



January 24, 2020

Mr. Dominic Sims, CEO  
International Code Council  
900 Montclair Road, Suite A  
Birmingham, AL 35213  
[Dsims@iccsafe.org](mailto:Dsims@iccsafe.org)

Dear Mr. Sims:

This letter is intended to express the concerns of the members of Leading Builders of America (LBA) over possible voting irregularities that may have occurred during the recent On-line Governmental Consensus Vote (OGCV). LBA is a Washington, DC based trade association representing 21 of the largest builders in the U.S. Collectively, our members produce nearly 40% of the new homes constructed annually in the U.S.

In order to preserve the integrity of the ICC voting process we believe serious and further review is warranted due to the sheer number of unprecedented overturned code change proposals during the online vote.

CP28 section 10.2 states that "irregularities" SHALL be brought "immediately" to the ICC Board of Directors attention.

Since the deployment of cdpACCESS, we are not aware of a single proposal ever losing the first two hearings and then later winning the 2/3rds majority needed for approval during the OGCV vote. However, this cycle, it would seem it occurred at least 22 times and curiously only within the IECC proposals. Of the 202 proposals that were not energy (i.e., Administrative, Structural, Existing Building, IRB - Building), the on-line voting did NOT overturn ONE SINGLE vote taken at the Public Comment Hearings.

The proposals that received both a disapproval at both the Committee Action Hearing and the Public Comment Hearing, but then received the 2/3rds votes needed to overturn for approval were:

RE21, RE29, RE32, RE33, RE36, RE37, RE126, RE145, RE147, RE151, RE182, RE184, RE192, RE204, RE209, CE12, CE49, CE56, CE217, CE219, CE220, CE262.

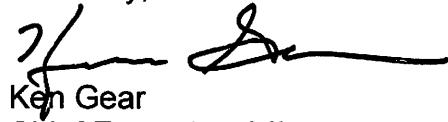
These are certainly the biggest examples of where irregularities may have occurred. We are also concerned that there may be more. However, most concerning if these do prove to be irregularities, how did they occur?

Dominic Sims  
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We respectfully, request that a full examination of the results be conducted as to ascertain if any irregularities occurred.

We would also appreciate the opportunity to meet with you personally at your earliest convenience to explore our concerns in more detail and understand what steps the ICC is taking to understand what happened in this instance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Gear', written over a horizontal line.

Ken Gear  
Chief Executive Officer  
Leading Builders of America