

JUNE 18, 2025

IMPORTANT

TO: HUD CODE MANUFACTURED HOUSING INDUSTRY MEMBERS

FROM: MARK WEISS

**RE: MHARR ADDRESSES DEFICIENCIES AND CONCERNS,
AND SUBMITS PROPOSALS TO CONGRESS TO
CORRECT PENDING HOUSING SUPPLY FRAMEWORKS ACT**

As the Manufactured Housing Association for Regulatory Reform (MHARR) reported in a News Release dated April 22, 2025 (“Bi-Partisan Bill Seeks Zoning Reform – Could Augment Enhanced Federal Preemption”), bi-partisan legislation entitled “The Housing Supply Frameworks Act of 2025” (HSFA), has now been introduced in both the House of Representatives (H.R. 2840) and the U.S. Senate (S. 1299).

At their core, these bills – which are identical in substance but differ slightly in their organization -- would establish a federal mechanism to, within three years of enactment, “develop frameworks for best practices on zoning and land-use policies” at both the state and local level. Among other things, the bills specifically reference a “reduction of obstacles to a range of housing types at all levels of affordability, including manufactured and modular housing.” In addition, the legislation, as previously noted by MHARR, would provide state and local governments with resources to confront barriers to affordable housing development and construction.

While MHARR supports the purposes and objectives of these HSFA bills, it nevertheless has serious concerns with certain aspects of the language used in the bills, which – like two draft bills currently before the House of Representatives Subcommittee on Housing and Insurance, addressed in detail in an MHARR memorandum and package dated June 11, 2025 entitled “Pending and Potential Legislation Impacting Manufactured Housing”) – could have significant unintended negative effects for the manufactured housing industry (especially smaller industry businesses) and American consumers of affordable housing if not addressed and corrected during the legislative process.

Consequently, MHARR, in a June 16, 2025 communication to both houses of Congress (copy attached), has indicated the sections of the HSFA bills that pose the greatest concern, and has offered suggested changes to the bill language that would address those concerns. In general, the matters addressed by MHARR fall into four broad categories:

- (1) MHARR proposed changes seek to specifically define “manufactured home” by referencing the definition contained in the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended;

- (2) MHARR proposed changes seek to include “manufactured housing producers” as a distinct membership category for the committee that would be established by the bill;
- (3) MHARR proposed changes would separate references to the regulation and exclusion of federally-regulated HUD Code manufactured homes from references to “modular” or other types of homes built to state or local building codes; and
- (4) MHARR proposed changes would replace references to “attainable” housing with references to “affordable” housing.

Included in the attached MHARR packet are the proposed changes – in detail – together with a statement of the rationale and justification for each.

Most importantly, the proposed changes seek to identify HUD Code manufactured homes as a distinct category of affordable and housing (indeed, the most affordable housing) which faces discrimination and exclusion through zoning and placement mandates precisely because it is regulated pursuant to a federal building code (with performance-based federal standards, uniform federal enforcement and federal preemption), rather than state or local codes (most typically the International Residential Code – IRC). In order to make this distinction clear and unequivocal in the proposed legislation, it is necessary that manufactured homes, as a housing category, be specifically defined and identified in the bill language. Moreover, and consistent with the HSFA’s specific identification and definition of “affordability,” it is essential that HSFA avoid references to the meaningless term “attainable” housing and instead refer in all instances to “affordable” homeownership, which is the centerpiece of President Trump’s and HUD Secretary Scott Turner’s goal to increase the supply of housing and the availability of homeownership in the United States.

As always, MHARR will carefully monitor these bills and will take any and all actions needed to protect the rights and interests of smaller HUD Code industry businesses and the lower and moderate-income American homebuyers who rely on affordable manufactured housing, while simultaneously working to ensure that full and fair competition within the industry is protected.

We urge you to review MHARR’s suggested modifications and support them in your interactions with Congress because, without such changes and additions, the current HFSA bills would likely have unintended and/or unforeseen negative consequences for mainstream manufactured housing, manufactured housing consumers and smaller industry businesses in particular.

