

Conflicts of Interest, Vertical Integration, and Regulatory Capture Concerns in HUD's Offsite Construction Research Program

A Documentary Review of the

*2023 Offsite Construction for Housing: Research Roadmap and the
2026 Action Plan HUD's Past, Present, and Future Role in Accelerating U.S. Offsite
Construction for Housing*

Prepared from primary-source U.S. Department of Housing and Urban Development documents and related public records.

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Sections: Organizational Map · Overlapping Personnel · Funding Structure · ICC-ES Critique · Peer Review by the Entity Under Review · Vertical Integration · Antitrust Concerns · Regulatory Capture · Summary

1. Purpose and Method

This report examines the organizational and personnel relationships surrounding two U.S. Department of Housing and Urban Development (HUD) publications on offsite construction: the 2023 Offsite Construction for Housing: Research Roadmap and the 2026 report HUD's Past, Present, and Future Role in Accelerating U.S. Offsite Construction for Housing: A Comparative Study and Action Plan. Both reports were managed by the National Institute of Building Sciences (NIBS) and authored by principals of MOD X, and both engage directly with the role of the International Code Council (ICC) and its Evaluation Service (ICC-ES) in the offsite-construction regulatory landscape.

Every factual claim in this report is drawn from and cited to primary-source documents: the 2023 Research Roadmap, the 2026 Action Plan, a compilation of ICC-ES references in the Research Roadmap (sourced to Tiny House Alliance USA, itself citing HUD's original PDF and a February 2024 HUD press release), and materials provided directly and cited accordingly.

2. Organizational Map

The table below sets out the five principal organizations involved in producing and being discussed by the two reports, and how each is positioned relative to the others.

Organization	Role in the Two HUD Reports	Funding / Institutional Position
HUD (Office of Policy Development & Research)	Funder and publisher of both the 2023 Research Roadmap and the 2026 Action Plan.	Disbursed the FY23 Offsite Construction and Land Use Reform NOFO (~\$2,998,999 across 10 recipients).
National Institute of Building Sciences (NIBS)	Project manager for both reports; NIBS staff (Kyle Barry, Drew Rouland, Jiqui Yuan, Stephanie Stubbs) facilitated drafting and the stakeholder workshop.	Largest single FY23 NOFO recipient: \$499,878, awarded to design pilot programs and identify barriers to offsite construction.
MOD X	Research authors of both reports (Ivan Rupnik, Ryan E. Smith, Tyler Schmetterer), each serving as PTC Co-Chair on the 2023 Roadmap and as Principal Investigators / Managing Partners on the 2026 Action Plan.	Ryan Smith's home institution, Washington State University, separately received \$226,756.05 from the same FY23 NOFO round.
International Code Council (ICC) / ICC-ES / ICC NTA / IAS	ICC representatives participated in the 2023 Roadmap through different roles. Cindy Davis, then President of the ICC Board of Directors, served on the Project Technical Committee, while Ryan Colker participated in the stakeholder workshop under the Regulatory topic area. The same document's Executive Summary and Section 3.2 identify the ICC Evaluation Service (ICC-ES) process as a barrier to innovation. Colker and David Tompos are also listed as Project Partners and Peer Reviewers in the 2026 Action Plan's Appendix, participating in multiple international and U.S. exchanges that informed the report's recommendations.	Not a listed FY23 NOFO recipient. ICC-ES is the code-compliance verification body directly discussed in the Roadmap as a target for reform; ICC NTA and IAS are not separately criticized in the report's text, but David Tompos currently serves as President of ICC NTA (formerly President & CEO of its predecessor, NTA, 2002–2023) while also overseeing ICC NTA, ICC-ES, and IAS together as EVP of ICC's Conformity Assessment Group. Tompos is a confirmed Peer Reviewer of the 2026 Action Plan.

