

**COMMONWEALTH OF MASSACHUSETTS
MANUFACTURED HOMES COMMISSION**

Public Meeting Minutes

Meeting of January 20, 2026

Members Present:

Ethan Mascoop, Chair
Jeffrey W. Hallahan
Sandra L. Overlock
Paula Fay
Oliver L. Stark
Ellen Peterson

Members Absent:

N/A

Others Present:

Michael Hugo, Massachusetts Association of Health Boards (MAHB)
Scott Koczeka, Massachusetts Department of Public Health (DPH)

Call to Order: The Chair, Commissioner Mascoop, convened the public meeting at Taunton Town Hall, which included a video conference via Zoom for remote participation. The Commission meeting was convened at 10:45 a.m.

The Chair called the meeting to order, starting with a roll call. A quorum was established.

Meeting Minutes: The Commission voted to adopt the minutes of the Commission meeting held on October 28, 2025.

Annual Reports: The Chair reported that annual reports have been drafted and will be reviewed at the next meeting.

Legislative Updates: Commissioner Peterson reported on Senate Bill No. 2828 (An Act Relative to Manufactured Housing Communities) and briefly described its impact, if enacted, to manufactured housing law and changes to this Commission. As of December 11, 2025, the bill had been reported favorably by the Committee on Housing and was referred to the Joint Committee on Rules. The Commission agreed to hold a virtual special meeting to further discuss the bill.

Boards of Health: The Chair welcomed Michael Hugo, JD, Director of Strategies and Government Relations with MAHB, and Scott Koczeka, Environmental Analyst with DPH's Bureau of Climate and Environmental Health. The Chair prefaced this discussion by explaining how boards of health are an essential part of the safe operation of manufactured housing communities. This meeting was focused on the role of local boards of health in manufactured housing communities and how they ensure safe and habitable conditions under Massachusetts law.

Michael Hugo presented *The Role of Local Boards of Health in Manufactured Housing Communities*; his presentation is attached to these minutes below. He explained the enforcement mechanisms available to boards of health, including inspections, orders to correct, and fines, emphasizing that the goal is to ensure compliance with the state sanitary code. He discussed how complaints are processed, and the areas in which public health is implicated, including heating, utilities, sewage, mold, pests, etc. As Mr. Hugo explained, these issues can and should be reported to local boards of health, while lease disputes and rental issues between landlords and tenants are not within their jurisdiction. The Commission expressed its gratitude for Mr. Hugo and Mr. Koczeka's time and attention to public health matters affecting manufactured housing communities.

Public Forum: Commission members and members of the public raised questions regarding, among other things, community licensing, issue resolution and escalation, and board of health complaint filing fees. Mr. Hugo explained that licensing and issues within a community are separate, and a board of health is able to attach conditions to a license or revoke it at any time. Regarding whether boards of health may charge fees to perform inspections or respond to complaints, it was discussed how this had occurred in some municipalities, but the practice has since stopped as it was found to be unlawful. There may be exceptions, however, if a board of health must retain an expert in order to adequately respond to a complaint. Mr. Hugo kindly offered to be a resource for working with health departments to address residents' issues; he can be reached by email at Hugo@MAHB.org.

Future Meetings: The Commission considered focusing its next quarterly discussion on the topic of rent control and additional topics that may be raised at its special meeting, which will focus on finalizing annual reports and discussing Senate Bill 2828.

Scheduling: The Chair confirmed the next quarterly meeting is scheduled for April 21, 2026, to be held in a hybrid format, both in person in the City of Worcester and virtually via Zoom. The Commission agreed to hold a special meeting virtually via Zoom on February 11, 2026.

The Chair adjourned the public meeting at 12:33 p.m.

List of Documents Used by the Commission at the Public Meeting

1. Agenda
2. Draft minutes of the meeting held on October 28, 2025.
3. Presentation: *The Role of Local Boards of Health in Manufactured Housing Communities*, Michael R. Hugo, J.D., Director of Strategies and Government Relations, Massachusetts Association of Health Boards (January 20, 2025).