Please contact MHARR if you have any questions or need any additional information regarding the attached documents. As usual, MHARR will continue to keep you informed as it reviews and submits recommendations to both houses of Congress on all of the multiple pending or potential bills pertaining to or impacting HUD Code manufactured housing.

Thank you.

Mark Weiss
President and CEO
Manufactured Housing Association for Regulatory Reform (MHARR)
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Washington D.C. 20004
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Fax: 202/783-4075
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Attachments



Manufactured Housing Association for Regulatory Reform

1331 Pennsylvania Avenue, NW • Suite 512 • Washington, DC 20004 • 202-783-4087 • Fax 202-783-4075 • mharredg@aol.com

June 16, 2025

VIA FEDERAL EXPRESS

Hon. Tim Scott
Chairman
Senate Banking, Housing and Urban
Affairs Committee
Suite 534
Dirksen Senate Office Building
1st and C Streets, N.E.
Washington, D.C. 20510

Hon. Elizabeth Warren
Ranking Member
Senate Banking, Housing and Urban
Affairs Committee
Suite 534
Dirksen Senate Office Building
1st and C Streets, N.E.
Washington, D.C. 20510

Re: S. 1299 – The Housing Supply Frameworks Act of 2025

Dear Chairman Scott and Ranking Member Warren:

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 the views and interests of independent producers of manufactured housing regulated by the U.S. Department of Housing and Urban Development (HUD) pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (Act) as amended by the Manufactured Housing Improvement Act of 2000 (2000 Reform Law) (42 U.S.C. 5401, et seq.). MHARR was established in 1985. It represents primarily smaller and medium-sized manufacturers from all regions of the United States.

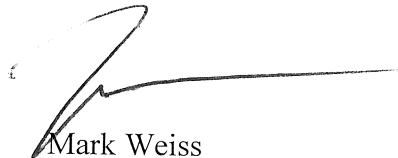
Recently, legislation entitled the “Housing Supply Frameworks Act of 2025” (S. 1299) was introduced in the U.S. Senate. A parallel bill (H.R. 2840) has also been introduced in the House of Representatives. Insofar as S. 1299 references – and would impact – the availability and utilization of affordable, mainstream manufactured homes, it is a matter of concern for MHARR and its members. Thus, while MHARR supports, in principle, the purposes and objectives of S. 1299 as they relate to HUD-regulated (HUD Code) manufactured housing, it has specific significant concerns regarding the language and (in some instances) the structure of aspects of the bill that could – and most likely will -- have extremely negative unintended and/or unanticipated impacts on smaller manufactured housing industry businesses and consumers if not corrected.

Accordingly, MHARR has closely analyzed S. 1299 and has developed the attached statement setting forth MHARR’s proposed modifications and corrections as well as the rationale and justification for each such suggestion.

MHARR would appreciate the opportunity to address these concerns with you in person, and/or to testify regarding these concerns – and their needed correction -- in any further hearing or Subcommittee/Committee action related thereto, before the bill advances any further.

Thank you in advance for your consideration of these concerns and related necessary corrections.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Mark Weiss', with a long horizontal stroke extending to the right.

Mark Weiss
President and CEO

cc: Hon. Lisa Blunt-Rochester
Hon. Mike Crapo
Hon. John Fetterman
Hon. Thom Tillis
Hon. Scott Turner
HUD Code Manufactured Housing Industry Members

S. 1299 -- “HOUSING SUPPLY FRAMEWORKS ACT OF 2025”

MHARR SUGGESTED MODIFICATIONS:

1. At page 3, line 24, under Section 3, “Definitions” prior to current subsection (4) “Secretary,” add the following new subsection (4): “The term ‘manufactured home’ or ‘manufactured housing’ as used herein, has the same meaning and definition as the term ‘manufactured home’ as defined in 42 U.S.C. 5402(6)” and redesignate current subsection (4) as subsection (5).
2. At page 5, line 25, after current subsection (I), add a new subsection (J) as follows: “producers of federally-regulated manufactured housing.”
3. At page 6, line 16, after the current subsection (C) and before the current subsection (D), add a new subsection (D) and redesignate current subsection (D) as subsection (E) as follows: “(D) the elimination of zoning, placement and other restrictions against federally-regulated manufactured homes, including but not limited to the federal preemption of such restrictions pursuant to section 42 U.S.C. 5403(d) of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended.”
4. At page 7, line 8, under subsection (G), after “the reduction of obstacles to” insert “the availability and utilization of federally regulated manufactured housing” and delete the remainder of that subsection. After subsection (G), add a new subsection (H) stating: “the reduction of obstacles to a range of other housing types at all levels of affordability including modular housing” and redesignate the following subsections accordingly.
5. At page 11, lines 2 and 6, under subsections (E) and (F), in each instance, replace the word “attainable” with the word “affordable”.

