

The News of the Home Builders Association of West Florida

# CORNERSTONE

February 2017

**HBA Makes  
Investment  
to Keep  
BP Funds in  
Northwest  
Florida**

*page 6*

**Design  
Trends  
for 2017  
and Beyond**

*page 8*

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## Cornerstone

*The official magazine of the  
Home Builders Association of West Florida*



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# In This Issue

## Cornerstone



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# Cover Story

Design Trends for 2017 and Beyond ..... 8-9

## CORNERSTONE COLUMNS

President's Message: HBA Donates \$15,000 to Help Insure  
BP Oil Spill Settlement Funds Stay in Northwest Florida ..... 6-7

## FEATURE STORIES

FHBA News: Florida Home Builders Association,  
A Houseful of Savings ..... 10

NAHB News: Buyers Prefer Amenities Over Size  
In New Homes, Survey Shows ..... 15

Feature Story: Remodelers Riding Wave of Steady Optimism ..... 16

NAHB News: Industry Coalition Launches Skilled Labor Fund ..... 17

Feature Story: FHA Lowers Annual Mortgage Insurance Premiums ..... 18

NAHB News: NAHB Chair Details Legal Challenge to OSHA Rule..... 19

Feature Story: Resolution to Vacate WOTUS Rule  
Introduced in Senate ..... 20

NAHB News: Congress Reinstates Health  
Reimbursement Arrangements ..... 20

## ASSOCIATION NEWS

HBA Councils and Committees/How They Serve the Public ..... 5

Get Involved in HBA Council & Committees ..... 11 & 18

Westerheim Properties to Build American Dream Home  
for the 2017 Parade of Homes ..... 12

HBA of West Florida Auxiliary Council  
2017 Membership Application ..... 13

HBA of West Florida 2017 Membership Application ..... 14

Like Us on Facebook ..... 18

Ten Reasons Do Business With HBA Members ..... 19

HBA Members Doing Business With Members ..... 21

Membership News: New Members, Thanks for Renewing, & More ..... 21

Spike Club Update ..... 22

HBA News: Member Rebate Program ..... 23

## DEPARTMENTS INDEX

Next Issue Deadlines ..... 4, 12, 18 & 21

Advertisers Index, Web, & Email Addresses ..... 22

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# How Associations Serve The Public

**The next time you hear of a trade association operating for the interest of the industry, remember there's another side to the story: They also serve the interests of a public who holds them accountable.**

Behind every trade is a good association. Serving as the voice of the industry, trade associations are the umbrella under which firms large and small unite for a common cause: providing outstanding service to the general public.

While trade associations are derided for supporting solely the interests of their respective industries, they generally aren't acknowledged for the changes they implement that impact our well-being. Our everyday lives are positively affected by your association's work in setting standards, offering certification programs, providing educational support, informing members of recent rules and regulations that must be abided by, advising government officials on public policy issues and more.

Setting standards is a common practice for trade associations. Through research and quality assurance tests, they ensure that the industry follows best-practice approaches, raising the bar for everyone to conduct business in good faith.

Without certification programs, the general public wouldn't have nearly as much confidence in corporate expertise or professionalism. While no one is perfect, trade associations work diligently to keep member companies updated on areas where managers and employees need pertinent, life-saving information. In addition to certification, your association provides companies with timely, continual educational programs so that members are aware of new modes of operation.

As policymakers implement new rules and regulations, trade associations are the conduit for disseminating this information so their industries are in accordance with the law. With their fingers on the industry pulse, your association can immediately alert companies to these regulations.

Trade associations, providing testimony, expert advice, thorough research, and educated answers to tough questions from government agencies, save the public a tremendous amount in tax dollars. As associations constantly scan the general mood of the industry, keep a close eye on best practices, and have a strong idea of policies that serve the business and public interests, government leaders consistently turn to them for assistance.

The work of trade associations goes unnoticed every day as we take for granted who's partially responsible for the public's health, safety, and well-being.

# HBA COUNCILS & COMMITTEES

## AUXILIARY COUNCIL

A professional organization of the HBA that supports, aids and assists in implementing many programs and special community projects. Their mission is to promote and enhance the Association's image by raising funds to donate to worthy causes that demonstrate the industry's humanity to the community; to provide networking opportunities for meaningful interaction between builders and associates. The council also supports the HBA in their core purpose of strengthening the home building industry and to maintain a profitable and growth-filled business environment.