Organization	Role in the Two HUD Reports	Funding / Institutional Position
Modular Building Institute (MBI)	Co-developed the ICC/MBI 1200, 1205, and 1210 offsite-construction standards jointly with ICC — the same co-branded “ICC/MBI” standards that the Roadmap’s Section 3.1 pull-quote (from then-ICC Board President Cindy Davis) recommends HUD adopt nationwide as a replacement for the current patchwork of regulations. Following recommendations from the 5 in 5 Modular Growth Initiative (an MBI-commissioned report that also seeded MOD X’s research lineage), ICC and MBI created Standards 1200 and 1205 specifically for permitting and inspection of offsite construction. Executive Director Tom Hardiman is listed as a Project Partner representing MBI in the 2026 Action Plan’s Appendix (p. 76), in addition to attending the 2023 stakeholder workshop.	Not identified as an FY23 NOFO recipient in the sources reviewed; MBI standards (ICC/MBI 1200, 1205, 1210) are co-branded with ICC and positioned as the proposed regulatory replacement framework.

Read together, the structure is circular: HUD funds NIBS to manage research that MOD X authors; that research was shaped in part by an ICC-affiliated Project Technical Committee member and additional ICC participation in the stakeholder workshop; the research itself identifies ICC-ES’s certification process as a barrier while simultaneously promoting the co-branded ICC/MBI standards as the preferred alternative; and the follow-on 2026 Action Plan — written by the same MOD X team, again managed by NIBS — recommends a new housing-system certification program to address that barrier.

3. Names of Overlapping Personnel

The individuals below appear in documented roles across both reports, based on the title pages, acknowledgments sections, Project Technical Committee (PTC) rosters, and stakeholder-workshop attendee lists of the 2023 Roadmap and 2026 Action Plan.

Name	Documented Affiliation	Role(s) Across the Two Reports	Peer Reviewer	Source
Dominic Sims	Former CEO, International Code Council; current member, NIBS Board of Directors	A direct governance link between ICC and NIBS: Sims led ICC as CEO and now sits on the Board of Directors of NIBS — the organization that managed both the 2023 Roadmap and the 2026 Action Plan, and that received the largest single award in the FY23 NOFO round. This places a former ICC chief executive on the governing board of the entity controlling both reports’ drafting process.	—	As reported

Name	Documented Affiliation	Role(s) Across the Two Reports	Peer Reviewer	Source
John (JC) Hudgison	Senior ICC Board Member; NIBS Board Member	A second concurrent board-level link between ICC and NIBS: Hudgison holds a senior board seat at ICC while simultaneously serving on the NIBS Board of Directors — the organization that managed both the 2023 Roadmap and the 2026 Action Plan. Unlike Sims's former-to-current transition, this is a simultaneous dual board membership.	—	As reported
Ryan Colker	International Code Council	Row 6.02 of the Action Plan's Project Partner Roles and Contributions matrix marks him Key Partner, Exchange Delegate, and Peer Reviewer, with participation flagged for the UK-England, UK-Scotland, Japan, Sweden, and U.S. workshops (all categories checked except Exchange Host). Also a stakeholder-workshop attendee on the 2023 Roadmap, listed topic area “Regulatory.”	✓	Action Plan, Appendix, Project Partner Roles and Contributions matrix, entry 6.02; Roadmap, p. 69

Name	Documented Affiliation	Role(s) Across the Two Reports	Peer Reviewer	Source
David A. Tompos	Executive Vice President, ICC Conformity Assessment Group; President, ICC NTA; formerly President & CEO, NTA (2002–2023); formerly Vice-Chairperson, HUD's Manufactured Housing Consensus Committee (MHCC), various terms since 2010 through 2023	Row 6.01 of the Action Plan's Project Partner Roles and Contributions matrix marks him Key Partner, Exchange Delegate, and Peer Reviewer, with participation flagged for the UK-England, UK-Scotland, Japan, Sweden, and U.S. workshops (all categories checked except Exchange Host). Separately, per his ICC/NTA executive biography, oversees strategic planning and direction for ICC NTA, ICC-ES, and IAS — the division that includes ICC-ES itself. Also a former HUD-appointed federal advisor: served on the MHCC across various terms since 2010, most recently reappointed Vice-Chair for the term Jan. 1, 2021–Dec. 31, 2023 (a role that reported recommendations on manufactured-housing standards directly to the HUD Secretary); he is not currently serving on the MHCC.		Action Plan, Appendix, Project Partner Roles and Contributions matrix, entry 6.01; ICC/NTA executive biography; ICC NTA press release on MHCC reappointment
Tom Hardiman	Executive Director, Modular Building Institute (MBI)	Listed as a Project Partner representing MBI in the 2026 Action Plan's Appendix: Project Partner Roles and Contributions (p. 76). MBI, under Hardiman, jointly developed and co-branded the ICC/MBI 1200-series offsite-construction standards with ICC — per the Action Plan, following recommendations from the 5 in 5 Modular Growth Initiative, ICC and MBI created Standards 1200 and 1205 specifically for permitting and inspection of offsite construction. Also a 2023 Roadmap stakeholder-workshop attendee (listed MBI/MHBA, topic area Advocacy/Trade).	—	Action Plan, Appendix, p. 76; Roadmap, p. 69

