



# Manufactured Housing Association for Regulatory Reform

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September 22, 2021

VIA FEDERAL EXPRESS

Ms. Beth DeCarbo  
The Washington Post  
1301 K Street, N.W.  
Washington, D.C. 20071

Re: September 9, 2021 Article: “A Factory-Built Home as a Means to Affordable Housing”

Dear Ms. DeCarbo:

I am writing on behalf of the Manufactured Housing Association for Regulatory Reform (MHARR). MHARR is a Washington, D.C.-based national trade organization representing independent producers of federally-regulated manufactured housing. MHARR was founded in 1985. It represents manufactured housing producers from all regions of the United States.

While your September 9, 2021 article, “A Factory-Built Home as a Means to Affordable Housing” addresses certain beneficial aspects of inherently-affordable, federally-regulated manufactured housing, it reflects a lack of complete research – or a complete focus – on the current status and evolution of the manufactured housing market, in that it fails to mention, yet alone explain, why far fewer of these high-quality, affordable homes are being produced today, in the face of a nationwide affordable housing crisis. This lack of perspective is unfortunate and a disservice to readers, as MHARR would have been happy to provide you with facts and data showing why manufactured homes are broadly underutilized and why manufactured homeowners are subject to baseless discrimination.

The numbers themselves are stark. Manufactured housing production has fallen dramatically over the past decade-plus, despite the fact that today’s modern, affordable, federally-regulated manufactured homes are among the best that the industry has ever produced. The reasons for this sharp decline, if properly explained, frame a policy debate that is important for all Americans.

The outstanding quality and affordability of current-day manufactured homes is an outgrowth of landmark bi-partisan legislation – The Manufactured Housing Improvement Act of 2000 (2000 reform law) – signed into law by President Clinton. This law resulted in the final transformation of manufactured homes from the “trailers” and “mobile” homes of the Post-War Era, into modern, legitimate “housing” accessible to, and affordable for all Americans including, especially, moderate and lower-income families.

[www.manufacturedhousingassociation.org](http://www.manufacturedhousingassociation.org)

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A key provision of this law, however, has not been – and, twenty years later, is not being – enforced by the U.S. Department of Housing and Urban Development, the federal agency responsible for “superintendence” of the manufactured housing industry. That provision, known as “enhanced federal preemption,” gives HUD the power to invalidate local zoning mandates that discriminatorily exclude or restrict the placement of manufactured homes. Through four administrations, both Democratic and Republican, however, HUD has refused to fully and properly implement this part of the 2000 reform law in order to ensure the availability of homes that it regulates. As a result, manufactured homes simply cannot be sited in many areas and continue to be subject to systemic discrimination both in private use and in government-sponsored affordable housing programs.

Similarly, consumer financing for manufactured homes continues to be a major problem. As your article notes, only 27% of manufactured home loan applications were approved and financed in 2019. You fail to note, however, that in large measure, this is because the two federal mortgage giants – Fannie Mae and Freddie Mac – do not provide secondary market or securitization support for the vast bulk of manufactured home loans. Congress attempted to remedy such discriminatory treatment of manufactured home purchasers through a statutory directive, the “Duty to Serve Underserved Markets,” included in the Housing and Economic Recovery Act of 2008. Fannie Mae and Freddie Mac, however (and their federal regulator, the Federal Housing Finance Agency - FHFA), have done little to nothing over the ensuing decade-plus, to actually increase the availability of purchase-money financing for manufactured homebuyers. This means higher, discriminatory interest rates, less competition, and fewer lenders available for manufactured housing consumers.

The combined effect of these two factors – arising from the continuing failure of two federal agencies to fully implement two good laws as designed by Congress -- has been devastating for the industry and consumers, as they have blunted the production, sale, marketing and utilization of manufactured homes for over two decades. Further, by disproportionately impacting and harming smaller industry businesses, these governmental failures have helped to fuel a trend toward production consolidation within the manufactured housing industry which threatens to further increase costs for consumers while limiting consumer choices and options. None of this, however, is addressed by your article.

I would also note that the last part of your article, regarding wind standards, is not balanced and, again, could be deceptive. The relevant facts are: (1) that no home, of any type, will withstand a direct hit by a tornado; (2) after the major revision and strengthening of HUD’s manufactured housing wind standards in 1994 and the subsequent adoption of nationwide manufactured housing installation standards, as required by the 2000 reform law, the performance of manufactured homes in high-wind events, including hurricanes, has significantly improved; (3) many alleged studies of manufactured home performance in high-wind events have included homes that pre-date federal regulation, or the 1994 HUD standards upgrade, or both; and (4) in fact, in many instances, newer, post-1994/2000 reform law manufactured homes have performed better in high-wind events than other types of homes. Accordingly, the wind-safety of current federally-regulated manufactured homes is the best that has ever been achieved.

In summary, while there is a great deal that manufactured housing can do to address and remedy the nation's affordable housing crisis, that beneficial potential is not being fully realized today, and will not be fully realized until there are significant policy changes at HUD and FHFA, as well as Fannie Mae and Freddie Mac. To the extent that your September 9, 2021 article omits this key information, it is incomplete, erroneous and arguably misleading. We therefore believe that you have an affirmative responsibility to present this additional information via a follow-up report. Further, as the national representative of the nation's independent manufactured housing producers, we would be glad to assist you with relevant facts and important information.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Weiss', with a long horizontal flourish extending to the right.

Mark Weiss  
President and CEO

cc: Mr. Cameron Barr, Editor  
Hon. Marcia Fudge  
Hon. Sandra Thompson  
Manufactured Housing Industry Members  
Manufactured Housing Consumer Organizations