

American Institute of Architects

1735 New York Ave NW

Washington, DC 20006-5292

November 2, 2024

Regarding: ICC Violation Of AIA Standards And Ethics For Continuing Education Programs

Esteemed Board Members,

I want to file an official complaint directly to AIA and also to the AIA/CES division regarding the International Code Council and their violation of the AIA standards and ethics for continuing education programs. ICC had webinars in Long Beach, California in October and included information on tiny houses and a tiny house standard that is under development.

I need to start with a small summary of the back story of tiny houses.

Tiny Houses have been held captive by the executives of ICC for over 6 years and their desired outcome that benefits ICC and their services. Appendix Q Tiny Houses, that was adopted into the 2018 IRC, originally had provisions for movable structures, but the head of the ICC code approval process said that he would not accept the proposal as written because he believed it was what they call in the industry a “hijack” of the original proposal.

Originally when ICC/MBI 1200 and 1205 were developed, tiny homes were excluded, then included, but after the 2024 IBC hearing, when the standards were turned down, they removed all the terms relating to tiny houses from the committee description, scope of the standards, and the body of the standards, with the *'notion' that tiny homes were inclusive, and there was no need to call them out.*

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

[Source](#)

Short Summary And Fast Forward To Now

The short version is that the International Code Council and a trade association called the Tiny Home Industry Association (THIA) jointly fought the formation of an ASTM committee on tiny houses for a year with a false claim of duplication. It is important to note that David Tompos Sr. was not only on the board of THIA, but paid staff of ICC, and the VP of ICCNTA, a third party inspection, certification, testing lab, with engineering services.

We won every milestone honestly and overcame all their objections, and now have a subcommittee called E06.26 Tiny houses within the E06 Performance Of Buildings committee.

A few months later, ICC and THIA announced they were co-branding a tiny house standard together, OSMTH 1215. It is a complete duplication of our standard development, though they put out a disingenuous press release stating they joined the ASTM subcommittee to help us and make sure there was not an overlay. *It is a complete overlay.*

[News Release](#)

[OSMTH 1215](#)

ICC had an EXPO in Long Beach, California and they had 3 webinars on off-site construction and tiny houses that were registered with AIA/CES.

Off-Site Construction		Even More Insight into Off-Site <i>Ryan Colker</i>	Intro to Off-Site Construction, Responsibilities and Requirements <i>Joseph Sollod</i>	Approving Small Residential Dwelling Units: ADUs and Tiny Homes <i>Ryan Colker</i>
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[Class Descriptions](#)

About The Continuing Education Credits

Elevate Your Expertise

This year's conference will provide attendees with unparalleled educational opportunities designed to elevate their knowledge and expertise in the building safety industry.

Participation in events such as insight sessions, building tours and the annual business meeting provides the opportunity to earn [Continuing Education Units](#) (CEUs) to help maintain or advance progress toward Code Council certifications.

[Link To Page](#)

This is the current issue. I have tried to be a respectful stakeholder in their meetings, the primary issue of my involvement is that I want to address the inspection, certification, and regulatory compliance that is listed in the scope of the standard.

For the entirety of the standard development, I have asked for a certification work group, and it has been blocked, and denied. I have also asked that David Tompos Sr. recuse himself from voting on this topic, since he is paid staff of ICC, and the founder of NTA, now known as ICCNTA after the ICC acquisition, which is a third party. ICC will not address the conflict of interest, and the vote is staked and predetermined.

ICC has been trying to force two voluntary standards on the industry, especially ICCMBI 1205 Standard for Off-site Construction: Inspection and Regulatory Compliance for years.

I have wanted a discussion on this and wanted an ASTM standard to also be inclusive called ASTM E541, that is the personnel requirements for the HUD approved IPIA and DAPIA third parties that certify manufactured homes and it is a statutory requirement for third parties in over 10 states that will supercede an adopted standard.

My primary concern is adding cost to housing.

On October 15, 2024, ICC published the first draft of the new standard for public comment. The expo started on October 20, 2024.

[Draft](#)

What is disturbing is that the ICC webinars are registered with AIA/CES for continuous education units and even though the power points state the standard is in first draft, they are giving webinars on the approval process(Certification) for tiny houses, promoting ICC/MBI 1200 and 1205 in the presentations, on a standard that has not received consensus on topics that has not been voted on.

Note: A Certification Work Group Has Been Blocked From OSMTH 1215

If you do a quick review of the meeting notes, from the 3rd to the 10th meeting, you will see that the request was brought up.

[Meeting Notes:](#)

Also, many stakeholders are not in favor of the small residential unit (SRU) up to 1200 square feet that has taken over the standard as a primary focus, that is putting tiny houses as a sub category underneath a SRU. The webinars feature the SRU.

ICC staff has had a huge over reach in this standard development, and the webinars for CEUs are basically the desired outcome of what they want and I feel they are misleading to the attendees that are taking the webinars.

The first question that was asked at the 2024 IBC hearing from an opponent of ICC/MBI 1200 and 1205, was " *You are going to disrupt certification in over 35 states?* "

Even the ICC original press release announcing the tiny house standard was misleading.

