

VAMMHA

Virginia Manufactured and Modular Housing Association

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June, 2009

www.VAMMHA.org

Issue #40

The Old Dominion Outlook

DHCD announces revision to section 421.2 of the USBC, “Site Work for Manufactured Housing”

Effective June 1, 2009, section 421.2 will be amended to allow HUD's 24 CFR Part 3285 – “Model Manufactured Home Installation Standard” to be used for the installation of manufactured homes when the manufacturer's instructions are not available or when any aspect of the installation is not provided for in the manufacturer's instructions.



HUD's standard will replace the NCSBCS/ANSI A225.1 – 1994, “Manufactured Home Installations”, which is currently referenced in section 421.2.

VCC Section 421.2 Site work for manufactured homes.

The installation of a manufactured home is generally subject to the requirements of the Virginia Manufactured Home Safety Regulations (13 VAC 5-95). Under those regulations, the building official is responsible for assuring that the installation complies with the manufacturer's installation instructions and any special conditions or limitations of use stipulated by the label. To the extent that any aspect of the installation is not provided for in the manufacturer's installation instructions, then the installation shall comply with ~~applicable requirements of this code.~~ Title 24 Code of Federal Regulations, Part 3285 – Model Manufactured Home Installation Standards. In the case where the manufacturer's installation instructions for a manufactured home are not available, ~~the NCSBCS/ANSI A225.1 standard, 1994 edition, Title 24 Code of Federal Regulations, Part 3285 – Model Manufactured Home Installation Standards~~ may shall be substituted for the manufacturer's installation instructions. Foundations, stoops, decks, porches, alterations and additions associated with manufactured homes are subject to the requirements of this code and all administrative requirements of this code for permits, inspections and certificates of occupancy are also applicable. The requirements of the IRC shall be permitted to be used for the technical requirements for such construction work. In addition, Appendix E of the IRC entitled, “Manufactured Housing Used As Dwellings,” shall be an acceptable alternative to this code for construction work associated with the installation of manufactured homes and for additions, alterations and repairs to manufactured homes.

Copies of the Model Manufactured Home Installation Standard can be obtained for \$12 by contacting the Institute for Building Technology and Safety at <http://www.ibts.org/publications.shtml>.

Message from MHI Chairman



After months of budget revisions that have significantly reduced the size of MHI, Gail Cardwell and the Executive Committee mutually agreed that she will be relinquishing her responsibilities as President of MHI. At this time, Gail has decided to apply her talents towards other opportunities, and we wish her well in her various pursuits. She has offered to stay with us for a period of time to consult on a few projects, and to help make the transition out of the organization as smooth as possible.

The Seniors Officers and I have met, and have decided that, effective immediately, there is no one better suited to lead MHI than Thayer Long. As all of you have experienced, Thayer has tremendous talent and will bring to this position his strong industry knowledge, excellent membership service, and "can do" attitude. In his current capacity as Executive Vice President, Thayer already oversees many of the day-to-day management responsibilities and operations of MHI. He will continue to serve as the staff liaison to the NCC as well as liaison to the MHI Board. Thayer is very enthusiastic about serving MHI in this new position; we are confident he will do an excellent job.

Brian Cooney, Senior Vice President of Government Affairs, will continue to spearhead MHI's federal legislative and regulatory efforts, which have never been more important than during the current economic climate.

As Chairman, I want each of you to understand the sacrifice that Gail has made on our behalf and as always, she has conducted herself in a professional and dignified manner. For this and for two years of exemplary service, we give her our heartfelt thanks.