The above minutes were presented to the Manufactured Homes Commission and adopted by a majority of members present at the Commission's meeting on February 11, 2026.

Oliver L. Stark

Oliver L. Stark, Secretary
Manufactured Homes Commission

The Role of Local Boards of Health in Manufactured Housing Communities

Ensuring Safe and Habitable Conditions Under Massachusetts Law

Michael R. Hugo, J.D.

Director of Strategies and Government Relations
Massachusetts Association of Health Boards
Massachusetts Manufactured Housing Commission
January 20, 2025



Standard MAHB Legal Disclaimer

- **This information is provided for educational purposes only. It is not intended to constitute legal advice.**
- **For legal advice, please contact your city or town attorney.**
- **MAHB does not enter into attorney-client relationships.**

Why This Topic Matters



- Manufactured housing communities face recurring public health conditions
- Issues include heat loss, water and sewage failures, mold, pests, and structural hazards
- These are public health issues, not private housing disputes



Boards of Health: Statutory Role

- Protect public health and prevent causes of sickness
 - Nuisance Statute, G.L. c. 111, § 122
- Enforce minimum standards for human habitation
 - Sanitary Code, G.L. c. 111, § 127A, 105 CMR 410.000
- License and oversee manufactured housing communities
 - Mfd. Home Statute, G.L. c. 140, § 32B

Manufactured Housing Communities Are Licensed Facilities

- Manufactured housing communities must be locally licensed
- Boards of Health may grant, suspend, revoke licenses, **or impose conditions**
- Licensing is a public health oversight tool

Two Levels of BOH Responsibility

- **Individual homes regulated under the State Sanitary Code (105 CMR 410)**
 - minimum standards for housing fitness for human habitation, to protect health and safety, covering essentials like heat, water, sanitation, light, ventilation, and structural integrity, and setting rules for owners and occupants on maintenance, pest control, and access, enforced by local boards of health.
- **Community infrastructure regulated under M.G.L. c. 140, § 32B**
 - The board of health... in each instance after a hearing, reasonable notice of which shall have been published once in a newspaper published in such city or town, may grant, and may suspend or revoke, licenses ...manufactured housing communities located within such city or town...

Common Conditions Seen Statewide

- Heat loss during heating season
 - Heat: 105 CMR 410.201–410.203; 410.630(A)(1)
- Unsafe water or sewage systems
 - Water: 105 CMR 410.130–410.150; 410.630(A)(5)
 - Sewage: 105 CMR 410.150; 410.630(A)(6)
- Chronic mold, pests, and structural deterioration
 - Mold/Dampness: 105 CMR 410.500; 410.630(A)(10)
 - Pests: 105 CMR 410.550; 410.630(A)(10)
 - Structural/Egress/Electrical: 105 CMR 410.500; 410.630(A)(8),(9)



Standard Enforcement Framework

- Complaint intake
- Inspection
- Orders to correct
- Hearing
- Reinspection and escalation



Complaint Intake and Inspection



**Boards must inspect upon receipt
of complaints**

**Serious conditions require rapid
inspection**

Findings must be documented

Serious Conditions Trigger Immediate Action

- No heat, water, or sewage
- Blocked exits or structural hazards
- Pest infestation or electrical danger
- 24-hour correction authority:
 - 105 CMR 410.630(A) (Action); 410.830 (Hearing)
 - (A) The following conditions, when found to exist in a residence, shall always be deemed conditions which may endanger or materially impair the health, or safety and well-being of a person or persons occupying the premises:



Orders to Correct

- Written orders cite violations and deadlines
- Orders apply to owners and operators
- Hearing rights must be included
- 105 CMR 410.670 (Due Process) – 410.680 (Service rules)
 - 410.670: (A) Every order authorized by 105 CMR 410.000 shall: (1) Be in writing; (2) Include a copy of the inspection report; and (3) Include a copy of Occupants' Legal Rights and Responsibilities issued by the Department.