## Cost & Codes Committee

Reviews issues affecting inspections and permitting, its goal is to streamline the permitting process; review codes and standards issues.

## Governmental Affairs Committee

Stays abreast of local Comprehensive Plans and Land Development Codes issues to make sure unnecessary regulations do not stifle the home building process.

## Membership Committee

The strength of the home building industry is fundamental to the strength of our nation. Our industry is responsible for providing shelter and comfort for our families, safety and protection for our communities, and millions of jobs for the economy. The Membership Committee recruits new members and also works to retain existing members. Membership is the lifeblood of the HBA.

## Sales and Marketing Council

The Sales and Marketing Council (SMC) connects Builders and Associates to provide an opportunity to exchange ideas, and develop professional skills. Through innovative educational programs and networking events, the SMC provides valuable tools for sales and marketing professionals. The Committee will appeal to those members who are involved in selling and marketing new homes.

# President's Message



*“Before  
us, is an  
opportunity  
of a lifetime  
to truly  
change the  
face of our  
region.”*

## HBA DONATES \$15,000 TO HELP INSURE BP OIL SPILL SETTLEMENT FUNDS STAY IN NORTHWEST FLORIDA

The 2017-2019 legislative sessions will be critical for Northwest Florida. While the State of Florida will receive \$2 billion of BP oil spill settlement funds for economic damages, 75 percent of those funds, by statute, are slated to be distributed over 15 years to the eight disproportionately affected counties in Northwest Florida. The first payment of \$300 million is expected to be allocated to Northwest Florida during the 2017 legislative session and then there is a two-year lull. The remaining \$100 million/year is expected to be legislatively appropriated starting again in 2020.

Northwest Florida is at a critical moment in time. Before us, is an opportunity of a lifetime to truly change the face of our region. With BP oil spill settlement dollars on the horizon, the region must pull together to create an economy that will benefit our kids and our grandkids; one that provides critical educational and training opportunities and offers the infrastructure to grow and attract good paying jobs within a diverse set of industries. We must create an economy that can withstand any natural or manmade disaster, and offers a wealth of opportunities for generations to come.

I am pleased that your Home Builders Association of West Florida Board of Directors voted to support Florida's Great Northwest (FGNW) with a \$15,000 donation – a three-year commitment at \$5,000 a year. Florida's Great Northwest is the regional economic development organization, and the eight disproportionately affected counties are within FGNW footprint. We must ensure that the dollars are allocated to Northwest Florida and are used for economic development initiatives, as originally intended, to help diversify and grow Northwest Florida's economy.

Florida's Great Northwest will serve as the convener to pull key constituents together to provide a united front and advocate on these issues. Having the legislature appropriate the funds for the first year will be critical. It sets the stage and shows an acknowledgement that payment for damages are due. The following two years will be just as critical. We cannot be complacent during the “quiet” years. We must continue to provide reminders of the economic damages and the potential threat of future damages and that the settlement dollars should be allocated to those who suffered the damages.



**Florida's Great Northwest (FGNW) is preparing for this opportunity of a lifetime by:**

- Launching an advocacy effort to protect the BP oil spill settlement dollars and ensure they remain dedicated to Northwest Florida. FGNW is raising funds to potentially hire a government relations firm and/or a public relations firm. The government relations firm would serve as our "boots on the ground" in Tallahassee and would work with the FGNW Board, key constituents and NWFL delegation to ensure the funds remain dedicated to Northwest Florida. The public relations firm would remind everyone of the economic damages that occurred in NWFL; therefore, the BP oil spill settlement funds must remain in NWFL. They would also develop and coordinate messaging for our board members, constituents, local elected officials, and other lobbyists with NWFL clients.
- Developing a regional strategy to transform Northwest Florida's economy - FGNW and the University of West Florida is working with TIP Strategies, who has developed

regional strategies for communities across the U.S., to identify key initiatives that can make a significant impact on the region's economy. Our hope is that this strategy will bring the region together to agree on the direction and how we want to grow the region, and then provide the path forward on how to achieve that growth together.

I am pleased the HBA of West Florida understands the importance of this opportunity for our region and we will be here to support Florida's Great Northwest in this all-important endeavor.