2009 VAMMHA-PAC & Memorial Golf Tournament A Huge Success

Clayton Homes (Baltimore and Norfolk Region)
Dinner and Beverage Cart Sponsor

Style Crest
Long Drive & Closest to the Hole (4) Sponsor

Individual Hole Sponsors

Blevins

SCM Consultants

Commodore Homes

Clayton, Hertford
 Clayton, Hollins
 Freedom, Christiansburg
 Pat's Manor Homes
 Clayton, Appalachia
 Clayton, Chester
 Clayton, Ashville
 Clayton, Wytheville
 Clayton, Stuarts Draft
 Simmons and Sons
 Clayton, White Pine

Clayton, Henderson
 Clayton, Harrisonburg
 Schult Homes, Rockwell
 Style Crest
 Norris Homes
 Clayton, Newport News
 Clayton, Fredericksburg
 Clayton, Dublin
 Luv Homes, Dublin
 Clayton, Richfield
 Oakwood, Lynchburg

Clayton, Farmville
 Clayton, Ridgeway
 Nordyne
 Clayton, Maynardsville
 Oakwood, Harrisonburg
 Clayton, Ruckersville
 Clayton, Tappahanock
 Clayton, Bedford
 Mobile Transit Authority
 Clayton, Oxford
 Champion, Lillington

Monthly Unit Dues-2009

X-Denotes Dues Paid, - Denotes No Dues Sent to VAMMHA for that month THRU 3/24/09.

<u>Manufacturer</u>	<u>J</u>	<u>F</u>	<u>M</u>	<u>A</u>	<u>M</u>	<u>J</u>	<u>J</u>	<u>A</u>	<u>S</u>	<u>O</u>	<u>N</u>	<u>D</u>
Cavalier	X	X	-	X								
Champion, PA	-	-	-	-								
Champion, NC	-	-	X	X								
Champion, TN	-	-	-	-								
Clayton, TN	X	X	X	X								
Colony Factory	-	-	-	-								
Commodore, VA	X	X	X	X								
Crestline	-	-	-	-								
Design Homes, PA	-	-	-	-								
Dutch Housing	-	-	-	-								
Fleetwood, PA	-	-	-	-								
Fleetwood, VA	X	-	X	X								
Fleetwood, NC	X	-	-	-								
Fleetwood, TN	X	-	-	X								
Giles	X	X	X	X								
Holmes Bldg.	X	X	X	X								
Horton Homes	-	-	-	-								
Liberty	-	-	-	-								
Manis Builders	X	-	-	X								
Manorwood	-	-	-	-								
Palm Harbor/ Masterpiece Hsg.	X	X	X	X								
Pennwest, PA	-	-	-	-								
Professional Bldg	X	-	-	-								
R-Anell	-	-	-	X								
Redman, PA	X	-	X	X								
Skyline	X	-	-	-								
Southern Energy	-	-	X	X								
Southern Estates	-	-	-	-								
Southern Homes	X	-	X	-								
Sunscape Homes	-	-	-	-								

Department of Housing and Community Development

Virginia Manufactured Housing Board

Lorenzo E. Dyer, Secretary
Virginia Manufactured Housing Board



The previous issue of this publication discussed the Department of Housing and Community Development (DHCD) as a State Administrative Agency (SAA) to the U. S. Manufactured Housing Office of HUD. The authority of an SAA is intended to address issues of the Manufactured Home Federal Construction Standards concerning the construction, distribution, and set-up of manufactured homes. Also, in accordance with law of the Commonwealth of Virginia there are Regulations concerning manufactured homes, their distribution and sale. There is some significance to giving close attention to the matter of Regulatory authority under Virginia law. According to the Virginia provisions of the Manufactured Housing Licensing and Transaction Recovery Fund Regulations (the Regulations), those involved to the manufacturing, buying, the selling or the offering for sale of manufactured homes must do so according to these Regulations.

It is important to note the significance of the Regulations to those who are a part of this industry in the Commonwealth. From the perspective of the offices of the DHCD, the State Building Code Administrative Office, it cannot be overstated, the value of the manufactured housing industry to know and to become increasingly familiar with state regulations governing the affairs of your industry. I would go so far as to say, this industry concerning manufactured housing should insist upon becoming more knowledgeable about the affairs of your industry and regulations governing your affairs.