Hearings and Due Process

1. Affected parties may request a hearing
2. Hearings create a compliance record
3. They support escalation when violations persist



Escalation Tools

- Daily penalties
- Emergency abatement
- Condemnation and placarding
- 105 CMR 410.900, 410.920, 410.940



When Issues Become Systemic

Repeated violations
indicate infrastructure
failure

Systemic issues
require community-
level action



Licensing Oversight for Systemic Conditions

- Boards may suspend or revoke licenses
- Notice and hearing are required
- Licensing protects public health



Agency Coordination

- DEP for water and sewage
- Fire and building officials
- Public health partners



Boards of Health are about Compliance Not Punishment!

What Boards of Health Do Not Regulate

- Rents or lease disputes
- Housing finance or ownership issues



Why BOH Involvement Is Essential

- **Protects vulnerable residents**
- **Prevents illness and injury**
- **Ensures equitable public health protection**
- **Manufactured housing communities are not exempt from public health law**
- **Boards of Health play a critical role**

NOTICING

Having an awareness of another's feelings and emotions

FEELING

Developing an emotional response to another's suffering & experiences

RESPONDING

Being motivated to alleviate that suffering

Final Thoughts

- **Safe housing is public health**
- **Manufactured housing communities are no exception**



BOH Authority in Manufactured Housing

- **M.G.L. c. 111 § 122 — General public health authority; nuisances, sources of filth, causes of sickness**
- **M.G.L. c. 111 §§ 127A–127B — State Sanitary Code adoption and enforcement; unfit dwellings**
- **105 CMR 410.000 — Minimum standards of fitness for human habitation; inspections, orders, hearings, enforcement**
- **105 CMR 410.630(A) — Conditions deemed to endanger health and safety; emergency timelines**
- **M.G.L. c. 140 § 32B — Local licensing authority for manufactured housing communities**
- **M.G.L. c. 140 § 32C — BOH inspections; suspension or revocation of licenses for unsanitary conditions**
- **DEP coordination — Water supply and sewage disposal oversight linked to licensing decisions**

Guide to Escalation From Unit Violations to License Action

105 CMR 410.000; 105 CMR 410.630(A); M.G.L. c. 140 § 32C

- Initial complaints received from multiple residents regarding loss of heat, sewage backups, and rodent activity.
- Board of Health inspections conducted under 105 CMR 410.600–410.620; violations cited under 105 CMR 410.201, 410.150, and 410.550.
- Conditions classified as endangering health under 105 CMR 410.630(A); 24-hour correction orders issued.
- Repeated reinspections documented noncompliance and recurring failures across multiple units.
- Board imposed penalties and issued additional orders under 105 CMR 410.920 and 410.940.
- Board determined conditions reflected unsanitary operation of the manufactured housing community.
- Notice and hearing initiated under M.G.L. c. 140 § 32C; community license suspended pending corrective action. **Guide to Escalation From Unit Violations to License Action**

Case Example: Water & Sewage Failure With DEP Coordination

105 CMR 410.130–410.150; 410.630(A); M.G.L. c. 140 §§ 32B–32C

- Multiple resident complaints reported low water pressure, discoloration, and recurring sewage backups.
- Board of Health inspections cited violations under 105 CMR 410.130–410.150 and classified conditions under 105 CMR 410.630(A).
- Board notified the Massachusetts Department of Environmental Protection (DEP) pursuant to M.G.L. c. 140 § 32B.
- DEP inspection identified polluted water supply and inadequate sewage disposal systems.
- DEP findings transmitted to the Board of Health and park operator.
- Board ordered prohibition of use of the water supply and required corrective action within statutory timelines.
- Failure to correct conditions resulted in Board initiation of license suspension proceedings under M.G.L. c. 140 § 32C.

Thank You

Michael Hugo, J.D.

Massachusetts Association of Health Boards

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