



Preserving the American Dream of Home
Ownership Through Regulatory Reform

MHARR

NEWS

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**MHARR CONTINUES TO PRESS TWO-TRACK
APPROACH TO FIGHT DISCRIMINATORY ZONING LAWS**

Washington, D.C., March 18, 2020 – The Manufactured Housing Association for Regulatory Reform (MHARR), in comments filed on March 16, 2020 with the U.S. Department of Housing and Urban Development (HUD) ([see](#), copy attached), has once again called on HUD to address -- as part of the impending revision of its “Affirmatively Furthering Fair Housing” (AFFH) standards -- discriminatory state and local zoning and placement mandates which either exclude or severely restrict access to affordable HUD-regulated manufactured housing in many jurisdictions across the United States. This effort now becomes part of the two-track approach initiated by MHARR to fully and properly implement the crucial enhanced federal preemption of the Manufactured Housing Improvement Act of 2000.

Referring to 2018 comments that it filed in the same matter, MHARR states that HUD should utilize its authority under AFFH and the Fair Housing Act to promote the elimination of state and local zoning ordinances that discriminatorily exclude or restrict the placement of federally-regulated manufactured homes that millions of lower and moderate-income Americans rely upon for affordable homeownership.

This effort, to promote the utilization of AFFH as a remedy to address the discriminatory exclusion of mainstream manufactured homes from a large and growing number of jurisdictions, would complement MHARR’s existing two-track strategy – utilizing statutory authority that HUD already possesses – to address this matter, which has caused significant harm both to consumers and the industry.

Specifically, under the enhanced federal preemption authority enacted by Congress as part of the Manufactured Housing Improvement Act of 2000, MHARR has urged HUD’s Office of Policy Development and Research (PD&R) – as “track one” -- to conduct a thorough study of the negative impacts of discriminatory manufactured housing zoning and placement restrictions (which PD&R announced in February 2020 that it would do), while it has urged HUD, as “track two” to target one or more egregious local exclusionary or restrictive mandates for invalidation via litigation. The utilization of all of these remedies to combat discriminatory zoning and placement restrictions is wholly warranted by their undisputed and highly damaging impacts on the availability of affordable housing and homeownership for all Americans.

In Washington, D.C., MHARR President and CEO Mark Weiss stated: “MHARR’s longstanding and consistent position has been that HUD, under the AFFH structure, has the authority, ability and urgent policy need to address and eliminate the discriminatory zoning and placement restrictions that exclude or severely and unfairly restrict the use of affordable,

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mainstream manufactured homes in far too many communities. Weiss continued, manufactured homes are – and always have been – as Secretary Carson has himself recognized, one of the primary resources for affordable housing and homeownership in the United States. The time is long past due for local limitations on its use, grounded in fantasy, fiction or baseless fear-mongering to be eliminated, and MHARR’s two-track approach provides the Department with the perfect means to fully implement the enhanced preemption of the 2000 reform law to combat zoning discrimination against manufactured housing going forward.”

The Manufactured Housing Association for Regulatory Reform is a Washington, D.C.-based national trade association representing the views and interests of independent producers of federally-regulated manufactured housing.