It is significant that as you represent the manufactured housing industry, you ask for and receive copies of the Virginia Manufactured Housing Licensing and Transaction Recovery Fund Regulations. In the daily practices and routines of your affairs identify and know what the Regulations will and will not require. As licensed regulants review the Regulations to know what constitutes a violation of your licensing authority. In circumstances concerning questions in your day to day operations, discuss the issues and consult the SBCAO to document and clarify questions you may have of procedures and regulatory practices.

Know and familiarize yourselves with the Virginia Manufactured Housing Board. Because of the Board's membership make-up (composed of nine members appointed by the governor), including two manufactured home manufacturers, two manufactured home dealers, the Director, and four members representing the public who have knowledge of the industry, fair and reasonable consideration is given and dispersed. Because the Board is a public service Board, regulants as well as consumers should consider utilizing the Board's presence and expertise as concerns the affairs of the manufactured housing industry. It has been a standing policy and working practice of this Board to serve in its capacity, functioning as an informational source for consumers and regulants to the extent plausible. There is some rational in the notion that in the Commonwealth of Virginia, it is your Board and your Regulations, intended

to serve as a public service Board, addressing the needs of regulants, that consumers are better served to their concerns and interest.

Important Info from DHCD Concerning Required Installer Training

MEMORANDUM

DATE : June 2, 2009
TO : Virginia Licensed Manufactured Home Dealers
FROM : Clinton Wallace, State Building Code Administrator
SUBJECT : Mandated Training for Manufactured Home Installers

The Department of Housing and Urban Development (HUD) has developed Title 24 Code of Federal Regulations, Part 3285 - **Model Manufactured Home Installation Standards** (MMHIS) and 24 CFR Part 3286 **Manufactured Home Installation Program** (MHIP). This is a federally mandated program for the installation of all new manufactured homes. The MMHIS provides technical requirements for installing a home and the MHIP serves as the regulations for the administration of the MMHIS. Both became effective January 1, 2009.

One element of the MHIP requires installers of manufactured homes to be licensed and to receive mandatory training. The Virginia Department of Housing and Community Development (DHCD) developed the Virginia State Installation Program which has been accepted by HUD and will be administered by DHCD in cooperation with the Virginia Department of Professional and Occupational Regulation (DPOR) which issues contractors licenses and regulates and enforces contractor law.

DHCD will present a one-day training course in all regions of the state from mid July through October of this year. **Effective, November 1, 2009**, all contractors licensed to install manufactured homes in the Commonwealth of Virginia are required to have attended the training course. Contractors who have not attended a training class by November 1, 2009 will not be permitted to install manufactured homes. Approximately, two training classes will be offered annually beginning in 2010.

If you have any questions regarding this matter, please contact my staff or me at (804) 371-7160.

**Remember, When You Need Anything,
Call A Member First!**

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2009 Meeting Schedule

**July 29th / 31st, VAMMHA Annual Meeting and Convention, Wyndham Resort Hotel,
Virginia Beach, VA**

September 9th, VAMMHA Board of Directors, Stonehenge G&CC, Richmond, VA

November 11th, VAMMHA Board of Directors, Stonehenge G&CC, Richmond, VA

March 10th, VAMMHA Board of Directors, Stonehenge G&CC, Richmond, VA

**May 12th, VAMMHA Board of Directors Meeting and Annual VAMMHA-PAC Golf
Tournament (Location to be determined)**

Chairman's Letter

Cindy Tomlin

Hey there everyone and Happy Spring!

It was good to see such a great turnout at the VAMMHA-Pac Bill Jones and Rick Quesenberry memorial tournament. Everyone I talked to had a wonderful time and enjoyed seeing friends and peers gathering together to show our strength and faith as an industry. I believe it was one of our record events.

Continue to stay in touch with your peers and friends, you never know you might be the only piece of sunshine they see or hear that day.