Name	Documented Affiliation	Role(s) Across the Two Reports	Peer Reviewer	Source
Ryan E. Smith, Ph.D.	MOD X, Founding Partner; Washington State University / University of Arizona	PTC Co-Chair, 2023 Roadmap; delivered workshop opening remarks and closing summary. Principal Investigator, 2026 Action Plan.	—	Roadmap, pp. ii, 70; Action Plan title page
Ivan Rupnik, Ph.D.	MOD X, Founding Partner; Northeastern University	PTC Co-Chair, 2023 Roadmap. Principal Investigator, 2026 Action Plan.	—	Roadmap, p. ii; Action Plan title page
Tyler Schmetterer, MBA	MOD X, Managing Partner; SkyBuilt LLC	PTC Co-Chair, 2023 Roadmap. Principal Investigator, 2026 Action Plan.	—	Roadmap, p. ii; Action Plan title page

✓ = confirmed “Peer Reviewer” in the Action Plan's Project Partner Roles and Contributions matrix (entries 6.01–6.02). — = not marked Peer Reviewer in that matrix, or role not covered by it.

In short:

MOD X (Rupnik, Smith, Schmetterer): authored both reports.

NIBS: managed both reports (funding and staffing continuity covered in Sections 2 and 4).

Ryan Colker: 2023 Roadmap stakeholder; 2026 Action Plan Peer Reviewer.

David Tompos: 2026 Action Plan Peer Reviewer; also oversees ICC-ES itself as EVP of ICC's Conformity Assessment Group.

Dominic Sims: ICC's former CEO; now on the NIBS Board of Directors.

John (JC) Hudgison: holds board seats at both ICC and NIBS at the same time.

4. Funding Structure

The funding opportunity that produced these awards was announced by HUD explicitly as a follow-on to the 2023 Research Roadmap:

The NOFO provides up to \$4 million to (1) assess the potential for off-site construction methods to increase housing supply, lower the cost of construction and/or reduce housing expenses for low- and moderate-income owners and renters; and (2) study how reforms to local zoning and other land-use regulations can increase the supply of quality, affordable housing ... This NOFO builds upon the research needs that are identified in the Off-site Construction for Housing: Research Roadmap, which can help overcome the barriers and challenges of off-site construction.

— HUD press release, “HUD Announces Research Grant Opportunity to Study Off-site Construction and Land Use Reforms,” June 15 (quoting Solomon Greene, Principal Deputy Assistant Secretary for PD&R)

HUD's FY23 Offsite Construction and Land Use Reform Notice of Funding Opportunity (NOFO) disbursed \$3,000,000 across 10 recipients, announced in HUD press release 24-036 (February 23, 2024). A separate, concurrent NOFO awarded \$858,261.91 to a single additional recipient (M. Arthur Gensler Jr. & Associates, to study office-to-residential conversions), bringing the combined total to nearly \$4 million across 11 grantees — matching the ceiling described in the original funding announcement quoted above. The 10 Offsite Construction/Land Use Reform awards:

