



Manufactured Housing Association for Regulatory Reform

1331 Pennsylvania Avenue, NW • Suite 508 • Washington, DC 20004 • 202-783-4087 • Fax 202-783-4075 • mharrdg@aol.com

August 3, 2011

VIA FEDERAL EXPRESS

Mr. James M. Shannon
President
National Fire Protection Association
1 Batterymarch Park
Quincy, Massachusetts 02169-7471

Re: NFPA Report – Manufactured Home Fires-July 2011

Dear Mr. Shannon:

I am writing on behalf of the members of Manufactured Housing Association for Regulatory Reform (MHARR). MHARR is a Washington, D.C.-based national trade association representing the views and interests of producers of manufactured housing regulated by the U.S. Department of Housing and Urban Development (HUD).

As a long-standing member of the National Fire Protection Association (NFPA), I, personally, and our association, MHARR, are extremely disappointed with NFPA's July 2011 report, "Manufactured Home Fires" (Report), which was distributed to members of the federal Manufactured Housing Consensus Committee (MHCC) on July 27, 2011. This report, based on data that is acknowledged to be incomplete and, in some instances, unreliable, is unacceptable and represents an unconscionable exploitation of NFPA's ostensibly issue-neutral role as the Administering Organization (AO) of the MHCC to the detriment of the HUD Code manufactured housing industry.

In 1985, the Foremost Insurance Company (Foremost), the then-and-now leading insurer of HUD-regulated manufactured homes, conducted and published a study on fires in manufactured homes. That Fire Loss Study, by an insurer responsible for paying fire-related claims involving manufactured homes -- with a direct interest in properly evaluating the risk of manufactured home fires and fire-related claims in order to establish appropriate premiums and

remain in business -- concluded that “manufactured homes compare favorably to site-built homes in terms of fire frequency,” noting that “the chance of a fire occurring in a site-built home is twice that of a manufactured home.” The Foremost Study further concluded that the HUD fire safety standards (24 C.F.R. 3280.201, et seq.) have had “a positive impact on fire safety in manufactured housing, emphasizing that post-standard manufactured homes have “significantly lower fire severities” than pre-standard homes.

If anything, today’s manufactured homes -- full-fledged housing under the Manufactured Housing Improvement Act of 2000 -- constructed with upgraded and more advanced fire resistant materials and components, are safer than their “trailer” counterparts of nearly three decades ago. Combined with stringent and proven-effective HUD Code fire safety standards, modern manufactured homes offer a high degree of fire safety to residents.

Yet, while the NFPA report, in fact, confirms the Foremost findings that manufactured homes have a lower rate of fire and a lower rate of civilian fire injuries than other types of one or two-family homes (see, Report at p. 10), the report minimizes these and other findings demonstrating the positive and beneficial impact of the current HUD fire safety standards, in order to present an overwhelmingly negative assessment of the fire safety of manufactured homes – all leading to the conclusion that there is a “strong” case for fire sprinklers in manufactured homes (See, Report at p. 11). In doing so, the report relies on data that it acknowledges are flawed and incomplete. Thus, the Report is littered with warnings, cautions, caveats and other footnotes explaining the limitations and faults of the underlying information, including, among others, the following:

- “This means NFIRS [the National Fire Incident Reporting System] may be subject to systematic biases.” (See, Report at p.31).
- “No one at present can quantify the size of these deviations from the ideal ... so no one can say with confidence that they are or are not serious problems.” (See, Report at p. 31).
- “The figures on numbers of manufactured homes may include some trailers.” (See, Report at p. 9).
- “...only 2% of manufactured home fires have unit age reported since the advent of NFIRS Version 5 in 1999....” (See, Report at 9). Consequently, 98% of the most recent data fails to distinguish between pre- and post-HUD standard homes and, therefore, undoubtedly contains significant numbers of pre-standard (i.e., pre-1976) homes which are irrelevant to any analysis of the fire safety of today’s manufactured homes and would unfairly skew any conclusions drawn from that data.

- “Table 2-7 provides a comparison of 2005-2009 fire experience rates for manufactured homes and other one- or two-family homes, relative to occupied year-round units. *** [B]uildings that were idle ... were treated as occupied and included.” (See, Report at p. 9). (Emphasis added).
- “National estimates are projections. Casualty and loss projections can be heavily influenced by the inclusion or exclusion of one unusually serious fire.” (See, Report at multiple locations).
- “Percent of occupied manufactured homes in 2005-2009 is calculated as a weighted average of available percentages in 2005, 2007 and 2009. This calculation assumes that the average number of manufactured homes in 2005 and 2007 is a good estimate of the number in 2006, and the average number in 2007 and 2009 is a good estimate for the number in 2008. This will be roughly true if the annual change in the number of new units introduced is steady, except for the newest units, where this approach will slightly underestimate the size of the inventory and so slightly overestimate the fire rate per thousand units for the range with the most current year.” (See, Report at p. 17) (Emphasis added).

In fact, though, manufactured home production declined rapidly through this period (146,881 units in 2005, 117,373 in 2006, 95,752 in 2007, 81,457 in 2008 and 49,683 in 2009), so the “number of new units introduced” was declining, not “steady.” Nor does this account for reductions in the number of occupied units due to foreclosure, repossession and eviction, which increased significantly during this period.

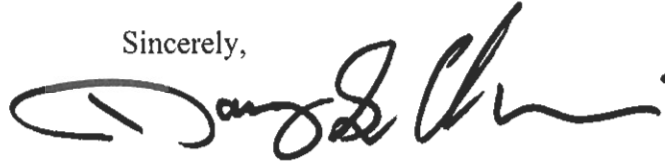
In addition to these acknowledged limitations on the reliability of the underlying data, the Report also engages in arbitrary manipulation of certain key data. For example, regarding fire deaths – which the Report uses to support its advocacy of a fire sprinkler mandate for manufactured homes -- the Report excludes data from 1999-2002 because that information “reflected what proved to be two unusually low years for fire deaths in manufactured homes.” As a result, positive information is arbitrarily excluded in order to advance a pre-conceived narrative regarding manufactured homes and fire sprinklers.

And these are only a few examples of the inadequate and incomplete data that are used to convey a negative image of the fire safety of manufactured homes, when modern manufactured homes consistently perform better than site-built homes in nearly all fire safety parameters.

The Report, accordingly, appears to be little more than an insider effort to influence the deliberations of the MHCC, promote the adoption of a federal fire sprinkler standard for manufactured homes and then parlay that action to resuscitate the-now losing effort to mandate residential sprinklers at the state and local level. As such, it lacks the credibility of the Foremost Study and represents an abuse of NFPA’s position as AO that should be carefully examined and

considered by HUD. At a minimum, the Report should be withdrawn from any consideration by the MHCC and NFPA should recuse itself from any further involvement in the substantive debates of the MHCC for as long as it is the AO.

Sincerely,

A handwritten signature in black ink, appearing to read "Danny D. Ghorbani". The signature is fluid and cursive, with a large initial "D" and a trailing flourish.

Danny D. Ghorbani
President

cc: Mr. Henry Czauski
MHCC Members
HUD Code Industry Manufacturers