

Mo and Sam,

Update: Nov. 25th, 2022 After to listening to the first two TAC calls, I am adding to my previous suggestions for a short and long term solutions for the Colorado Tiny House Rule Making.

After listening to two TAC calls, I feel it is is imperative to get everyone all on the same page on all the various widths, lengths, and maximum size that will be allowed based on [CDOT](#) requirements that regulate movement on the highways for movement of vehicles and of oversize and overweight vehicles on the state's highways.

What Size??

Some builders build tiny houses on wheels strictly no wider than 8'6" wide and 2x4 construction makes sense, but there are a lot of builders that build 400 square feet tiny houses on wheels that are up to 12 wide that could be built to 2X6 construction. I personally own a tiny house that is a little over 11' wide, built to 2X6 construction.

Built as a Modular, the size would not be limited to 400 square, this hopefully this can be discussed in the initial conversation regarding construction.

A Manufacturer That Builds Their Own Trailer Versuses Buying A Trailer And Building On The Trailer

As you discuss construction, it is important to discuss the differences between a manufacturer that builds their own trailer (chassis) as opposed to a manufacturer that purchases a trailer (chassis) and builds on the trailer.

Helpful Resources:

[NATM: National Association Of Trailer Manufacturers](#)

SAE International

Since 1981, global automotive manufacturers have utilized a complex numbering system called a Vehicle Identification Number (VIN) that uniquely describes a vehicle for purposes. This number provides a coded description of the vehicle including: manufacturer, year of production, place of production and vehicle characteristics. Because of our unique position within the mobility industry, SAE International was contracted by the National Highway Traffic Safety Administration (NHTSA), to assign a selected portion of the VIN, specifically called the World Manufacturers Identifier (WMI). Over the years, this system was used to accommodate both on-road and selected off-road recreation vehicles (e.g. ATVs, dirt bikes, and snowmobiles). In 2003, NHTSA reviewed and provided clarification to SAE regarding the types of vehicles to be included in the VIN system. Since NHTSA's function is to regulate "motor vehicles" denied as "a vehicle driven on public streets, roads, and highways" it was clear that off-road **recreation**

vehicles were outside the regulatory jurisdiction of NHTSA and could not be included in the system. Effective January 1, 2005, new VIN numbers will no longer be issued for off-road recreation vehicles. The use of existing WMI/VIN for off-road recreation vehicles is currently under review by NHTSA.

[SAE International](#)

[NHTSA National Highway Transportation](#)

Terminology WorkSheet

I would like to suggest that the TAC start a terminology worksheet as you determine what your agreed upon language us to get everyone on all the same page.

I will be addressing and providing links with the following:

ASTM International Tiny House Subcommittee E0.26 Within E06 Performance Of Buildings

IAPMO Appendix L Tiny House Reliable Plumbing Systems

Foundation Examples: Example Wa. State

Answering Mo's Question Regarding The HUD Code And Why The Tiny House Industry Has Not Opted Into Buiding Tiny Houses To The HUD Code

HUD Code -88 Referenced Standards

HUD- Alternative Construction For Manufactured Housing (AC)

The ICC 2021 International Tiny House Provisions

NFPA

2021 Oregon Tiny House Speciality Code

ASTME541

Remote Inspection

Appendix Q Tiny House

I have offered many suggestions toward the Colorado rule making, and I would like to consolidate them into one document. I have been leading the ASTM Tiny House Initiative that received approval of a new subcommittee to develop and maintain standards specific to tiny houses. I am not paid staff of ASTM and I write from the perspective as an industry professional within the tiny house industry and as the President of Tiny House Alliance USA.

I would like to invite the TAC group to become a part of the ASTM Tiny House subcommittee to participate in the standards process. If anyone is interested, you become a member of ASTM,

join E06 Committee Performance Of Buildings, and then the E06.36 Subcommittee Tiny Houses.

We would appreciate the chance to give you updates of our progress with ASTM and contribute to the need of affordable housing solutions in Colorado when the ASTM standards are published. Please keep the door open to future adoptions of the ASTM Tiny House standards.