We will stand together and get thru these harsh times and come out stronger for having been here. I am thankful for your friendship and support. Hope to see you all in Virginia Beach.

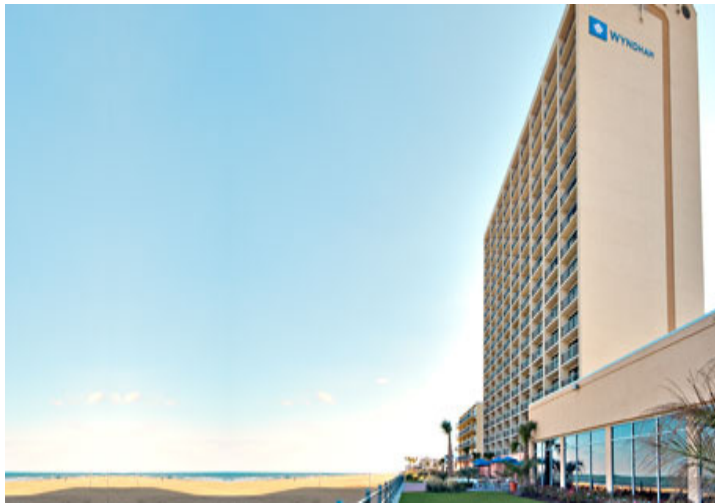
**Remember, When You Need Anything,
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2009 VAMMHA Annual Meeting & Convention

July 28th thru 31st

Wyndham Resort Hotel Virginia Beach, VA

Scott Yates, Chairman



It's Convention time again and I think this year will be better than ever. The Wyndham in Virginia Beach has upgraded their facility and the beach front is in good shape.

This year we have shortened the time for several reasons and we have a lot to cover in a few days. We will start registration on Wednesday the 29th of July and be finished on Friday the 31st. The Chairman's reception will be on Wednesday night and breakfast on Thursday with the seafood buffet dinner being that night. Friday will be a continental breakfast with a board meeting and then back to our respective homes. If you are interested in staying for a weekend getaway with your family the hotel will honor the same rates that VAMMHA has arranged.

The golf tournament will be on Thursday afternoon at Cypress Point this year and this is a very nice course that we all will enjoy. Thanks to Wayne Tomlin for being the golf Chairman. He always does a fantastic job with our golf outings.

With all the challenging times in our industry we need all members to participate in this time we will be together. There is a good change going on and we need to support the association as it has supported us. Networking with the other members is very valuable as we come out of a down turn and now a bright future for housing.

Help VAMMHA and our industry have a successful convention this year. If you know of anyone who would want to be a sponsor please encourage them to do so because when we have regulatory problems the association is the first to go to bat for us all.

See you soon at Virginia Beach

Legal Report

John Rick, Esq.

Predicting the Future



Three matters discussed at the board meeting in Staunton on May 13, 2009, need wider dissemination. All three of them predict future changes coming. In at least one case, the prediction is helpful. In the other two, it is not yet clear what effect it will have on the industry. What is clear is that there will be an affect and knowing about it ahead of time will prepare the industry to respond to when the changes come.

The first big change is that the Virginia General Assembly continued again this year to reduce funds available to the Virginia Department of Transportation for construction of new roads. Funds continue to be available to VDOT for maintenance of existing roads. The reduction in new construction dollars is dramatic. Easily understandable is the Powhatan experience. Every year, Virginia counties have to collaborate with VDOT to produce the county's plan extending out six years in the future for spending the VDOT new construction money. Not very far in the past, Powhatan's Board of Supervisors would have a million dollars plus to allocate in the six year plan. This year, that number is down to approximately \$400,000. Powhatan is not an isolated case. This is the scenario all across the state.