# Design Trends for 2017 and Beyond

**There were 127 single-family, multifamily, remodeling and community projects honored at the 2016 Best in American Living Awards (BALA) at the NAHB International Builders' Show in Orlando, Fla.**

That means there were 127 examples of the top design trends that home buyers expect to see over the next several years in your building and remodeling projects. They include:

**Benches and nooks.** In single-family custom and production homes, architects and designers include benches and nooks because they're cozy, chic and practical, serving as places to snuggle up with the kids or a good book.

**Big showers and tubs.** Showers continue to get larger and free-standing tubs more luxurious. Walk-in showers feature wall-to-wall glass and universal design features.

**Board and batten.** You'll see a lot of this siding on the exteriors of this year's winners, and they also add a classic touch to today's contemporary interiors. Some winners add a unique spin by adjusting the width of the boards, giving homes a more customized, one-of-a-kind feel.

**Dark door and window frames.** On multifamily, custom and production homes, architects and designers are choosing dark brown or black frames around windows and doors instead of whites. Windows pop on white or light siding, and dark frames add a striking effect from the interior looking out.

**Modern farmhouse.** We're seeing farmhouse sinks, reused wood siding in interior design details and barn doors that are customized to have a more contemporary feel, incorporating glass, white tints and metal hardware.

**Metal roofs.** Metal roofs are featured on custom homes across the country, from more traditional homes to modern farmhouse and distinctively modern homes.

**Natural wood beams.** From remodels to new homes, wood beams left in their original state add a natural touch and create a focal point in interiors.

**Natural wood ceilings.** Hardwood floors have always been popular with home owners, but this year's winners included an unusual number of homes with natural wood ceilings. These ceilings add warmth and can be used in traditional and more contemporary designs.

**Shiplap inside and out.** Horizontal shiplap is increasingly chosen for exteriors and is featured in entryways, bathrooms, living rooms and more.

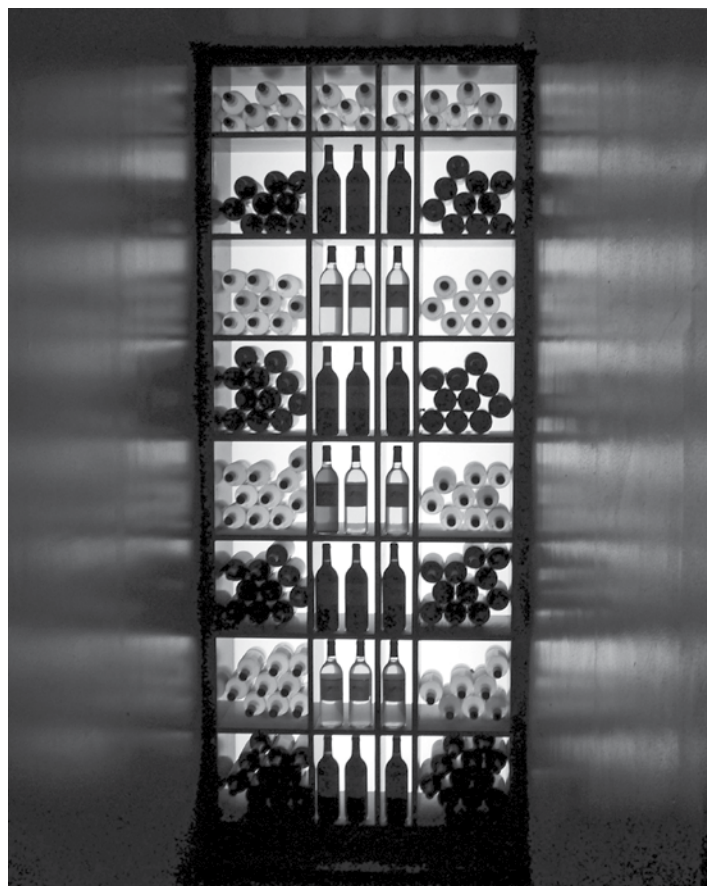
**Under-stair storage.** Architects and designers did not let spaces under the staircases go to waste. Often, these spaces include shelves for books and works of art. One winner even included an entire bar under the living room stairs.

**Unique wine storage.** Wine storage is now a prominent feature in the home. Kitchens include floor-to-ceiling open or glass-enclosed wine storage, and customized wine racks appear in many of this year's winners. Combining the under-stair-storage trend with this one, one team included an extensive wine collection under the stairs with glass doors and display lighting.

**White on white.** This trend is back in 2017 and appears universally across homes. Perhaps most prominently, white on white is showcased beautifully in kitchens.