Colorado is the heart of tiny house construction, and we need to support the small manufacturers and the needs of consumers to keep tiny houses affordable and attainable.

[ASTM Press Release](#)

New ASTM Tiny House On Wheels Standard

The ASTM Tiny House subcommittee will be developing a standard on tiny houses on wheels, which will cover all aspects of the construction process. We will have many drafting committees, task groups, and working groups working on different aspects of the standard.

Immediate Solutions For Colorado

If the state of Colorado was interested, we would like to offer a few solutions for the rule making, that would support a tiny house on wheels to be built to Modular construction for your immediate needs.

- 1) We could write an ASTM standard that is specific to how a tiny house is attached to the chassis. This will be a part of the entire tiny house on wheels standard, however, we are allowed to take a section and develop a separate standard. *This would be a great addition to the Sitka, Alaska ordinance as described below.*
- 2) We could develop any other needed standard in the same manner.
- 3) Foundations for tiny houses, both temporary and permanent is a ASTM standard we will be developing. This standard will be a companion standard to the tiny house on wheels standard. We are willing to pay a structural engineer to help us draft it with the drafting committee to expedite the process. We will also have an opportunity during the ASTM committee week in April to speed up the process.

Here Are A Few Examples The State Of Colorado Can Glean Some Information From

Sitka, Alaska: Tiny House On Wheels

From the floor joists up, the tiny home will be built to the IRC Appendix Q Tiny House.

The chassis on which a tiny house is placed or constructed, including all components attached to the chassis, shall be of adequate structural strength to resist all dead and live loads imposed upon it and/or required by applicable safety standards. ***The Building Official may require third-party certification to ascertain compliance with this section.***

Both tiny homes on a foundation and tiny homes on wheels will require a building permit and will be subject to inspection during construction. Legal Classification: Tiny House On A Chassis somewhat of a hybrid standard, built to local building codes, though Sitka created their own

classification which allows for full-time living with conditions. The trailer will need to be registered at the DMV for transport purposes and the trailer should be structurally rated to support the load which is placed upon.

[Sitka, Alaska](#)

Washington State Modular On A Chassis

The state of Washington has a process for a Modular on a chassis and the manufacturers must follow the L& I procedures.

[Tiny Houses Wa](#)

Wa State Factory Built Housing/Modular Homes

[Tiny House Complete Packet](#)

Wolf Industries: Modular On A Chassis

What happens when you take an expertly crafted tiny home, built to IRC / IBC standards, and place it on a trailer? Learn more about modular tiny homes on wheels with Derek and Wolf Industries as he tours a tiny home on wheels in Portland Oregon!

One thing to consider when keeping a tiny home on wheels is the elevation of the house. This particular house is sitting quite a bit higher than you would typically be used to walking into. This is set on a slab, but also requires additional space because we've got wheels and the whole under carriage of the trailer. So if you're thinking about keeping it on wheels keep that in mind you're going to have steps or a ramp to gain entrance.

To place a home on wheels, we construct the unit as usual then attach it to a triple axle trailer with removable tires. An S.O cord feeds the power connection using a 50-amp RV plug, [permitted to meet Portland requirements](#) and set up through the electrical panel of the main house through a trench.

[Wolf Industries](#)

Video-Modular On A Chassis

[Shows the foundation, and hook up](#)

Energy Conservation For Tiny Houses: Example Wa. Example

AQ104 Energy conservation.

AQ104.1 Air leakage testing. The air leakage rate for tiny houses shall not exceed 0.30 cfm at 50 Pascals of pressure per feet of the dwelling unit enclosure area. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E 779 or ASTM E 1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the code official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the code official. Testing shall be performed after the continuous air barrier, including all penetrations, is completed and sealed.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather stripping or other infiltration control measures.
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures.
3. Interior doors, if installed at the time of the test, shall be open.
4. Exterior louvers for continuous ventilation systems and heat recovery ventilators shall be closed and sealed.
5. Heating and cooling systems, if installed at the time of the test, shall be turned off.
6. Supply and return registers, if installed at the time of the test, shall be fully open.