Recipient	FY23 NOFO Award	Stated Purpose
National Institute of Building Sciences (NIBS)	\$499,878	Partner with six HUD regions to design pilot programs identifying regional barriers to offsite construction; develop a pilot handbook.
University of California, Los Angeles	\$458,340	Study the impact of ADU legalization and production in California on rents and prices, and how legalization changes land values.
University of California, Irvine	\$343,244	Study California's state-level ADU regulatory reforms in the context of affirmatively furthering fair housing (AFFH).
Urban Institute	\$263,874	Use a housing-market forecast model to examine the interplay between local zoning reforms and housing costs and segregation.
Purdue University	\$263,847	Study building codes as a land-use restriction; clarify how proposed IBC/ICC revisions would impact new supply and affordability.
Louisiana State University	\$263,650.42	Life-cycle cost analysis of disaster-resilient affordable housing; improvements to manufacturing/siting of elevated, wind-resilient manufactured homes.
Manufactured Housing Institute	\$263,544.87	Examine the impact of local barriers on the placement of manufactured homes and propose regulatory reforms to address them.
Washington State University	\$226,756.05	Develop and demonstrate modular mass-timber hybrid construction design for more sustainable, affordable, equitable housing.
ADL Ventures	\$219,143	Study the financing of industrialized offsite construction and identify ways to increase the industry's access to capital.

Recipient	FY23 NOFO Award	Stated Purpose
Lehigh University	\$196,722.42	Qualitative survey of ADU ordinances, cataloging best practices, design guidelines, and financial incentives in small-to-medium municipalities.
Subtotal, all 10 Offsite Construction/Land Use Reform recipients	\$3,000,000	HUD FY23 Offsite Construction and Land Use Reform NOFO.

NIBS — the organization that managed both reports discussed in this document — received the single largest award in that funding round. In other words, the same Roadmap that identifies ICC-ES as a barrier was, by HUD's own account, the direct basis for the funding opportunity that then paid NIBS to manage the follow-on research recommending the certification-program remedy.

5. The ICC-ES Critique, as Documented in the 2023 Roadmap

The Research Roadmap raises the ICC-ES process as a barrier to innovation in several places, beginning with the Executive Summary:

New Products: Research the obstacles of the current ICC-Evaluation Service (ES) process to develop mechanisms to foster new product development in offsite construction for the housing sector.

— Research Roadmap, p. vi

Section 3.1 opens with a pull-quote from Cindy Davis, then-President of the ICC Board of Directors (now retired), framing ICC/MBI standards as the solution HUD should adopt nationwide:

With the ANSI industry consensus standard by ICC and MBI now available, it seems that HUD could streamline the manufactured home industry, remove unnecessary regulatory barriers, and increase consumer confidence by adopting these standards for all offsite construction. ... This would create a level playing field and remove the patchwork of regulations that is holding the industry back from expanding.

— Cindy Davis, then-President, ICC Board of Directors (now retired); Research Roadmap, p. 21

Section 3.2 discusses the ICC-ES process directly and in the most detail anywhere in the report:

The current ICC Evaluation Service (ES) process and associated cost and time were noted as significant hindrances to fostering innovation, standardization, and competitiveness within the housing industry. ... Obtaining an ICC-ES Report is a process that is both time-consuming and expensive, and participants report that it does not foster innovation or competitiveness for small businesses and inventors, and it further reinforces prescriptive specifications.

— Research Roadmap, pp. 32–34

The report then poses open research questions about ICC-ES's cost and time burden and whether alternatives exist — questions the 2026 Action Plan takes up directly by recommending a new “housing system certification” program as an intermediate-term strategy.

6. Peer Review by the Entity Under Review

ICC representatives David Tompos and Ryan Colker were listed as Project Partners and Peer Reviewers of a HUD-funded report that recommends regulatory and certification approaches in areas where ICC develops codes and standards and could benefit institutionally from broader adoption of those frameworks.

The Action Plan's own Project Partner Roles and Contributions matrix (entries 6.01–6.02) marks both Ryan Colker and David Tompos — both International Code Council — as Key Partner, Exchange Delegate, and Peer Reviewer, with participation flagged across the UK-England, UK-Scotland, Japan, Sweden, and U.S. workshops (every category checked except Exchange Host).

This means the same organization whose certification arm (ICC-ES) is identified in the 2023 Roadmap as a barrier to innovation was, in the 2026 Action Plan, given a formal peer-review role over the research recommending the policy remedy to that barrier. Colker shaped the original 2023 Roadmap directly as a stakeholder-workshop attendee under the “Regulatory” topic area; a separate ICC-affiliated pull-quote from then-ICC Board President Cindy Davis opens Section 3.1.