More information about this year's winners can be found at [bestinamericanliving.com](http://bestinamericanliving.com).

*Courtesy of NAHBNOW.com*







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In 2016, FHBA worked to save builders and remodelers  
**over \$7,000\***



**1. Guard Measurement = \$1,500**  
Reduces horizontal distance from  
36 to 24 inches



**4. Stucco = \$1,100**  
Reduced time between coats  
and curing from seven days per  
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**7. Custom Doors = \$500**  
Provides criteria for custom  
one-of-a-kind doors (FBC-B & R)



**2. Fire Separation = \$2,500**  
Reverts to three feet and adds  
options to fire rating soffits



**5. Air Leakage = \$175**  
Provides option for testing in  
multi-family as single and  
modified 5 ACH to 7 ACH



**8. Shower Liner = \$75**  
Reinstates exception to shower  
liner on SOG (FBC-R & P)



**3. Duct Penetration Garage = \$300**  
Retained provisions allowing use of  
duct board



**6. Mechanical Ventilation = \$75**  
Reduced from 5 ACH to less than  
3 ACH



**9. Door Swing = \$750**  
Revisions permitting doors to  
outswing over egress, two risers,  
and an exception for landings

FHBA also stopped issues from passing, which resulted in additional builder savings:  
Flood Provisions = \$10,000, Irrigation = \$1,000, and Water Saving Fixtures = \$250.

\*Approximate cost savings per house/lot impacted.





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# WESTERHEIM PROPERTIES TO BUILD AMERICAN DREAM HOME FOR THE 2017 PARADE OF HOMES

**Since 1958, the Parade of Homes has been an exciting event for thousands of attendees throughout Northwest Florida.**

In preparing for the May 6 – 14, 2017 event, the HBA Board of Directors, at its September meeting, approved the gated community of Huntington Creek as site where the American Dream Home will be constructed. The Board tapped HBA President Thomas Westerheim, of Westerheim Properties, to build the American Dream Home.

Huntington Creek, located off Mobile Hwy., hosted the last two American Dream Homes in the upscale community in West Pensacola. It is a growing suburban area providing country living amenities



while affording residents the opportunity to be in close proximity to all of life's everyday conveniences.

"Thomas brings a wealth of experience of building the Dream Home," said Home Builders Association of West Florida Executive Director David Peaden. "He did a wonderful job a few years ago in Nature Trail and he gained a lot of insight during that process. I am confident he will do a great job for the HBA."

The people of Northwest Florida look forward to the Parade of Homes every year. It gives them the opportunity to see the latest in new home designs and amenities.

Attending the Parade of Homes can also afford individuals the chance to learn what to look for in home construction and know what mistakes to avoid.



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**NEXT CORNERSTONE ISSUE**

## March 2017



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**PLEASE PRINT THE FOLLOWING INFORMATION:**

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Company Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Cell: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Website: \_\_\_\_\_

**BUSINESS ADDRESS:**

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

**LIST TWO SERVICES/PRODUCTS PROVIDED BY YOUR BUSINESS:**

1. \_\_\_\_\_

2. \_\_\_\_\_

**SPONSOR INFORMATION: (HBA member who encouraged you to join)**

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

**MEMBERSHIP AGREEMENT:**

I agree to abide by the Home Builders Association of West Florida-Auxiliary Council's By-laws.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Payment:**

\_\_\_\_\_ please bill me \$75.00 for my membership.

\_\_\_\_\_ Membership fee enclosed; Check payable to Home Builders Association of West Florida

\_\_\_\_\_ please charge my credit card: \_\_\_\_\_ MasterCard \_\_\_\_\_ VISA \_\_\_\_\_ AMEX

Card Number: \_\_\_\_\_ CVV Code: \_\_\_\_\_

Name on card: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

SIGNATURE OF APPLICANT

**HBA OF WEST FLORIDA (2017)****MEMBERSHIP APPLICATION**

\_\_\_\_\_ Residential / Commercial Builder Member\* (\$550 Annual Renewal) \_\_\_\_\_ Associate Member (\$450 Annual Renewal)

\_\_\_\_\_ Developer Member (\$550 Annual Renewal) \* If you are a licensed contractor obtaining building permits, you must join as a Builder member.