MHARR RATIONALE AND JUSTIFICATION:

1. The term “manufactured home” (and/or the plural thereof, “manufactured housing”) should be defined so as to clearly specify the types of homes embraced by the bill. The proposed definition refers back to the definition of “manufactured home” already set forth by federal law in the National Manufactured Home Construction and Safety Standards Act of 1974, as amended (mandating and providing for federal manufactured housing regulation utilizing performance-based federal standards, uniform enforcement and robust federal preemption), and is incorporated without modification in state law and local ordinances around the nation.
2. The current bill language limits participation to “manufactured housing developers.” This should be broadened to include specific participation by “manufactured housing producers.” Within the business model of the manufactured housing industry (unlike the site-building industry), home producers (i.e., builders) are not synonymous with community “developers,” and have interests that are in many respects separate and distinct from “developers.” In order to represent a valid and legitimate cross-section of interests (and to ensure participation by those most directly impacted by state and local restrictions as well as the federal regulatory

system with its performance based federal standards, uniform enforcement and federal preemption), “manufactured housing producers” should be specifically identified.

3. This addition is needed because manufactured homes, as a specific class of affordable housing (and manufactured homeowners, as a specific class of homebuyer) face targeted, discriminatory and, in frequent cases, exclusionary zoning-based restrictions against home placement because of their construction in accordance with a federal building code. Therefore, the proposed bill should specifically target the elimination of such restrictions as a fundamental element of its mission and purpose and should reiterate and validate the authority of HUD, under existing federal law, to federally preempt any such restrictions. The proposed language would target such baseless restrictions and elevate the importance of their elimination as a key feature of the bill.
4. The current language groups manufactured homes together with “modular housing.” This is unworkable and unacceptable, and will result in unintended negative consequences. Although manufactured and modular homes are both constructed in factories and thus offer greater “affordability” than site-built homes, they are entirely different species of construction, built to differing and incompatible building codes. Manufactured homes are constructed in a factory in accordance with a performance-based federal building code. The uniform standards of that code, together with uniform federally-based enforcement and robust federal preemption, ensure the unparalleled affordability of HUD Code manufactured homes. By contrast, “modular homes” are built in accordance with the International Residential Code (IRC) (or variations thereof) adopted as state or local law. Those codes do not have a mandated imperative for affordability and result in homes (both site-built and modular) with a significantly higher cost profile than manufactured homes built in accordance with the HUD Code. Accordingly, the bill should not conflate these significantly different types of homes within an overly-broad statement as is contained in the current version of the bill. MHARR’s suggested correction would separate the two types of homes so that each can be treated and considered fully and properly.
5. The term “attainable” has no fixed or specific meaning within a housing context and should be avoided. Instead, that term should be replaced by the term “affordable” which is consistently used in housing legislation and, in fact, is defined in this bill (see, page 3, lines 12-15) with specific identifiable cost parameters.

119TH CONGRESS
1ST SESSION

S. 1299

To direct the Secretary of Housing and Urban Development, acting through the Assistant Secretary for Policy Development and Research, to publish guidelines and best practices for State zoning and local zoning frameworks, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 3, 2025

Ms. BLUNT ROCHESTER (for herself, Mr. CRAPO, Mr. FETTERMAN, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To direct the Secretary of Housing and Urban Development, acting through the Assistant Secretary for Policy Development and Research, to publish guidelines and best practices for State zoning and local zoning frameworks, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Housing Supply
5 Frameworks Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) As of 2022 in the United States, there was
2 an estimated housing shortage of 3,850,000 homes.
3 This housing supply shortage has resulted in a
4 record number of cost-burdened households across
5 regions and spanning the large and small cities,
6 towns, and coastal and rural communities of the
7 United States.

