 49) maintaining the Manufactured Homes Commission ("Commission") as in present law.

The equivalent of a thorough "sunset" review of the Commission occurred during testimony before Chairman Faber's House Finance Subcommittee on State Government and Agency Review (*as well as the Finance Subcommittee on Agriculture, Development and Natural Resources and the full Finance Committee*). As a result of such "vetting", it became apparent the Commission has consistently operated below budget, provides 100% homeowner safety inspections and undertakes ongoing fee reductions.

I also would like to address recent misrepresentations by the Department of Commerce ("DOC") and Ohio EPA regarding fire safety of homes and water quality in manufactured home parks. Neither of these issues falls under the jurisdiction of the Commission.



As we all know, especially as Senate Bill 2 is under consideration, Ohio EPA is solely responsible per statute for drinking water quality, not the Commission or any other agency. The Commission and local health departments merely perform limited support roles. In fact, Senate Bill 2 further empowers the EPA's water quality authority while making no mention of a role for the Commission.

In recent weeks, a misguided narrative regarding manufactured homes fire safety has all of a sudden emerged from the Administration. Don't be misled. A 2013 study by The National Fire Protection Association (NFPA) indicated the U.S. Department of Housing and Urban Development's ("HUD") federally pre-emptive fire safety and building code for today's manufactured homes is more stringent than the fire code for other residential homes.

Due to this federal pre-emption, local and state fire officials including the Commission and State Fire Marshall have no jurisdiction for fire safety within manufactured homes. HUD inspects 100% of manufactured homes in the factory to ensure the stricter fire code compliance.

Moreover, NFPA indicates while fire death rates for site built and manufactured homes are essentially equivalent, there are 38% fewer fires in manufactured homes and lower civilian fire injury rates (per 100,000).

Furthermore, here in Ohio the Commission tests all smoke detectors as well as ensures all electrical outlets are properly grounded, among other similar safety inspections before the Commission issues final occupancy approval.

During last week's testimony the DOC Director cited fire statistics that did not distinguish between today's manufactured homes with the most fire restrictive code and the older "mobile homes" and "trailers" built decades ago which then lacked appropriate fire standards.

So please keep in mind, none of these previously non-existent issues were ever raised until after it became apparent during House testimony DOC was ill



prepared to take over the Commission. While the Administration is entitled to their opinions, they are not entitled to their own set of facts.

**Of the Nine uncompensated Board of Commissioners—three are appointed by the House Speaker, three by the Senate President and three by the Governor.**

The three industry appointments each to the Commission by the Speaker of the House and Senate President are transparent because Ohio law indicates the Ohio Manufactured Homes Association provides candidates (as a matter of public record) for appointment consideration. This is similar for example, to the Ohio Dental Association making recommendations per state law to the Governor for the Dental Board.

**Resident and Health Safety Official Seats not appointed by Governor.**

One of the Governor's three appointments to the Commission is the Executive Director of the Department of Commerce's Board of Building Standards. She has supported nearly all of the Commission's actions and interestingly has never expressed fire safety concerns.

**However, the Governor has not appointed for more than two years a resident to the Commission and a Health Official for the better part of the last 5 years as required by law.** The argument that the Commission should be under the Administration's control is unfortunate given the failure to fill these important seats.

The cost of a manufactured home is \$44 per square foot as compared to \$94 for site built homes. Manufactured home affordability has allowed many of modest means to realize their dream of homeownership.

In fact, in Ohio manufactured home sales have increased 174% in the last 5 years making it more important than ever to keep the Commission as a standalone entity because of its exceptional consumer safety and protection record.



The leading resident/tenant's rights organization the Association of Manufactured Home Residents of Ohio (AMHRO) (which you will hear from separately) continues to fight alongside us. I respectfully urge your support to maintain the Commission.

**For reference purposes:**

**Fire officials' responsibility within manufactured home parks**

Within the manufactured home park living environment (not the home structure itself but the community) per Ohio Administrative Code (OAC : 4781-12-05.1; 4781-12-20) local fire officials have always had jurisdictional authority for regulating fire protection activities, fire protection equipment (such as the number of fire hydrants) and the park fire codes. Any lapses in fire protection within the parks would be the responsibility of local fire officials and not the Commission.

**Fire Marshall Support of the Manufactured Homes Commission**

Just retired State Fire Marshall Larry Flowers when he was a state representative co-sponsored legislation (SB 102, 125<sup>th</sup> GA) creating the Ohio Manufactured Homes Commission. Fire safety standards were not identified as concerns at the time by then Representative Flowers who is also a former firefighter. We applaud his years of service to the citizens of Ohio.

**Local Health Departments and the Manufactured Homes Commission partnership**

Beginning in 2007, the General Assembly consolidated all regulation of manufactured homes under the Manufactured Homes Commission (the Commission) culminating in 2013 with the Commission's assumption of manufactured home park regulation. Since then local health departments and the



Commission have forged a strong interagency relationship that has proven quite effective in addressing health and safety issues.

### **Manufactured Housing Facts:**

- **Manufactured housing provides quality, affordable housing for more than 22 million low and moderate-income Americans.**
- **The median annual income of manufactured homeowners is slightly more than \$26,000 per year, nearly 50 percent less than that of all homeowners.**
- **Manufactured housing represents 7.3 percent of all occupied housing units, and 10.3 percent of all occupied single-family detached housing.**
- **Based on U.S. Census data, the average price per square foot of a manufactured home is \$44, compared to \$94 for a site-built home.**
- **Unlike site-built homes, manufactured homes are built almost entirely in a controlled manufacturing environment in accordance with federal building and fire safety codes administered by the Department of Housing and Urban Development (commonly referred to as the “HUD Code”). Homes are transported to the home-sites where they are installed in compliance with federal and state laws.**
- **Effective April 18, 2017, HUD rules will allow families receiving housing assistance through the Section 8 voucher program to utilize HUD assistance to pay for monthly mortgage payments, insurance, property taxes and utility bills to purchase manufactured homes. Before this change, a Section 8 voucher could only be used for the cost of renting a space in a land-lease community or for renting a manufactured home.**