**PLEASE PRINT THE FOLLOWING INFORMATION:**

Company Name:

Member Name (First MI Last):

Title:

*Builder Applicant must be builder license holder, owner or officer of company.*

*President / Manager / Sales Representative / Owner*

Telephone:

Fax:

Publish? Y / N

Cell:

Publish? Y / N

Email:

Publish? Y / N

Web:

Type of Business:

Number of Units Built Annually:

PREFERRED CONTACT METHOD: \_\_\_\_\_ EMAIL \_\_\_\_\_ FAX

Past HBA Member?

Annual Dollar Volume:

Number of paid employees, including yourself:

**MAILING ADDRESS: (PHYSICAL ADDRESS/ WEBSITE & DIRECTORY LISTING/ EVENT INFORMATION / MONTHLY PUBLICATIONS)**

Address:

City:

State:

ZIP Code:

**BILLING ADDRESS: (IF DIFFERENT FROM ABOVE) \_\_\_\_\_ SEND EVERYTHING TO ADDRESS BELOW, ADDRESS ABOVE IS FOR PUBLISHING ONLY.**

Billing Contact:

Billing Email:

Billing Address:

Billing Telephone:

City:

State:

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**BUSINESS / PERSONAL REFERENCES:****LICENSE INFO: BUILDER APPLICANTS ONLY**

Name/Phone:

*Proof of Builders License required.*

Name/Phone:

State #:

Name/Phone:

County #:

**WANT TO GET INVOLVED WITH ONE OF THE HBA COUNCILS OR COMMITTEES?**

\_\_\_\_\_ Cost & Codes Committee

\_\_\_\_\_ Golf / Events Committee

\_\_\_\_\_ Auxiliary Council ( Dues \$75.00)

\_\_\_\_\_ Governmental Affairs Committee

\_\_\_\_\_ Sales and Marketing Council (Fee)

\_\_\_\_\_ Membership Committee

**BUSINESS CLASSIFICATION (SEE BACK OF APPLICATION).****SPONSOR: (HBA MEMBER WHO RECRUITED YOU)**

1.

NAME:

2.

COMPANY NAME:

3.

MEMBER ID #

COMPANY ID#

**CODE OF ETHICS AGREEMENT & SIGNATURE:**

I agree to abide by the Constitution and Bylaws of the Home Builders Association of West Florida to which this membership application is directed, of the National Home Builders of the United States with which it is affiliated and the Florida Home Builders Association. A remittance of \$\_\_\_\_\_, represents my annual membership dues in the HBA of West Florida, and accompanies this application. A portion of your 2017 dues to the NAHB and FHBA are used for lobbying and are not deductible for tax purposes. The non-deductible portion of your 2017 NAHB dues is 19% (\$34.58) and the non-deductible portion of your 2017 FHBA dues is 55% (\$63.25). (Please note, this information is subject to change due to publication date)

**CODE OF ETHICS:**

All members of the Association shall agree to observe and be bound by the following Code of Ethics:

- Members shall constantly seek to provide better values so that an even greater share of our people may enjoy the benefits of home ownership;
- Members shall strive to develop the efficiency of the building industry to the end that labor may receive its just and proper reward;
- Members shall encourage research to develop new materials, new building techniques, new building equipment and improved methods of home financing, to the end of every home purchaser may get the greatest value possible for every dollar;
- Members shall not knowingly enter into any contract of terms of which are designed to imperil either the rights of labor or the suppliers of materials to receive a fair return for services or goods furnished;
- Members shall comply both in spirit and letter with rules and regulations prescribed by law and government agencies for the health, safety and progress of the community;
- Members shall be alert to examining proposed or enacted State and Local legislation detrimental to social, economic and political progress; and;
- Members shall not perform, or cause to be performed, any act which would tend to reflect on, or bring disrepute to, the Association or any part of the building industry. Members shall not act in a way contrary to the interest of the Association.

Signature of applicant:

Date:

The application process takes approximately 1 month from submission of application to approval. Upon approval, applicants will receive a new member packet in the mail.

4400 Bayou Boulevard, Suite#45  
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# BUYERS PREFER AMENITIES OVER SIZE IN NEW HOMES, SURVEY SHOWS

**The average size of newly built homes decreased in 2016 – a sign that the home building industry is preparing for the coming wave of first-time buyers as millennials begin to dip their toes into the market, according to research and survey results released by NAHB.**

In 2015, the typical new home had 2,689 square feet. In 2016, it dropped to 2,634, U.S. Census data show. That's the first drop in size since 2009, said Rose Quint, NAHB's assistant vice president for survey research.