The executive whose review carries the most direct institutional weight is documented in his own ICC/NTA biography:

David A. Tompos, LEED AP BC+D, served as President and CEO of NTA from 2002 to 2023 where he was responsible for the overall strategic vision and direction of the company. David also oversaw all government-related relationships, including NTA's involvement with HUD and State agencies. In his role as Executive Vice President of ICC's Conformity Assessment Group, David is involved with the oversight of and strategic planning for multiple divisions of the International Code Council's family of solutions, which include ICC NTA, ICC-ES and IAS. David studied at Purdue University and holds a Bachelor of Science degree in computer and electrical engineering. After graduating in 1998, David began his career at NTA as Director of Testing Services at the NTA Testing Laboratory. During this time, he gained a thorough understanding of Manufactured Housing testing procedures, including inspection, product evaluation, and in-plant quality control. While as Director, David oversaw the development of the industry's first electronic plan review software, eDAPIA. This revolutionized the process of Third Party Design Review by eliminating the delay in the traditional mail process, thereby saving manufacturers considerable time and money. Prior to becoming President/CEO, David set the Testing Laboratory on the path to achieving its current A2LA ISO recognition.

— David A. Tompos, ICC/NTA executive biography

Tompos did not merely comment on ICC-ES as an outside reviewer — he oversees it. His peer-review role on a federally funded report examining his own division's certification process is a direct, not adjacent, conflict of interest.

The overlap extends beyond ICC into HUD itself. Tompos is also a former HUD-appointed federal advisor, having served on HUD's Manufactured Housing Consensus Committee (MHCC) — the federal advisory body that studies HUD's manufactured-home construction and safety standards and reports recommendations directly to the HUD Secretary — across various terms since 2010, most recently through a term ending December 31, 2023. He is not currently serving on the MHCC:

David Tompos, President of ICC NTA, LLC, has recently been reappointed to serve as the Vice-Chairperson of the Manufactured Housing Consensus Committee (MHCC). ... Mr. Tompos has served on the MHCC since 2010, and he has championed several revisions that have been sent to HUD for their consideration, including but not limited to fire safety preemption, ventilation improvements, and several reference standard updates. The reappointment as Vice-Chairperson of the MHCC is effective as of January 1, 2021 ... for a term of three calendar years ending December 31, 2023.

— ICC NTA press release, Nappanee, Indiana, on Tompos's MHCC reappointment (term expired Dec. 31, 2023)

That means for the period covering both HUD reports, the same individual (1) oversaw ICC's certification apparatus, including ICC-ES, (2) formally peer-reviewed the HUD-funded Action Plan recommending a new certification regime, and (3) sat, across various terms through 2023, as a HUD-appointed federal advisor whose committee

reported standards recommendations directly to the HUD Secretary. Even with the MHCC role now expired, the historical overlap is significant: across multiple terms spanning more than a decade, HUD's own advisory process and the private certification apparatus reviewing HUD's own research ran through the same person.

7. ICC Is Already Vertically Integrated

Before addressing what the Action Plan recommends, it is worth establishing what ICC already is. The same two HUD documents reviewed here describe ICC as the developer and maintainer of the model building codes most U.S. jurisdictions adopt:

These regional AHJs often adopt model codes that the International Code Council (ICC) developed, including the International Residential Code (IRC) and the International Building Code (IBC).

— Action Plan, p. 41

Most jurisdictions use a prescriptive model code developed and maintained by ICC called the International Residential Code and the International Building Code.

— Action Plan, p. 50, n.76

The same corporate parent that writes the codes (IRC, IBC) also owns the evaluation service that certifies whether products and systems comply with those codes (ICC-ES), and owns additional conformity-assessment bodies — ICC NTA and IAS — that inspect and certify manufactured housing specifically against those same codes. Tompos's own biography, quoted above, describes all three (ICC NTA, ICC-ES, IAS) as divisions of a single “Conformity Assessment Group” he oversees within ICC.