AQ104.1.1 Whole house mechanical ventilation. Where an air leakage rate not exceeding 0.30 cfm per ft of the dwelling unit enclosure area in accordance with Section AQ106.1 is provided, the tiny house shall be provided with whole house mechanical ventilation in accordance with Section M1505.4.

[Wa. State Appendix Tiny House](#)

Foundations

Diamond Pier Foundations And Ground Frame

With Removable Pins

Includes Tiny House Case Studies

The Diamond Pier foundation has had years of extensive 3rd party testing and ICC evaluations, and has been used by local, state, federal and international agencies for over 25 years on some of their most demanding projects.

[Diamond Pier And Ground Frame](#)

Ground Screws

Ground screw, earth screw, screw anchor, earth anchor or pier anchor – this simple and effective foundation has many names. Stop Digging's ground screw works the same way as a concrete post or pier block – only, it outperforms it across the board. With our ground screws you can quickly and easily construct a stable foundation and begin construction immediately.



IAPMO Appendix L Tiny House (Plumbing Requirements) system requirements for both permanent single Tiny Houses which was added to address safe and reliable plumbing systems (Part I) and for Tiny House communities (Part II).

[IAPMO Appendix L Tiny House](#)

Answering Mo's Question Regarding The HUD Code And Why The Tiny House Industry Has Not Opted Into Buiding Tiny Houses To The HUD Code As A Long Term Goal That Is Widely Accepted By The Industry

1) For a manufacturer to build to the HUD code, there is a requirement to have the facility certified and it is a very long and expensive process. The first build or more to get final approval of the facility requires 100% inspection. Approval is not often reached after the first build. The approval process includes HUD approved primary inspection agencies (IPIAS) and design approval primary inspection agencies (DAPIAS) that require a pretty substantial retainer. The retainer could be between \$30,000 to \$80,000. Most manufacturers that build to the HUD code set up an assembly line process because they are building a larger quantity at a time opposed to custom tiny house builder.

Process For A New HUD Manufacturer

[Builder's Certification: HUD](#)

[HUD Code: Code Of Federal Regulations](#)

2) Building a tiny house on wheels to the HUD Code would be labeled as a manufactured home, which still has unfair stigmas from when they were referred to as mobile homes that were only allowed in trailer parks. This unit could only be marketed as a “tiny house on wheels” which is only a marketing term.

3) Tiny houses on wheels and manufactured homes are zoned differently already and the long term goal with ASTM is to standardize the tiny house industry from construction to placement and not to be merged under other established industries.

4) Regulations are slow to change and many professionals have advised that we do not pursue HUD regulation.

5) James Turner, with IBTS, is an ASTM stakeholder that meets with HUD every week and has made them aware of the ASTM Tiny House Initiative. IBTS audits third-parties that certify manufactured homes. HUD told James that we need to keep a firewall between tiny houses and manufactured homes.

The IRC And IBC Do Not Address Wheeled Units

*Illegal In Most Locations, Barriers To Zoning, Financing
No Unified Recognized Industry Standards*

**TRAILERS, COACHES,
TINY HOUSE ON WHEELS**

- Just a reminder – Trailers or wheeled units are not considered tiny houses within the Residential Code.



*Photo Courtesy Micah Chappell, MBA, CBO
Code Specialist*

Does The IRC or IBC Address Wheeled Units?

This is the responses of several building officials across the country.

The ICC 2021 International Tiny House Provisions (ITHP)

Published By The International Code Council (ICC) And Co-Written By The Tiny Home Industry Association (THIA)

About The ITHP

One commenter from THIA on the TAC call described that the tiny house provisions are embedded into the body of the IRC and also has commentary.

It is important to note that commentary is not code, and for the tiny house provisions to truly be embedded into the body of the IRC, it would involve the approval of the code cycle process, which is not until 2027.

Building officials and third-party agencies that inspect and perform plan preview do not base the approval process on intent, and implementation that is written in commentary. They are based on codes and standards that are adopted by the AHJ.