"The data on new home characteristics show a pattern," she said. "2016 marked the end of an era that began in 2009 when homes got bigger and bigger with more amenities. I expect the size of homes to continue to decline as demand increases from first-time buyers."

These homes must include specific amenities: Just as in 2015, a separate laundry room tops the list of must-haves across all income groups. Energy-efficient features like low-E windows, Energy Star-rated appliances, ceiling fans and programmable thermostats are also at the top of buyers' wish lists. Home buyers also want their homes to include a patio, exterior lighting and a full bath on the main level.

Not as popular among buyers in 2017: cork flooring and solar and geothermal

energy, as well as features such as pet-washing stations, outdoor kitchens and sunrooms. "Builders are not going to include them in the average home," Quint said.

A majority of home buyers prefer a new home to an existing one, and 65% want that home to be in the suburbs. Size preference goes up as income goes up, with buyers in the \$150,000-plus income bracket preferring homes just under 2,500 square feet. No matter what the income, buyers overwhelmingly prefer a smaller house with more features and amenities over sheer size. "More than two-thirds are willing to trade size for high-quality products and features," Quint said.

New research from Better Homes & Gardens targets a subset of these home owners: "First Millennials," those between the ages of 22-39 who have purchased their first home.

These buyers generally purchase older housing stock in need of fixing up, said executive editor Jill Waage, which means "88% of them are very interested in learning about home improvement and repair." They don't want to spend too much money, and they are willing to compromise on high-quality products and finishes, saving them for their next home. "They're scarred," from the recent economic downturn, "but they aren't scared."

Surrounded by a culture that watches home improvement reality shows and how-to videos on social media – and remembering their parents' experiences in

the Great Recession – First Millennials overwhelmingly prefer do-it-yourself projects, said Waage, even if they ultimately have to turn it over to a professional to complete.

Watching these shows, seeing what's shared on social media and learning from the experiences of their friends and neighbors working on similar fixer-uppers inspires these young families to get out not only their paint brushes and hammers but even their mitre saws and other specialty equipment – and to work on these projects together. And they aren't just making home improvements, Waage said. "They're creating a style, a statement – decorating and remodeling at the same time."

Amenities for outside living continue to be popular and increasingly include "she sheds," stand-alone buildings from a kit or built onsite to be used for outdoor entertaining, crafting, reading or just to get away, Waage said. "Seventy-five percent of millennials want relaxing outdoor spaces," and vegetable gardens, fences and decks top their list of projects.

But it's all about value, as this group thinks ahead to building equity to enable them to purchase their next home. And when that happens, they aren't looking for oversized master suites or over-the-top finishes. They want mud rooms, that important separate laundry room, and plenty of gathering space. "This generation likes being together. They don't want to be separate," Waage said.

*Courtesy of NAHBNOW.com*



# Remodelers Riding Wave of Steady Optimism

**The remodeling market has enjoyed a solid stretch of growth since 2011. And despite economists forecasting that growth will likely become more gradual in the years ahead, there remains a sense of confidence among most remodelers.**

NAHB's Remodeling Market Index (RMI) posted a reading of 53 in the final months of 2016, down slightly from the previous quarter, but on par with the first half of 2016.

This marks 15 consecutive quarters in which the majority of remodelers report that business activity in their market has increased from the previous quarter.

"Many remodelers are seeing consumers commit to larger, long-term home improvement projects," said 2017 NAHB Remodelers Chair Dan Bawden, CAPS, GMB, CGR, CGP, a remodeler from Houston. "As Americans are seeing wages and home values rise overall, it gives them greater confidence to go ahead and invest in their homes."

Among the RMI's most notable components, major additions and alterations dropped one point to 53, demand for smaller remodeling projects decreased by four points to 52, and the home maintenance and repair component declined by five points to 54.



The index measuring future market indicators reached 52, about the same level as early 2016, but six points lower than in the third quarter. Among its four components, calls for bids and appointments for proposals fell to 49 and 54, respectively, the backlog of remodeling jobs dropped three points to 55, and the amount of work committed declined five points to 50.

"At 53, the Remodeling Market Index is consistent with NAHB's forecast that remodeling market activity will continue to grow over the next two years, but at a more moderate annual rate of 1% to 2%," said NAHB Chief Economist Robert Dietz.