8 (2) Several factors contribute to the under-
9 supply of housing in the United States, particularly
10 workforce housing, including rising costs of con-
11 struction, a shortage of labor, supply chain interrup-
12 tions, and a lack of reliable funding sources.

13 (3) Regulatory barriers at the State and local
14 levels, such as zoning and land use regulations, also
15 inhibit the creation of new housing to meet local and
16 regional housing needs.

17 (4) State and local governments are proactively
18 exploring solutions for reforming regulatory barriers,
19 but additional resources, data, and models can help
20 adequately address these challenges.

21 (5) While land use regulation is the responsi-
22 bility of State and local governments, there is Fed-
23 eral support for necessary reforms, and there is an
24 opportunity for the Federal Government to provide
25 support and assistance to State and local govern-

1 ments that wish to undertake necessary reforms in
2 a manner that fits their communities' needs.

3 (6) Therefore, zoning ordinances or systems of
4 land use regulation that have the intent or effect of
5 restricting housing opportunities based on economic
6 status or income without interests that are substan-
7 tial, legitimate, nondiscriminatory and that outweigh
8 the regional need for housing are contrary to the re-
9 gional and national interest.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) **AFFORDABLE HOUSING.**—The term “afford-
13 able housing” means housing for which the monthly
14 payment is not more than 30 percent of the monthly
15 income of the household.

16 (2) **ASSISTANT SECRETARY.**—The term “Assist-
17 ant Secretary” means the Assistant Secretary for
18 Policy Development and Research of the Depart-
19 ment of Housing and Urban Development.

20 (3) **LOCAL ZONING FRAMEWORK.**—The term
21 “local zoning framework” means the local zoning
22 codes and other ordinances, procedures, and policies
23 governing zoning and land-use at the local level.

24 (4) **SECRETARY.**—The term “Secretary” means
25 the Secretary of Housing and Urban Development.

1 (5) STATE ZONING FRAMEWORK.—The term
 2 “State zoning framework” means the State legisla-
 3 tion or State agency and department procedures, or
 4 such legislation or procedures in an insular area of
 5 the United States, enabling local planning and zon-
 6 ing authorities and establishing and guiding related
 7 policies and programs.

8 **SEC. 4. GUIDELINES ON STATE AND LOCAL ZONING FRAME-**
 9 **WORKS.**

10 (a) ESTABLISHMENT.—Not later than 3 years after
 11 the date of enactment of this section, the Assistant Sec-
 12 retary shall publish documents outlining guidelines and
 13 best practices to support production of adequate housing
 14 to meet the needs of communities and provide housing op-
 15 portunities for individuals at every income level across
 16 communities with respect to—

17 (1) State zoning frameworks; and

18 (2) local zoning frameworks.

19 (b) CONSULTATION; PUBLIC COMMENT.—During the
 20 2 year period beginning on the date of enactment of this
 21 Act, in developing the guidelines and best practices re-
 22 quired under subsection (a), the Assistant Secretary
 23 shall—

24 (1) publish draft guidelines in the Federal Reg-
 25 ister for public comment; and

1 (2) establish a task force for the purpose of
2 providing consultation to draft guidelines published
3 under paragraph (1), the members of which shall in-
4 clude—

5 (A) planners and architects;

6 (B) advocates with experience in affordable
7 housing, community development efforts, and
8 fair housing;

9 (C) housing developers, including afford-
10 able and market-rate housing developers, manu-
11 factured housing developers, and other business
12 interests;

13 (D) community engagement experts and
14 community members impacted by zoning deci-
15 sions;

16 (E) public housing authorities and transit
17 authorities;

18 (F) members of local zoning and planning
19 boards and local and regional transportation
20 planning organizations;

21 (G) State officials responsible for housing
22 or land use, including members of State zoning
23 boards of appeals;

24 (H) academic researchers; and

25 (I) home builders.