The IRC Lacks:

The floor system attachment to the chassis

The chassis

Foundation

Lacking Gaps With The Energy Code

From A Consultant That Contributed To Appendix Q Tiny House:

I am writing in support of ASTM hosting the development of a new Global Standard for Tiny Houses On Wheels (THOW). I was the inaugural Vice Chair of ASTM E6.71 (now ASTM E60.1), and led the development of ASTM E2392 Standard Guide for the Design of Earthen Wall Building Systems, and am currently involved with the development of the ASTM standard guide for earthen floors (Work Item Wk64123). I was also involved in the development and adoption of ICC's Appendix Q – Tiny Houses in the International Residential Code and in the writing of the commentary for the ICC Code Commentary version of that appendix.

David Eisenberg Executive Director: Development Center for Appropriate Technology:
[Letter](#)

International Building Code - General

2021 Group A - Report of the Committee Action Hearing Results

G102-21

Committee Action:

Disapproved

Committee Reason: This proposal was disapproved. The definition for off-site construction included modular buildings and components. Modular units are typically regulated by state specific requirements. The definition for off-site construction includes tiny houses. Tiny houses are not address by the code, but are in Appendix Q. This blanket exception for tiny houses is too broad. Would this cause a conflict with the tiny house emergency escape and rescue openings? The definition of off-site construction is too broad - it could be read to include items such as prefabricated trusses, the modular units and sleep pods in G101-21 or precast panels. (Vote: 13-1)

G102-21

The ITHP Includes ICC MBI Standards 1200 And 1205 And Are Not Inclusive In The IBC Or IRC And The ICC/THIA Model Legislation

The 2 ICC/MBI Standards 1200 and 1205 developed by the ICC Off-Site And Modular Construction Standards Committee (IS-OSMC) were disapproved at the IBC 2024 hearing and one reason was because tiny homes were included in the standards.

Currently all tiny house/home terms have been stricken from the scope of the committee, the scope of the standards, and the body of the standards. The committee blamed the disapproval on the tiny home terms, but actually Tom Hardiman, with the Modular Housing Institute and co-chair of IS-OSMC that presented at the hearing, stated he did not know how to answer the questions regarding tiny homes, and no one from the tiny house industry was present to answer the questions.

The standards were not well received by the code council. The code officials also stated the code has already covered many aspects that the standards were addressing. The definitions are too broad for off-site modular components. Precast elements are already addressed in the code. One commenter saw conflicts with certification already addressed in the code.



After the IBC hearing, the committee decided to remove all tiny home terms, along with Appendix AQ Tiny House from the scope of the committee, the scope of the standards, and from the body of the standards 100% with the theory that there was no need to call out tiny houses, because they were "inclusive".

Reasons For Disapproval At The IBC Hearing

- The definition for off-site included modular buildings and components. Modular units are typically regulated by state specific requirements.
- The definition for off-site construction includes tiny houses. Tiny houses are not address by the code, but are in Appendix Q.
- This blanket exception for tiny houses is too broad.
- Would this cause a conflict with the tiny house emergency escape and rescue openings?
- The definition of off-site construction is too broad-it could be read to include items such as prefabricated trusses, the **modular units** and sleep pods or precast panels.

*In ICC/MBI Standards 1200 and 1205- Tiny homes were first **excluded**, then **included**, and because the proposal was voted down by the code council, all terminology of **tiny homes has been stricken**.*

Reason: *This Committee proposal deletes all mention of tiny homes in the ICC 1200 & 1205*

Standards. Requirements for tiny homes are adopted by the AHJ, and should not be mandated by the Standards. AHJ may adopt IRC Appendix Q, but they may not. This will leave that decision up to them and not require it when the Standards are adopted.

- *Both standards are administrative in nature. Modular still must meet relevant building codes. The standards are also Off- Site Specific. ASTM represents a lot of stakeholders who are do it yourselves and have or will build their own tiny house on site. [See ICC Off- Site Codes Working Group](#). The ASTM activity would cover both on and off-site specifics.*
- *There is a limitation with the IRC, because the states are at different levels of ICC code adoption. You may have one state that's on the 2009 codes, one that's on 2015, and some that have adopted the 2018 or 2021 codes. There are also states that have their own codes. See [International Codes-Adoption By State \(Jan 2022\)](#). Jurisdictions may or may not adopt codes and standards at the local level or will exclude an appendix. Appendix Q Tiny House (2018 IRC) and Appendix AQ Tiny House (2021) are not mandatory.*

May 21st, 2021 Car Report

The committee deletes all mention of tiny homes.

