

**Subject:** RE: Stakeholder Group [UNCLASSIFIED]  
**From:** John Sneyd <John.Sneyd@mbie.govt.nz>  
**Date:** 8/12/2020 2:32 PM  
**To:** "mobilehome.nz@gmail.com" <mobilehomenz@gmail.com>

Tēnā koe Mr Lewenz,

Thank you for your email dated 30 November 2020 regarding a proposed stakeholder group of interested parties to discuss tiny houses on wheels. The creation of this stakeholder group is still in its early phases, and as such, we have not considered the final membership of the group yet.

MBIE recognises that there is a lot of uncertainty on the definition of tiny homes on wheels as vehicles or as buildings, making it difficult for tiny house owners, builders/manufacturers and councils to navigate the legal requirements of constructing and moving the tiny houses. We are aiming in the near future to clarify our position on how tiny houses on wheels should be classed and then publish guidance to provide clarity about when and how those tiny homes interact with the Building Act and Building Code.

It is envisaged that the stakeholder group will be representative of the industry and will be used to gather advice on what guidance would be of most use to those who are involved in constructing a tiny house on wheels. It should also help to ensure a consistent approach to consenting of tiny houses on wheels across each region of New Zealand. The consenting process for permanently fixed tiny houses is more clear, however we have an opportunity to detail this within the guidance also. Once the guidance has been prepared by MBIE, we are likely to also utilise the stakeholder group to test the guidance before publishing.

We are not currently actively considering any legislation changes with regards to tiny houses on wheels.

I note your recommendation for two stakeholder groups, differentiating between the MHA and the NZTHA, and suggesting the inclusion of other Government departments to address the use of tiny houses as a viable housing solution to help address the matter of homelessness. I thank you for your suggestions - MBIE's role as a building regulator is to ensure that buildings and houses are healthy, safe and durable so that the wellbeing of people is safeguarded. We will be consulting with other agencies related to their involvement in tiny houses including the Ministry of Housing and Urban Development, who are working to address homelessness.

We will be in touch as soon as we are ready to proceed with the stakeholder group meeting.

Please feel free to contact me again in the interim if you have any further queries.

Ngā mihi

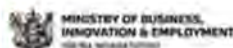
**John Sneyd**

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To: John Sneyd, General Manager Building System Performance, MBIE  
From: Claude Lewenz, Mobile Home Association (MHA) Executive Director  
Date: 30 November 2020  
Re: Mobile Home and Tiny Home Stakeholder Groups

Dear Mr. Sneyd,

Several Mobile Home Association (MHA) members forwarded <https://www.stuff.co.nz/national/politics/local-democracy-reporting/300163858> that reports you will be "*forming a stakeholder group made up of "interested parties", which could include representatives from councils, the building industry and the tiny house community*". They said I should be on the stakeholder group. I am the Executive Director of MHA (see <https://mobilehome.nz>).

Welcome you to the job. We especially welcome that you bring a legal background, as there has been a dearth of understanding of the legal framework in the work product both of MBIE and several activist councils.

As the spokesperson for the industry, I would like to join the stakeholder's group. Or to be more precise, MHA strongly recommends you form two stakeholders groups based on the two existing trade associations:

1. NZ Tiny Home Association ([NZTHA](#)) to represent their constituency that consists primarily of DIY creators making or commissioning homes for themselves
2. [MHA](#) to represent the different products, interests and needs of the mobile home manufacturing industry.

As the former CAA Chief Legal Counsel, you may appreciate the difference is similar to experimental aircraft stakeholders versus the general aviation industry. If lumped together, the stakeholder group will be ineffective because they share very few common interests and have different needs in terms of government engagement.

For clarity, MHA uses the term *mobile home* to refer to factory-manufactured chattel shelter (on wheels or on skids, but never fixed to land) because the term is found in NZ legislation. MHA refers to *tiny homes* as short for *tiny homes on wheels* (tiny homes fixed to land are real estate, not chattel) that are made by DIY enthusiasts. Some enthusiasts become mobile home manufacturers, and some mobile home manufacturers use *tiny home* branding, but for the purposes of clarity, we suggest the two associations represent the core differences.

Tiny Homes receive considerable publicity because their proponents are tech savvy and evangelists. However, the mobile home industry is much larger, with NZ factories manufacturing hundreds of units per year. The majority of people living in tiny homes are a different demographic. They seek freedom to design their own creative small spaces without entanglement with councils. In contrast, the mobile home industry makes mass-produced, affordable, standard products where the cost, delays and incompatibility with the council-regulated bespoke building industry threatens access of the hidden homeless (people living in cars, tents, garages and overcrowded conditions) to the most effective affordable housing solution on the market today.

The mobile home industry has been operating for over two decades, growing as regulation has made buildings unaffordable for the socio-economic bottom 25% of NZ society. It has been called the invisible industry serving the hidden homeless. Invisible because until the tiny home movement started attracting negative headlines, it avoided the spotlight. Word-of-mouth and a good reputation are the primary market drivers.

MHA has drafted guidelines for a Voluntary Code of Practice (see <https://mobilehome.nz/code/>). It accepts the need for standards, but it is imperative compliance involves practical, low-cost tests that do not add overhead costs that ultimately increase the purchase price. For example, to test whole-house insulation, don't pay labs to simulate and calculate (then bill the manufacture \$100,000 that adds to the product cost). Instead heat to 20° for 24 hours when it is 10° outside. Turn off all heat. See how long it takes to drop to 15° inside. Real life testing.

Finally, it would be a mistake to limit your work to MBIE's authority. MBIE should reach out to MFE, MSD, WINZ and even NZTA to develop a comprehensive statement of where manufactured mobile homes fit in the portfolio of immediate, temporal, affordable housing solutions. The industry cries out for interagency harmonisation.

In summary, we recommend the stakeholder groups do not co-mingle DIY tiny homes and manufactured mobile homes. To be clear, MHA takes no position on DIY tiny homes on wheels. We leave that to NZTHA to advocate for their constituency. MHA represents factories that make mobile homes: chattel shelter manufactured to a safe, durable, warm, dry and affordable standard. MHA represents businesses not enthusiasts.

I look forward to hearing from you.

Claude Lewenz