1 (c) CONTENTS.—The guidelines and best practices
2 required under subsection (a) shall—

3 (1) with respect to State zoning frameworks,
4 outline potential models for updated State enabling
5 legislation or State agency and department proce-
6 dures;

7 (2) include recommendations regarding—

8 (A) the reduction or elimination of parking
9 minimums;

10 (B) the increase in maximum floor area
11 ratio requirements and maximum building
12 heights and the reduction in minimum lot sizes
13 and set-back requirements;

14 (C) the elimination of restrictions against
15 accessory dwelling units;

16 (D) increasing by-right uses, including du-
17 plex, triplex, or quadplex buildings, across cities
18 or metropolitan areas;

19 (E) mechanisms, including proximity to
20 transit, to determine the appropriate scope for
21 rezoning and ensure development that does not
22 disproportionately burden residents of economi-
23 cally distressed areas;

1 (F) provisions regarding review of by-right
2 development proposals to streamline review and
3 reduce uncertainty, including—

4 (i) nondiscretionary, ministerial re-
5 view; and

6 (ii) entitlement and design review
7 processes;

8 (G) the reduction of obstacles to a range
9 of housing types at all levels of affordability, in-
10 cluding manufactured and modular housing;

11 (H) State model zoning regulations for di-
12 recting local reforms, including mechanisms to
13 encourage adoption;

14 (I) provisions to encourage transit-oriented
15 development, including increased permissible
16 units per structure and reduced minimum lot
17 sizes near existing or planned public transit sta-
18 tions;

19 (J) potential reforms to the public engage-
20 ment process, including—

21 (i) meaningful access for persons with
22 limited English proficiency and effective
23 communication improvements for persons
24 with disabilities;

1 (ii) leveraging of virtual meeting tech-
2 nologies; and

3 (iii) proactive outreach in commu-
4 nities;

5 (K) reforms to protest petition statutes;

6 (L) the standardization, reduction, or
7 elimination of impact fees;

8 (M) cost effective and appropriate building
9 codes;

10 (N) models for community benefit agree-
11 ments;

12 (O) mechanisms to preserve affordability,
13 limit disruption of low-income communities, and
14 prevent displacement of existing residents;

15 (P) with respect to State zoning frame-
16 works—

17 (i) State model codes for directing
18 local reforms, including mechanisms to en-
19 courage adoption;

20 (ii) a model for a State zoning appeals
21 process, which would—

22 (I) create a process for devel-
23 opers or builders requesting a vari-
24 ance, conditional use, special permit,
25 zoning district change, similar discre-

1 tionary permit, or otherwise peti-
 2 tioning a local zoning or planning
 3 board for a project including a State-
 4 defined amount of affordable housing
 5 to appeal a rejection to a State body
 6 or regional body empowered by the
 7 State;

8 (II) establish qualifications for
 9 communities to be exempted from the
 10 appeals process based on their avail-
 11 able stock of affordable housing; and

12 (III) establish a State zoning ap-
 13 peals board to consider appeals to a
 14 discretionary permit rejection and ob-
 15 jectively evaluate petitions based on
 16 the potential for environmental dam-
 17 age and infrastructural capacity; and

18 (iii) best practices on the disposition
 19 of land owned by State governments for af-
 20 fordable housing development;

21 (Q) with respect to local zoning frame-
 22 works—

23 (i) the simplification and standardiza-
 24 tion of existing zoning codes;

25 (ii) maximum review timelines;

(iii) best practices for the disposition of land owned by local governments for affordable housing development; and

(iv) differentiations between best practices for rural, suburban, and urban communities, and communities with different levels of density or population distribution; and

(R) other land use measures that promote access to new housing opportunities identified by the Secretary; and

(3) consider—

(A) consistency with respect to fair housing and civil rights requirements;

(B) the effects of adopting any recommendation on eligibility for Federal discretionary grants provided by the Department of Housing and Urban Development, the Department of Transportation, and the Department of Agriculture, and tax credits for the purpose of housing or community development;

(C) coordination between infrastructure investments and housing planning;

(D) local housing needs, including ways to set and measure housing goals and targets;

1 (E) a range of affordability for rental
2 units, with a prioritization of units attainable to
3 extremely low-income, low-income, and mod-
4 erate-income residents;