To view all of the RMI tables, please visit [nahb.org/rmi](http://nahb.org/rmi), or visit [nahb.org/remodel](http://nahb.org/remodel) for more information about remodeling.

You can also connect with and learn from other industry professionals by joining NAHB Remodelers' Facebook Group.

*Courtesy of NAHBNOW.com*

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# Industry Coalition Launches Skilled Labor Fund



## SKILLED LABOR FUND

**The housing industry has joined forces to address the lack of skilled labor entering residential construction with the creation of the Skilled Labor Fund.**

NAHB, the National Housing Endowment (NHE), the National Kitchen + Bath Association, the National Association of the Remodeling Industry (NARI) and SGC Horizon announced this new fund during the International Builders' Show in Orlando.

The fund will be launched with the support of SGC Horizon, parent company of Professional Builder and Professional Remodeler magazines.

"We have found the most success in addressing this issue at the state and local level," said NAHB CEO Jerry Howard. "This fund gives us another tool in our toolbox to solve this problem."

The fund will be used to attract and train skilled labor for the

residential construction market by providing scholarships for students to attend accredited training schools and training facilities throughout the country.

The fund is part of NHE, the philanthropic arm of NAHB, dedicated to helping the housing industry develop more effective approaches to home building and enhancing education and training in residential construction. NHE supports several student scholarship programs and the Homebuilding Education Leadership Program, which provides grants to colleges and universities to help them create, expand or enhance residential construction management programs.

"We can't solve this problem by ourselves. But our associations will do this together," said NARI CEO Fred Ulrich.

Visit [SkilledLaborFund.org](http://SkilledLaborFund.org) to learn more.

*Courtesy of NAHBNOW.com*



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In a move that will make home loans more affordable, the Federal Housing Administration (FHA) announced it will reduce the annual premiums most of its borrowers pay on mortgage insurance premiums by 0.25 percentage points from 0.85% to 0.60%.

The agency said that the new lower premium rates are projected to save new FHA-insured home owners an average of \$500 this year.

NAHB supports this action to further boost the housing recovery and reduce the cost of housing for creditworthy borrowers, particularly for first-time home buyers. In response to FHA's announcement, NAHB Chairman Ed Brady issued the following statement:

"NAHB commends the FHA for reducing its annual mortgage insurance premiums by 25 basis points to

## FHA Lowers Annual Mortgage Insurance Premiums

0.6%. With mortgage rates rising in recent weeks, lower premiums will make home loans more affordable, particularly for creditworthy young families and first-time buyers. The new premium structure will also help to ease stubbornly tight credit conditions in the mortgage market, and represents sound policy given a recent actuarial report that shows that the agency continues to strengthen its financial reserves."

The new premium will be effective for mortgages closed on or after Jan. 27, 2017. For a full schedule of the new premium rates announced today, read FHA's mortgage letter.



For additional information, contact Curtis Milton at NAHB at 800-368-5242 x8597.

*Courtesy of NAHBNOW.com*

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Home Builders Association of West Florida

# NAHB CHAIR DETAILS LEGAL CHALLENGE TO OSHA RULE

NAHB has joined several other industry groups to file a challenge against the Occupational Safety and Health Administration (OSHA) and the Department of Labor regarding OSHA's final Improve Tracking of Workplace Injuries and Illnesses rule, which NAHB Chairman Ed Brady called "unlawful and arbitrary" in a press statement issued in January.

"We have vigorously opposed this rule from the start, and cannot allow this type of regulatory overreach to occur," Brady said.

"There are significant concerns associated with OSHA's requirement of employers to submit detailed injury and illness logs to the agency for public posting. Not only does OSHA not have the authority to do this, it also exposes a business to significant reputational harm, all without demonstrating any evidence that it would effectively reduce workplace injuries and illnesses," he said.

*"Workplace safety is of the utmost concern of our members, however this rule is unlawful and does not serve it's intended purpose of improving workplace safety."*

"We also have serious concerns about the anti-retaliation portion of the rule, which would allow OSHA inspectors to cite an employer without needing a complaint from a worker. This is a clear overreach of authority, as it goes against Congress's carefully constructed mechanism to address retaliation that is specifically set forth in the OSHA statute.

"OSHA has not justified any of the rule's requirements with any real benefits analysis and has relied entirely on anecdotal information. This is entirely insufficient and cannot be allowed to stand and potentially serve as a precedent for other agency rules.