2021 ICC 1200, 1205 – Second Committee Action Report

~~**TINY HOUSES.** A dwelling that is designed and constructed in accordance with the IRC with additional requirements as specified in IRC Appendix Q.~~

3. Section 301.4

~~**301.4 Tiny Homes.** Tiny homes shall comply with Appendix Q of the IRC. Renumber 301.5 as 301.4.~~

4. Section 308.4

~~**308.4 Special requirements for tiny homes.** Tiny homes shall comply with the requirements of Section 402.~~

(NOTE: This needs to be deleted anyway since 402 has been deleted)

5. Section 309.3.

~~**309.3 Special requirements for tiny homes.** Tiny homes shall comply with the requirements of Section 402.~~

(NOTE: This needs to be deleted anyway since 402 has been deleted)

6. Section 502.1

ICC 1205 draft ballot approved:

Standard for Off-Site Construction: Inspection and

Regulatory Compliance

[7/01/2021: Link](#)

ICC 1200 draft ballot approved:

Standard for Off-Site Construction: Planning, Design,

Fabrication and Assembly

[7/01/2021: Link](#)

[Follow The History Of Tiny Homes In ICC/MBI 1200 and 1205 Standards](#)

Third Party Requirements in ICCMBI 1205

1CC/MBI 1205 Standard for Off-Site Construction: Inspection And Regulatory Compliance THIRD-PARTY REVIEW AND INSPECTION AGENCIES

ICC/MBI standard 1205: The third-party requirements in this standard are beyond the minimum in the marketplace for third-parties and one of the main third-party agencies that certify tiny houses (Pacific West Tiny Homes) including SimBlissity Tiny Homes , and Tiny Building Experts, cannot meet the requirements of the standard.

Pacific West Tiny Homes meets the requirements of ASTM E541 and E699.

ASTM E541 Has Been Revised And Is Now Published

We successfully advocated for the revision and reinstatement of ASTM E541 which has been referenced for over 40 years in the HUD Code for the certification of manufactured buildings. [Ca HCD](#), [The Interstate Industrialized Building Commission](#), and various states and countries reference ASTM E541.

ASTM E541-This specification provides the criteria for the administrative agency that has regulatory authority as granted by the authority having jurisdiction (AHJ) to evaluate the capabilities and qualifications of building evaluation agencies, that performs system analysis or compliance assurance or both for certification of manufactured building on behalf of an authority

having jurisdiction (AHJ) that meet the needs of regulatory programs. Administrative agencies and building evaluation agencies (third-party agencies) are the primary users of the standard.

[ASTME541-22](#)

Remote Inspection: *On the TAC calls, I am hearing that remote inspection is being promoted associated with ASTM standards and although this certainly will be addressed and promoted, in my opinion, it is up to the AHJ to allow. We have the top nation's third-party agencies involved with ASTM as stakeholders, including RADCO, PFS TECO, and Intertek which all perform field inspections, which is standard practice, and is what I will be suggesting, along with the above mentioned third-parties as we develop the new ASTM standards.*

Robin Butler with NOAH offers an excellent process to document the build remotely, however as I have personally advised him, I feel that he needs to start to incorporate field inspections for greater acceptance across the nation.



The ICC/THIA Model Legislation: Included In The ITHP

The ICC/THIA Model Legislation is stating inaccurate information on tiny houses and manufactured homes.

ICC And THIA State

“Tiny houses on wheels with a permanent chassis over 320 square feet are subject to the Manufactured Home Construction and Safety Standards administered by the US. Department of Housing and Urban Development. Where these requirements apply, a manufacturer may opt-out if they then follow requirements equivalent to those contained in a model building code.”

This is also NOT a formal statement from HUD that has gone through rule making.

Once again, if a unit is built to HUD code, it could be marketed as a tiny house on wheels, but the unit would be labeled as a manufactured home, not a tiny house on wheels.