5 (F) a range of affordability for homeown-
6 ership units attainable to low-income and mod-
7 erate-income residents;

8 (G) accountability measures;

9 (H) the long-term cost to residents and
10 businesses if more housing is not constructed;

11 (I) barriers to individuals seeking to access
12 affordable housing in growing communities and
13 communities with economic opportunity;

14 (J) with respect to State zoning frame-
15 works—

16 (i) distinctions between States pro-
17 viding constitutional or statutory home
18 rule authority to municipalities and States
19 operating under the Dillon Rule, as articu-
20 lated in *Hunter v. Pittsburgh*, 207 U.S.
21 161 (1907);

22 (ii) statewide mechanisms to preserve
23 existing affordability over the long term,
24 including support for land banks and com-
25 munity land trusts; and

1 (iii) guidance to States on collecting
2 and maintaining proactive data on the cur-
3 rent rental housing market and rental reg-
4 istries;

5 (K) public comments described in sub-
6 section (b)(1); and

7 (L) other considerations, as identified by
8 the Secretary.

9 **SEC. 5. REPORTING.**

10 Not later than 5 years after the date on which the
11 Assistant Secretary publishes the guidelines and best prac-
12 tices for State and local zoning frameworks, the Assistant
13 Secretary shall submit to Congress a report describing—

14 (1) the States that have adopted recommenda-
15 tions from the guidelines and best practices, pursu-
16 ant to section 4 of this Act;

17 (2) a summary of the localities that have adopt-
18 ed recommendations from the guidelines and best
19 practices, pursuant to Section 4 of this Act;

20 (3) a list of States that adopted a State zoning
21 framework;

22 (4) a summary of the modifications that each
23 State has made in their State zoning framework;

1 (5) a general summary of the types of updates
 2 localities have made to their local zoning framework;
 3 and

4 (6) of the States that have adopted a State zon-
 5 ing framework or recommendations from the guide-
 6 lines and best practices, the effect of such adoptions
 7 on the number of building permits issued.

8 **SEC. 6. ABOLISHMENT OF REGULATORY BARRIERS CLEAR-**
 9 **INGHOUSE.**

10 (a) IN GENERAL.—The Regulatory Barriers Clear-
 11 inghouse established pursuant to section 1205 of the
 12 Housing and Community Development Act of 1992 (42
 13 U.S.C. 12705d) is abolished.

14 (b) REPEAL.—Section 1205 of the Housing and
 15 Community Development Act of 1992 (42 U.S.C. 12705d)
 16 is repealed.

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18 There is authorized to be appropriated to the Sec-
 19 retary to carry out this Act \$3,000,000 for each of fiscal
 20 years 2026 through 2030.

○



Manufactured Housing Association for Regulatory Reform

1331 Pennsylvania Avenue, NW • Suite 512 • Washington, DC 20004 • 202-783-4087 • Fax 202-783-4075 • mharrrdg@aol.com

June 16, 2025

VIA FEDERAL EXPRESS

Hon. French Hill
Chairman
U.S. House of Representatives
Financial Services Committee
Suite 2129
Rayburn House Office Building
Independence Ave. and S. Capitol St., S.W.
Washington, D.C. 20515

Hon. Maxine Waters
Ranking Member
U.S. House of Representatives
Financial Services Committee
Suite 2129
Rayburn House Office Building
Independence Ave. and S. Capitol St., S.W.
Washington, D.C. 20515

Re: H.R. 2840 – Housing Supply Frameworks Act of 2025

Dear Chairman Hill and Ranking Member Waters:

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 the views and interests of independent producers of manufactured housing regulated by the U.S. Department of Housing and Urban Development (HUD) pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (Act) as amended by the Manufactured Housing improvement Act of 2000 (2000 Reform Law) (42 U.S.C. 5401, et seq.). MHARR was established in 1985. It represents primarily smaller and medium-sized manufacturers from all regions of the United States.