Structurally, this means ICC sits on both ends of the regulatory chain for offsite and manufactured housing: it sets the standard, and, through affiliated divisions under the same corporate umbrella, it certifies compliance with that standard. That is vertical integration in the plain sense of the term — code author and code enforcer are the same organization — independent of anything either HUD report recommends going forward.

8. The Report Suggests Further Vertical Integration

Against that backdrop, the 2026 Action Plan's central recommended delivery model — Industrialized Home Delivery (IHD) — is itself explicitly defined around vertical integration:

The IHD approach has generated the best results by fully applying manufacturing industry design and management processes by a vertically integrated company offering a turnkey housing product.

— Action Plan, p. 7

The report then recommends that HUD build federal funding preference around this model:

The researchers recommend that HUD collaborate with strategic federal partners to develop and apply standard award criteria for federally funded and subsidized housing-related programs based on IHD characteristics across project delivery, manufacturing, and innovation culture categories.

— Action Plan, p. 15

In other words, the Action Plan does not merely describe vertical integration as one industry approach among several — it recommends that HUD use federal award criteria to prioritize applicants who practice it, with “additional points” in the award review process for IHD practitioners over conventional project-delivery applicants. Because IHD is defined in the same report as best achieved by vertically integrated, turnkey firms, this recommendation functions as a policy preference for a particular industry structure — one the report's own authors (MOD X) and manager (NIBS) are positioned within, not external to, and one that mirrors the vertically integrated structure ICC itself already has in the codes-and-certification space.

9. Antitrust Concerns With Vertical Integration

The pattern documented above — the same small set of organizations and individuals occupying the roles of (a) federal grant recipient and research manager, (b) report author, (c) subject-matter reviewer from the trade body whose certification process is being critiqued, and (d) prospective administrator of any replacement certification regime — is the kind of structural arrangement that public-integrity and procurement-conflict frameworks are designed to flag for disclosure, even absent evidence of intentional wrongdoing.

Specific structural concerns raised by the documented record:

Self-referential review: An ICC representative (Colker) helped shape a federally funded report that characterizes his own organization's certification arm (ICC-ES) as an obstacle to industry competitiveness — and Colker and Tompos then formally peer-reviewed the follow-on Action Plan.

Direct institutional beneficiary: Tompos's role as Executive Vice President of ICC's Conformity Assessment Group places him in direct oversight of ICC NTA, ICC-ES, and IAS — the same certification infrastructure the 2023 Roadmap identifies as an obstacle. A new HUD housing-system certification program of the kind Part A recommends is the kind of regime his division is institutionally positioned to run or accredit into.

A federally appointed advisor reviewing federally funded research on his own sector: Tompos was, through 2023, a HUD-appointed Vice-Chair of the Manufactured Housing Consensus Committee (MHCC), a federal advisory body reporting standards recommendations directly to the HUD Secretary, while also serving as a formal Peer Reviewer of the HUD-funded Action Plan addressing the same regulatory space. He is not currently on the MHCC, but for the period the two roles overlapped, the conflict was not confined to industry self-review — it ran through a federal appointment as well.

Board-level governance overlap: Dominic Sims, former CEO of ICC, now sits on the Board of Directors of NIBS, and John (JC) Hudgison holds a senior board seat at ICC while simultaneously serving on the NIBS Board — NIBS being the organization that managed both HUD reports and received the largest single FY23 NOFO award. This is not a peer-review or workshop-participation overlap like Colker's or Tompos's; it is a governance-level link, held by two separate individuals, between the trade association whose certification arm is under scrutiny and the nonprofit HUD entrusted to run the research examining it.

Repeat-authorship across cause and remedy: The same MOD X/NIBS team that authored the 2023 Roadmap identifying ICC-ES as a barrier also authored the 2026 Action Plan recommending the policy fix (a new housing-system certification program) — with no independent authorship between the diagnosis and the proposed remedy.

Concentrated funding: NIBS, the largest single recipient of the FY23 NOFO round, managed both reports, meaning the entity with the largest direct financial stake in the program's continuation also controlled the drafting and workshop process for both documents.