[ICC/THIA Model Legislation](#)

320 Square Feet Is Not Accurate

Tiny houses on wheels built to 400 square feet are allowed all over the nation and written into laws and ordinances and are NOT built to the HUD code.

Tiny houses on wheels have NOT been subjected to ‘opt out’ as stated in the model legislation that was written by ICC and THIA. Most tiny houses on wheels are built to RV standards, so they are classified as RVs, which does not require an ‘opt out’ as stated.

From RVIA

Four years ago, the RV Industry Association began its latest efforts to get HUD to update its definition of an RV and make it clear that all RVs are exempt from HUD regulations.

1. HUD Does not Regulate RVs, including PMRVs and Fifth-Wheels

Most importantly, the newly finalized rule clearly establishes that HUD does not regulate RVs, including PMRVs and fifth-wheels, which provides much-needed regulatory certainty to RV manufacturers. Earlier RV exemptions did not establish a bright line between RVs, which are designed for temporary, seasonal or recreational use, and manufactured housing which is designed to be a permanent, year-round dwelling. The blurry distinction began to cause confusion in recent years as RVs have become larger and park model RVs have risen in popularity.

In January, HUD released its “Regulatory Review of Manufactured Housing Rules” to invite public comment on all current and pending manufactured housing regulatory actions. In the new rule, HUD acknowledges the need for a broader exemption, noting that the agency received

fewer than 20 comments on the proposed RV rule in response to the January document and all were supportive. The RV Industry association [filed comments](#) encouraging a clear exemption.

The new exemption states, “A recreational vehicle that meets the requirements of this section is exempt from [Manufactured Home Construction and Safety Standards]” and HUD states multiple times in its response to commenters that its intent is to unequivocally clarify that RVs are beyond the scope of its regulatory mission. “Recreational vehicles” are defined as:

- Vehicles or vehicular structures not certified as manufactured homes;
- Designed only for recreational use and not as a primary residence or for permanent occupancy; and either:
 - built and certified in accordance with NFPA 1192-15 or ANSI A119.5-15; or
 - self-propelled vehicles.

2. PMRV Manufacturers Will Still Need to Display a Separate “Manufacturer’s Notice”

In comments filed on the January Regulatory Review, the RV Industry Association urged HUD not to require PMRV manufacturers to display a “Manufacturer’s Notice” in each unit kitchen stating that the unit is designed only for recreational use and has been built to ANSI A119.5-15 standards. The association opposed this requirement because this information is duplicative to existing industry requirements—the association already requires certified PMRVs to contain permanent seals of ANSI certification.

The new rule, however, will require park model RV manufacturers to display a Manufacturer’s Notice in each PMRV kitchen and provide this notice to the final purchaser at the completion of the sale. HUD asserts that its requirement is distinguishable from the association’s because (1) HUD’s requirement for a Manufacturer’s Notice applies to all RVs built and certified to ANSI A119.5-15 standards, not just RVs with the RV Industry Association seal; and (2) HUD requires its notice be placed more conspicuously than the RV Industry Association seal and serves to inform consumers about the standard to which the unit was built, which the Agency believes differs from the purpose of an RV Industry Association seal.

The HUD Manufacturer’s Notice must be displayed in “a temporary manner in the kitchen” and delivered to the consumer prior to completion of any sale. The title, MANUFACTURER’S NOTICE, must be clearly legible and at least 1 inch in size. The content must be typed using letters at least ½ inch in size, and must state:

“The Manufacturer of this unit certifies that it is a Park Model Recreational Vehicle designed only for recreational use, and not for use as a primary residence or for permanent occupancy. The manufacturer of this unit further certifies that this unit has been built in accordance with the ANSI 119.5-15 consensus standard for Park Model Vehicles.”

Until the sales transaction is completed, no one must remove the notice. Under the rule, a PMRV sale is complete when all goods and services that the dealer agreed to provide at the time of contract formation have been provided. The RV Industry Association encourages all park

model dealers to read the text of the final rule to become familiar with this important new requirement.