Recently, Housing and Insurance Subcommittee Chairman Mike Flood and Rep. Brittany Petterson introduced legislation entitled the “Housing Supply Frameworks Act” (H.R. 2840). A parallel bill (S. 1299) has also been introduced in the Senate. Insofar as H.R. 2840 references – and would impact – the availability and utilization of affordable, mainstream manufactured homes, it is a matter of concern for MHARR and its members. Thus, while MHARR supports, in principle, the purposes and objectives of H.R. 2840 as they relate to HUD-regulated (HUD Code) manufactured housing, it has specific significant concerns regarding the language and (in some instances) the structure of aspects of the bill that could – and most likely will -- have extremely negative unintended and/or unanticipated impacts on smaller manufactured housing industry businesses and consumers if not corrected.

Accordingly, MHARR has closely analyzed H.R. 2840 and has developed the attached statement setting forth MHARR’s proposed modifications and corrections as well as the rationale and justification for each such suggestion.

www.manufacturedhousingassociation.org

Preserving the American Dream of Home Ownership Through Regulatory Reform

MHARR would appreciate the opportunity to address these concerns with you in person, and/or to testify regarding these concerns – and their needed correction -- in any further hearing or Subcommittee/Committee action related thereto, before the bill advances any further.

Thank you in advance for your consideration of these concerns and related necessary corrections.

Sincerely,

A handwritten signature in black ink, appearing to be 'Mark Weiss', with a stylized, flowing script.

Mark Weiss
President and CEO

cc: Hon. Mike Flood
Hon. Brittany Pettersen
Hon. Scott Turner
HUD Code Manufactured Housing Industry Members

H.R. 2840 -- “HOUSING SUPPLY FRAMEWORKS ACT OF 2025”

MHARR SUGGESTED MODIFICATIONS:

1. At page 4, line 9, under Section 3, “Definitions” prior to current subsection (4) “Secretary,” add the following new subsection (4): “The term ‘manufactured home’ or ‘manufactured housing’ as used herein, has the same meaning and definition as the term ‘manufactured home’ as defined in 42 U.S.C. 5402(6)” and redesignate current subsection (4) as subsection (5).
2. At page 6, line 5, after current subsection (I), add a new subsection (J) as follows: “producers of federally-regulated manufactured housing.”
3. At page 6, line 21, after the current subsection (C) and before the current subsection (D), add a new subsection (D) and redesignate current subsection (D) as subsection (E) as follows: “(D) the elimination of zoning, placement and other restrictions against federally-regulated manufactured homes, including but not limited to the federal preemption of such restrictions pursuant to section 42 U.S.C. 5403(d) of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended.”
4. At page 7, line 10, under subsection (F), after “the reduction of obstacles to” insert “the availability and utilization of federally regulated manufactured housing” and delete the remainder of that subsection. After subsection (F), add a new subsection stating: “the reduction of obstacles to a range of other housing types at all levels of affordability including modular housing” and redesignate the following subsections accordingly.
5. At page 10, lines 10 and 14, under subsections (B) and (C), in each instance, replace the word “attainable” with the word “affordable”.

MHARR RATIONALE AND JUSTIFICATION:

1. The term “manufactured home” (and/or the plural thereof, “manufactured housing”) should be defined so as to clearly specify the types of homes embraced by the bill. The proposed definition refers back to the definition of “manufactured home” already set forth by federal law in the National Manufactured Home Construction and Safety Standards Act of 1974, as amended (mandating and providing for federal manufactured housing regulation utilizing performance-based federal standards, uniform enforcement and robust federal preemption), and is incorporated without modification in state law and local ordinances around the nation.
2. The current bill language limits participation to “manufactured housing developers.” This should be broadened to include specific participation by “manufactured housing producers.” Within the business model of the manufactured housing industry (unlike the site-building industry), home producers (*i.e.*, builders) are not synonymous with community “developers,” and have interests that are in many respects separate and distinct from “developers.” In order to represent a valid and legitimate cross-section of interests (and to ensure participation by those most directly impacted by state and local restrictions as well as the federal regulatory

system with its performance based federal standards, uniform enforcement and federal preemption), “manufactured housing producers” should be specifically identified.