International Code Council and the Tiny Home Industry Association Initiate Standards Process to Update Tiny House Requirements

Standard to be based on existing requirements for tiny houses used for permanent occupancy contained in the International Residential Code

'ICC/THIA Standard 1215 will be based on existing requirements contained in the [2021 International Residential Code® \(IRC\)](#), including [Appendix AQ](#) and [ICC/MBI Standards 1205 and 1200](#) where applicable, and will continue to be published in the IRC as Appendix AQ, as well as a standalone resource. As a standard, the criteria outlined in these documents will be more readily adoptable internationally and in jurisdictions that do not use the IRC as its base code. The Code Council has submitted a Project Initiation Notification System (PINS) notice to the American National Standards Institute (ANSI) for the development of an American National Standard.'

ICC/MBI 1200 and 1205 are NOT inclusive in the IRC, and were disapproved into the 2024 IBC. They are voluntary standards, and Appendix AQ Tiny House, now called Appendix BB Tiny House, in the 2024 IRC, is a voluntary code, and also not a requirement.

AIA/CES Program content

CE programs should be unbiased, evidence-based, and focus on increasing knowledge. They should not promote products or services, and should only contain material relevant to the program's objectives.

AIA Standards for Continuing Education Programs

Materials must not include:

- Marketing or other promotional materials
- Materials that endorse specific products, brands, organizations, or individuals
- Materials that disparage specific products, brands, organizations, or individuals
- Materials that are misleading, false, or factually inaccurate

Hands-on demonstrations or illustrations may use a vendor's products or tools, but the intent of the demonstration, illustration, or exercise must support the program learning objectives and desired outcomes. Extreme care should be used to avoid demonstrations, illustrations, or exercises that appear to be more marketing and branding than education. When in doubt, AIA CES Providers may consult AIA CES staff for guidance. The use of materials (such as, but not limited to, videos, documents, software, or publications) owned by parties other than the AIA CES Provider may be done so only with the content owner's express permission. Learning programs should be focused on learning and professional development.

S7-01. Content

Learning program content must be unbiased, evidence-based, and focused on developing knowledge. Learning programs are not sales or marketing events and must not promote or market products or services. Learning programs should contain only material relevant to the program learning objectives and desired outcomes during the instructional portion of the program (see Standard S5-05). When learning programs are offered in conjunction with other activities, the beginning and end of the instructional portion of the program must be clearly identified. At no time may marketing or other promotional materials be incorporated into the instructional portion of any program.



MODEL LEGISLATION TO ENABLE THE USE OF **AFFORDABLE, SAFE, SUSTAINABLE AND EFFICIENT TINY HOUSES**

False Information In The Webinar

In one webinar, they include a flow chart for tiny houses and a foot note that is in their Model Legislation that they published with THIA. The highlighted text is below.

‘ 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 U.S. 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. ‘

[ICC/THIA Model Legislation](#)

HUD has not had a final ruling on tiny houses, and that statement is not from HUD, in fact, I was personally told that HUD wants there to be a fire wall between tiny houses and manufactured homes.



TINY HOMES

There Is Not A Universally Accepted Definition Of A Tiny Home. The Typical Size Is 400 Square Feet Or Less And Built On A Moveable Trailer Or A Permanent Foundation Built To Various Standards And Codes.



- **Manufactured Home:** A tiny home can be built to the HUD Code if it meets the definition. In order to build a Tiny Home Manufactured Home, the manufacturer must go through the HUD process outlined in 24 CFR 3282, including the DAPIA and IPIA process, and then it would be labeled under the HUD Code regulatory authority.
- **Modular Housing: Built Off Site** - To meet building codes and specifications of the site where the home is placed.
- **Site Built: Built On Site** - To local building codes and regulations.
- **Factory Built:** The states of Washington and Colorado have developed a path for tiny homes on a moveable trailer for permanent occupancy.
- **Recreational Vehicle:** Built to RV Standards for temporary occupancy and is not considered a dwelling for permanent occupancy.



Janet Thome Was A Featured Speaker At A FHA HUD Webinar In September

I was a recent featured speaker at a FHA HUD webinar for HUD Housing Counselors in September and I presented a presentation on tiny houses that HUD preapproved.

[Session Slides](#)

The ICC webinar presentations that are registered with AIA/CES is a complete marketing campaign for ICC, for their publications, and services, and they featured all their joint publications with THIA, including this [page](#).

This is a complete violation of AIA Standards And Ethics For Continuing Education Programs.

I hope AIA will conduct a thorough research of my complaint and you will review the webinars and any past and future webinars with ICC and hopefully review, before they are published, especially with any material that includes ICC/MBI 1200 and 1205.

I have attached an ICC appeal request that I will need to write over, to divide my comments between complaints and procedural, but it is a longer version of what I have gone through. I have withdrawn it for the moment, to change the format. I feel it will help your investigation.

ICC does not have a firewall between developing codes, standards, services, and marketing of their family of services, and they have taken that same concept into their own webinars and to AIA/CES.

Summary

I am not paid staff with ASTM, and I am not representing ASTM on any level, and all statements are my own.

I was the proponent that initiated the tiny house proposal to ASTM, all the way to approval and fought this long battle for the sake of the housing crisis that has no end in sight.

Thank you for your consideration and taking the time to read and address this issue.

Janet Thome President

[Tiny House Alliance USA](#)

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