



**Tim Williams, Executive Director  
Ohio Manufactured Homes Association  
House Commerce and Labor Committee  
House Bill 304 opponent testimony  
January 26, 2022**

Chairman Stein, Vice Chairman Johnson, Ranking Member Lepore Hagan and members of the Committee.

Since 1947 the Ohio Manufactured Homes Association (OMHA) has represented all segments of the manufactured housing industry providing affordable housing to over 900,000 Ohioans living in manufactured homes.

OMHA supports the spirit of HB 304 ensuring the fire safety of homes and apartments. Manufactured homes are governed by the U.S. Department of Housing and Urban Development's home construction and fire safety code passed by Congress in 1974 and effective in 1976 -- commonly known as the HUD code.

The HUD code expressly pre-empts all state and local requirements regarding the construction and safety code of manufactured homes which includes fire safety, smoke alarms and related fire safety HUD code standards.

Therefore, though well intended, HB 304 would violate the HUD code's pre-emptive authority as it applies to manufactured homes. Since as early as 1988 federal courts have repeatedly upheld the supremacy of the



HUD code for manufactured homes and its preemption of state and local requirements involving construction and safety.

The intent of the HUD code is to provide uniformity across the nation that would allow for the affordability and safety of manufactured homes. The manufactured homes fire safety code is more stringent than building codes for site-built homes.

Having said that it should be noted that since 1975 manufactured homes were required to have hard wired smoke alarms connected to the home's electrical system. Moreover since 1994 the HUD code required smoke alarms to have back up batteries. And since 2021 the HUD code now requires carbon monoxide detectors for all new homes.

OMHA has respectfully requested a clarifying amendment to HB 304 that the legislation does not apply to manufactured homes given the HUD code's pre-emptive authority over fire safety and construction. The sponsor has denied this request. Committee members should also research fully the family of products produced by the organization lobbying for House Bill 304 and the location in which the smoke alarms are manufactured along with any pertinent smoke alarms recall information prior to voting on this bill.

Consumers in Ohio have recognized the superior quality and affordability of manufactured homes especially given the ever-escalating costs of site-built homes that have priced many Ohioans out of home ownership. That is why when the purchaser today orders a manufactured home it will not be delivered until 2023 due to such tremendous demand and desired affordability. For sake of comparison two years ago a



manufactured home would be delivered to the home purchaser in the usual time frame of 4-6 weeks.

I would also encourage the Committee to consider requiring the more stringent fire safety code requirements found in manufactured homes such as carbon monoxide detectors, flame spread requirements and means of egress for example -- to be applied to site-built homes and apartments given the sponsor's laudable intention to ensure fire safety for all Ohioans regardless of what home or rental unit they choose.

Thank you, Mr. Chairman and members of the Committee, for the opportunity to testify and I am happy to answer any questions.