3. The Rule Will Specifically Reference the 2015 ANSI and NFPA Standards

Finally, the RV Industry Association encouraged HUD not to tie the NFPA and ANSI standards to any particular year, and merely incorporate broader references to the standards. This would allow the regulations to account for future updates of the standards without requiring a change in language. The final rule, however, still references the 2015 editions of the standards. The Agency addressed the RV Industry Association's suggestion, stating that it must reference specific editions due to the Federal Register's rules for incorporation by reference to non-governmental publications.

[Source RVIA](#)

Excerpt From HUD Final Rule 2018

HUD is not regulating use of manufactured homes or RVs. More specifically, how individuals decide to use their manufactured home or RV unit after purchase—and, in some cases, after receiving a Manufacturer's Notice about the unit's compliance with RV standards—is beyond the scope of this final rule.

The regulation of use and occupancy of RVs is the purview of state and local authorities, not HUD.

[HUD Final Rule 2018](#)

HUD Manufactured Home And Safety Standards

The National Manufactured Housing Construction and Safety Standards Act of 1974 (the Act) authorizes HUD, through its Office of Manufactured Housing Programs (OMHP), to establish and amend the Federal Manufactured Home Construction and Safety Standards (HUD Code) and the Procedural and Enforcement regulations, codified at 24 CFR parts 3280 and 3282, respectively. This authority authorizes

This authority authorizes HUD to issue and enforce appropriate standards for the construction, design, performance, and installation of manufactured homes—formerly known as mobile homes—ensure their quality, durability, affordability, safety. Since the HUD Code's inception in 1976, Recreational Vehicles (RVs) have been largely exempted from the HUD Code.

Self-propelled RVs are statutorily exempted, and other classes of RVs which HUD maintains statutory jurisdiction have been exempted by regulations codified at **24 CFR 3282.8(g)**. Over time, the RV exemption has evolved.

Since codifying its regulatory exemption in 1982, HUD has exempted RVs from both HUD's Manufactured Home Construction and Safety Standards at 24 CFR part 3280 and its Manufactured Home Procedural and Enforcement regulations at 24 CFR part 3282 if they are:

Built on a single chassis; **400 square feet** or less when measured at their largest horizontal projections; self-propelled or permanently towable by a light duty truck.

HUD Response: As explained above, this rule does not regulate the use of manufactured homes or RVs but serves to expand the exemption for RVs, and to provide for a clear way of determining whether RVs that meet the statutory definition of a "manufactured home" are exempt from complying with HUD's Manufactured Home Construction and Safety Standards and Procedural and Enforcement regulations.

The rule does not address "seasonal" or "permanent" occupancy or distinguish between RVs that are permanently placed in a park or campground and those being used to travel the county. This rule should not be used by RV parks to evict residents out of fear of legal consequences. "permanent" occupancy or distinguish between RVs that are permanently placed in a park or campground and those being used to travel the county. This rule should not be used by RV parks to evict residents out of fear of legal consequences.

HUD Maintains Statutory Jurisdiction Over The Manufacture

And Installation Of All Structures Falling Within

The Statutory Definition

Of "Manufactured Home," But It Elects

Not To Regulate All Structures

That Qualify For The RV Exemption.

HUD maintains statutory jurisdiction over the manufacture and installation of all structures falling within the statutory definition of “manufactured home,” **but it elects not to regulate all structures that qualify for the RV exemption.**

*Because this rule does **not prohibit or regulate the use of manufactured homes or RVs, including tiny homes, the secondary consequences described by certain commenters are moot, and HUD does not believe that there exists a need to address them individually.***

[Source HUD Federal Register Nov. 18th 2018](#)

The HUD Code

A Proposed Rule By The Housing And Urban Development Department

The HUD Code Includes 88 Referenced Standards

A significant goal of this proposed rule is to update standards incorporated by reference under § 3280.4 to align the regulations at [24 CFR part 3280](#) to more current building codes and practices. As a result, this rule proposes to revise 70 current standards, add 16 new standards, and incorporate by reference 2 standards in a new location, for a total of 88 standards, under § 3280.4 (see Table 2 for more detail and information). Notable changes to the reference standards being added or revised are updated references for unitary air-conditioning and air-source heat pump equipment (NSI/AHRI Standard 210/240-2008 with Addenda 1 and 2); gas fired central furnaces (ANSI Z21.47); heating and cooling equipment and systems (UL 1995); and safety of household and electronic appliances (UL 60335-2-34).