This change will have an impact on future land use development patterns. The most immediate is already showing up in new General Assembly legislation which requires localities to cluster development more than they have in the past. The obvious reason for clustering is to get away from the "suburban sprawl" model that has been followed for many decades, and to build future homes much more closely together, as they are in cities. The net result, goes the thinking, is a reduced need for road mileage construction.

The effect upon manufactured housing is hard to predict, but easy to see. More dense development typically produces more hostility to manufactured homes in the dense areas, and this may continue to be the case. However, the increased density also leads to opportunities for more affordable housing, and modular homes may succeed in this area in a way manufacturers do not. What is more interesting is what may happen in areas outside of the densely developed, more urban type areas. The lands left outside of these areas may become more available for manufactured homes than they have been in the past because of a declining interest in development in those areas by the development community. Less development in the area attends to generate attitudes that are more tolerant of manufactured homes.

The bottom line is that these massive changes in land use development attitudes and road funding loss are going to affect markets for manufactured and modular homes in ways not yet clear. The Association needs to keep its eye on this picture so it can respond appropriately.

The second major change is at the national level, and it comes out of the legal community. There has been a long tradition in America of private groups spending years researching a particular legal area and then proposing a uniform state code to the nation. The uniform codes are then examined by different state legislature and either adopted as presented or adopted with changes. There are also states which choose not to adopt. So the uniform state code movement is not a mandatory one, but often a very helpful one. Zoning, as all of us know it, is actually the result of a proposed uniform state code presented to the nation by the United States Department of Commerce in 1926.

At a recent American Bar Association meeting in Washington, I was invited to speak to one of the committees which are developing a list of proposed uniform state code projects for the future. I was invited because at the top of their list is a uniform state code dealing with the often difficult issues of manufactured home titles and transfer. The interest of the group is not in zoning and land use, but in the more everyday commercial transaction of buying and selling manufactured homes, either as chattel or as real estate, when the homes are presented as land home deals. This proposed uniform state code will probably not even be available for review by the Virginia General Assembly for at least five years. It could, however, provide a solution and relief to some of the problems which come up with the DMV refusal, appropriate under existing state law, to reissue titles on homes which are being traded in once those titles have already been released. This is the correct treatment of that issue under state law, but unfortunately, DMV had not followed state law for a long time and their decision in the recent past to begin following state law has caused more than one dealer heartburn.

The third indicator of future change is very simple and is very helpful. I was told by a scrap metal dealer at the Powhatan County convenience center two weeks ago that the price of scrap copper has just gone up 0.02¢ and he reads that as an indication that the economy will recover, and is, in fact, already on its way in that direction.

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President's Report

Ron Dunlap

I was very much surprised when I got to Staunton for the Annual VAMMHA-PAC Golf Tournament honoring the Late Rick Quesenberry and Bill Jones. The number of participants was considerably higher than I, or anyone else, had expected.

Given the current economic situation, I thought our numbers would be sharply down from 2008 and previous years. But, that was not the case! We had as many or more players than we've had in the past and raised a considerable amount of money for VAMMHA-PAC. With VAMMHA's current budget, that deposit into the PAC fund was greatly appreciated.

Now we are getting ready for our Annual Meeting and Convention in Virginia Beach and, again, we are speculating as to the number of participants we will have.

Above the fun, one on ones and educational information, this Annual Meeting is required by law for the purpose of electing Board Members and Officers.

If you haven't participated in VAMMHA as a member of the Board of Directors in the past, please consider doing so this year. It is a 3 year term with 5 meetings annually and does not take up a lot of your time. Three of the meetings are in Richmond, one at the Annual VAMMHA-PAC Golf Tournament and one at the Annual Meeting in July.

We need fresh ideas for VAMMHA during these severe economic conditions and your thoughts and ideas may just be the ones that keep VAMMHA a vibrant and viable organization that represents the industry throughout Virginia and the United States.

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IT PAYS TO ADVERTISE IN THE OLD
DOMINION OUTLOOK!**

Call the VAMMHA office for details!