Federal funding steered toward an already-integrated actor's preferred structure: The Action Plan recommends HUD build standard federal award criteria around a vertically integrated delivery model, reviewed in part by representatives of an organization (ICC) that is already vertically integrated across code-writing and certification. Favoring vertical integration as federal policy, reviewed by an already-vertically-integrated incumbent, raises the classic antitrust concern of a dominant structure using the regulatory process to entrench itself against smaller, non-integrated competitors.

10. When Federal Agencies Partner With Trade Associations: The Danger of Regulatory Capture

Regulatory capture describes a pattern in which an agency tasked with regulating an industry comes to serve the interests of that industry rather than the public it is meant to protect — often not through corruption, but through the ordinary mechanics of who gets consulted, who drafts the technical language, and whose expertise the agency comes to rely on by default.

The structure documented in this report follows that pattern closely. HUD, lacking in-house staff with deep offsite-construction and code-compliance expertise, funded an outside research process (NIBS/MOD X) to study the field. That process, in turn, drew its technical expertise substantially from the same trade association (ICC) whose existing certification regime was the subject under study — including giving ICC representatives a Peer Reviewer role, not merely a stakeholder-input role, on the resulting Action Plan. The policy recommendations that emerged — a new housing-system certification program, and federal funding preferences for vertically integrated delivery — track closely with the interests of the incumbent trade association and the vertically integrated firms already positioned to benefit.

11. Summary

Two HUD-funded reports on offsite construction — a 2023 Research Roadmap and a 2026 Action Plan — were both managed by NIBS and authored by the same three MOD X principals. The 2023 Roadmap, shaped in part by an ICC-affiliated Project Technical Committee member and additional ICC participation in the stakeholder workshop, identifies ICC's own Evaluation Service (ICC-ES) as a significant barrier to innovation and cost-competitiveness in offsite housing construction. Two ICC representatives, including the executive who directly oversees ICC-ES, then served as formal Peer Reviewers on the 2026 Action Plan — the same document that proposes a new housing-system certification program as the policy remedy. NIBS was simultaneously the largest recipient of the FY23 federal funding round that supported this research program.

ICC is already vertically integrated, writing the model codes (IRC, IBC) that most U.S. jurisdictions adopt while also owning, through the same corporate structure, the certification bodies (ICC-ES, ICC NTA, IAS) that verify compliance with those codes. Against that backdrop, the Action Plan's own recommended delivery model is explicitly defined as one achieved through vertical integration, and the report recommends HUD build federal award criteria around it — a policy direction reviewed in part by representatives of the one organization in this story that already exemplifies that structure.

This structure — the same organizations and individuals positioned across research funding, authorship, subject-matter review, and prospective implementation of the resulting policy recommendation — is documented directly in the reports' own acknowledgments sections, PTC rosters, workshop attendee lists, and Project Partner Roles and Contributions matrix. It follows a pattern consistent with regulatory capture and warrants disclosure and further scrutiny.

12. Sources

Offsite Construction for Housing: Research Roadmap. U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2023.

HUD's Past, Present, and Future Role in Accelerating U.S. Offsite Construction for Housing: A Comparative Study and Action Plan. U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2026.

ICC-ES References in HUD's Offsite Construction Research Roadmap. Compilation by Tiny House Alliance USA, citing the 2023 Research Roadmap and HUD press release 24-036 (Feb. 23, 2024).

HUD Press Release 24-036, "HUD Awards Nearly \$4 Million to Study Innovative Ways to Boost Housing Supply Including Office-to-Residential Conversions," Feb. 23, 2024 (quoting HUD Secretary Marcia L. Fudge and Solomon Greene).

HUD press release, "HUD Announces Research Grant Opportunity to Study Off-site Construction and Land Use Reforms," June 15 (NOFO announcement quoting Solomon Greene; archived Jan. 2, 2025).

David A. Tompos, executive biography, International Code Council / NTA (as provided).

ICC NTA press release, Nappanee, Indiana, announcing David Tompos's reappointment as Vice-Chairperson of HUD's Manufactured Housing Consensus Committee, effective January 1, 2021 (as provided).

International Code Council / Modular Building Institute (ICC/MBI). ICC/MBI 1200-2021 Standard for Off-Site Construction: Planning, Design, Fabrication, and Site Installation. Referenced throughout the 2023 Research Roadmap and 2026 Action Plan.