[A Proposed Rule By The Housing And Urban Development Department 7/19/22](#)

Colorado could research the 88 referenced standards that are a part of the HUD code to apply to the new construction standards as well as foundations for manufactured homes

HUD Foundations

[Permanent Foundations Guide for Manufactured Housing \(4930.3G\)](#)

[Guide To Foundation And Support Systems For Manufactured Homes](#)

Alternative Construction For Manufactured Homes (AC)

To encourage innovation and the use of new technology in the manufactured housing industry, the Department of Housing and Urban Development permits manufacturers to build homes in accordance with its Regulations (3282.14) titled "Alternative Construction of Manufactured Homes." A manufacturer must request from the Department, an Alternative Construction (AC) letter for homes that do not conform to the requirements of the Manufactured Home Construction and Safety Standards (the Standards) at the time of shipment. Through alternative construction, HUD will permit manufacturers to use new designs or techniques not in compliance with the Standards in cases:

- (1) Where a manufacturer proposes to use construction that would be prohibited by the Standards;
- (2) Where such construction would provide performance that is equivalent to or superior to that required by the Standards; and
- (3) Where (i) compliance with the Standards would be unreasonable because of the circumstances of the particular case, or (ii) the alternative construction would be for purposes of research testing or development of new techniques or designs.

[Alternative Construction For Manufactured Housing](#)



FACT SHEET » Tiny Homes



National Fire Protection Association (NFPA)

NFPA White Paper: Applying Building Codes To Tiny Houses

This paper, Applying Building Codes to Tiny Homes, has been developed by the Building Code Development Committee (BCDC) of the National Fire Protection Association (NFPA) to assist understanding the expectation of code enforcement practices on the construction or setting-in-place of tiny homes.

[NFPA White Paper: Applying Building Codes To Tiny Houses](#)

Tiny Homes Fact Sheet: NFPA

What Is a Tiny Home?

While there is no formal definition in nationally recog-

nized codes and standards, a tiny home is typically a single-family home, generally 400 square feet or less, that is intended as a permanent, non-transitory occupancy.

[NFPA Tiny Home Fact Sheet](#)



2021 Oregon Tiny House Speciality Code

The Small House Specialty Code Superseded And Replaced The Reach Code

[Oregon -HB 2423](#), created the Small Home Specialty Code (consisting of the 2018 International Residential Code, including but not limited to [Appendix Q](#) of that code), superseded and replaced all previous related statutes and approaches in the ORSC, including the R329 ORSC amendments (temporary rule) and the REACH code.

The State Building Codes Division (BCD) adopted the 2018 International Residential Code, including Appendix Q, as part of the Oregon Reach Code to provide minimum standards for the construction of tiny houses (400 square feet or less, not including loft areas). Appendix Q became effective on Sept. 20th, 2018.

[Oregon Tiny House Speciality Code](#)

Appendix Q Tiny House

Appendix Q Tiny Houses was approved for inclusion in the 2018 International Residential Code (IRC) building code to provide regulations and standards for tiny houses on a foundation that is 400 square feet or less.

Appendix Q relaxes various requirements in the body of the code as they apply to tiny houses that are 400 square feet or less.

Attention is specifically paid to features such as compact stairs, including hand rails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements of lofts.

The International Residential Code is a comprehensive, stand alone residential code that creates minimum regulations for one-and two family dwellings of three stories or less.

Jurisdictions may use Appendix Q as a model code to adopt, reference or amend. Builders or even jurisdictions that have not adopted the 2018 IRC or the Appendix, can seek approval "on a project basis through the alternative materials and designs provision"

[Appendix Q Tiny House](#)

[Appendix AQ Tiny Houses](#)

In closing, I support all construction methods to legitimize and legalize tiny houses to be lived in as a permanent residence whether they are built to Modular, the HUD code, or the new ASTM standards that the industry will develop.

I hope the state of Colorado will develop rule making for multiple paths.

Warm Regards,

Janet Thome President
Tiny House Alliance USA
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