Workplace safety is of the utmost concern of our members, however this rule is unlawful and does not serve its intended purpose of improving workplace safety. The rule needs to be vacated and set aside in its entirety," Brady said.

For information about jobsite safety, contact NAHB's Rob Matuga at 800-368-5242 x8507.

*Courtesy of NAHBNOW.com*



## TOP 10 REASONS TO DO BUSINESS WITH AN ACTIVE ASSOCIATE MEMBER

1. They support the industry at the local, state and national levels.

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4. They serve on committees and councils gaining valuable networking opportunity while helping to advance the association's mission.

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6. They are strong supporters of local and state PACs and BUILD-PAC.

7. They are a major source of non-dues revenue through sponsorships, advertising, etc.

8. As industry partners, they are a valuable resource for business and management tips.

9. They are heavily invested in your business success: You win, they win!

10. Why wouldn't you do business with a member?





# Resolution to Vacate WOTUS Rule Introduced in Senate

**Sens. Deb Fischer (R-Neb.) and Joni Ernst (R-Iowa) have introduced a resolution to withdraw the Waters of the United States rule, which contains new and expanded definitions that NAHB has long held as the poster child of federal intrusion into states' rights and an example of federal overreach on land-use decisions.**

"Congress left to states their traditional authority over land and water, including farmers' fields, non-navigable, wholly intrastate water (including puddles and ponds), and the allocation of water supplies," the resolution said.

New definitions finalized in June 2015 turn that authority on its head. "By dramatically extending the areas in which home builders are required to get permits, the rule will lead to bureaucratic delays, increase project costs and mitigation fees, and harm housing affordability," former NAHB Chairman Tom Woods said at the time.

After the federal Sixth Circuit Court of Appeals issued a temporary stay later that year, NAHB helped lead a coalition of industry partners to challenge the rule, saying that it is deeply flawed, arbitrarily written, and provides no clarity or certainty to members of the regulated community.

On Jan. 13, the Supreme Court agreed

to examine the Sixth Circuit decision after a petition by NAHB and a coalition of industry groups affected by the rule.

"As a business that sometimes must challenge these rules in court, NAHB must know whether it is proper to bring these challenges first to district court or whether the challenges must be brought in a court of appeals," said vice president for litigation Tom Ward.

"We are seeking clear guidance from the Supreme Court so that businesses like NAHB aren't forced to file two lawsuits to protect our interests," he said.

The Senate resolution seeks to stop the encroachment once and for all, asking that the rule and its new definitions of what constitutes the waters of the United States be vacated.

For additional information, contact Courtney Briggs at 800-362-4252 x8459.


*Courtesy of NAHBNOW.com*




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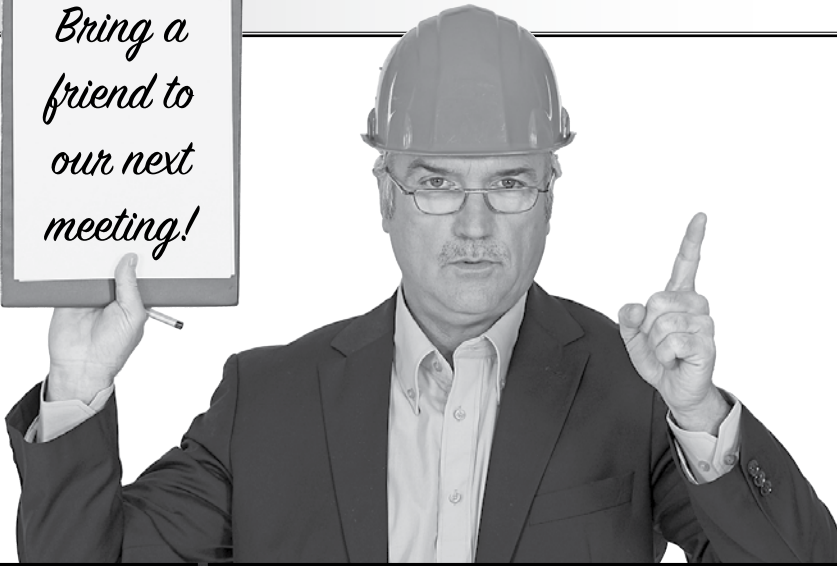
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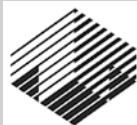
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