3. This addition is needed because manufactured homes, as a specific class of affordable housing (and manufactured homeowners, as a specific class of homebuyer) face targeted, discriminatory and, in frequent cases, exclusionary zoning-based restrictions against home placement because of their construction in accordance with a federal building code. Therefore, the proposed bill should specifically target the elimination of such restrictions as a fundamental element of its mission and purpose and should reiterate and validate the authority of HUD, under existing federal law, to federally preempt any such restrictions. The proposed language would target such baseless restrictions and elevate the importance of their elimination as a key feature of the bill.
4. The current language groups manufactured homes together with “modular housing.” This is unworkable and unacceptable, and will result in unintended negative consequences. Although manufactured and modular homes are both constructed in factories and thus offer greater “affordability” than site-built homes, they are entirely different species of construction, built to differing and incompatible building codes. Manufactured homes are constructed in a factory in accordance with a performance-based federal building code. The uniform standards of that code, together with uniform federally-based enforcement and robust federal preemption, ensure the unparalleled affordability of HUD Code manufactured homes. By contrast, “modular homes” are built in accordance with the International Residential Code (IRC) (or variations thereof) adopted as state or local law. Those codes do not have a mandated imperative for affordability and result in homes (both site-built and modular) with a significantly higher cost profile than manufactured homes built in accordance with the HUD Code. Accordingly, the bill should not conflate these significantly different types of homes within an overly-broad statement as is contained in the current version of the bill. MHARR’s suggested correction would separate the two types of homes so that each can be treated and considered fully and properly.
5. The term “attainable” has no fixed or specific meaning within a housing context and should be avoided. Instead, that term should be replaced by the term “affordable” which is consistently used in housing legislation and, in fact, is defined in this bill (see, page 3, lines 12-15) with specific identifiable cost parameters.

119TH CONGRESS
1ST SESSION

H. R. 2840

To direct the Secretary of Housing and Urban Development, acting through the Assistant Secretary for Policy Development and Research, to publish guidelines and best practices for State zoning and local zoning frameworks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2025

Mr. FLOOD (for himself and Ms. PETTERSEN) introduced the following bill;
which was referred to the Committee on Financial Services

A BILL

To direct the Secretary of Housing and Urban Development, acting through the Assistant Secretary for Policy Development and Research, to publish guidelines and best practices for State zoning and local zoning frameworks, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Housing Supply
5 Frameworks Act".

6 **SEC. 2. FINDINGS.**

7 Congress finds the followings:

1 (1) As of 2022 in the United States, there was
2 an estimated housing shortage of 3,850,000 homes.
3 This housing supply shortage has resulted in a
4 record number of cost-burdened households across
5 regions and spanning the large and small cities,
6 towns, and coastal and rural communities of the
7 United States.

8 (2) Several factors contribute to the under-
9 supply of housing in the United States, particularly
10 workforce housing, including rising costs of con-
11 struction, a shortage of labor, supply chain disrup-
12 tions, and a lack of reliable funding sources.

13 (3) Regulatory barriers at the State and local
14 levels, such as zoning and land use regulations, also
15 inhibit the creation of new housing to meet local and
16 regional housing needs.

17 (4) State and local governments are proactively
18 exploring solutions for reforming regulatory barriers,
19 but additional resources, data, and models can help
20 adequately address these challenges.

21 (5) While land use regulation is the responsi-
22 bility of State and local governments, there is Fed-
23 eral support for necessary reforms, and there is an
24 opportunity for the Federal Government to provide
25 support and assistance to State and local govern-

1 ments that wish to undertake necessary reforms in
2 a manner that fits their communities' needs.

3 (6) Therefore, zoning ordinances or systems of
4 land use regulation that have the intent or effect of
5 restricting housing opportunities based on economic
6 status or income without interests that are substan-
7 tial, legitimate, nondiscriminatory and that outweigh
8 the regional need for housing are contrary to the re-
9 gional and national interest.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) **AFFORDABLE HOUSING.**—The term “afford-
13 able housing” means housing in which the occupant
14 is paying no more than 30 percent of gross income
15 for housing costs.

16 (2) **ASSISTANT SECRETARY.**—The term “Assist-
17 ant Secretary” means the Assistant Secretary for
18 Policy Development and Research of the Depart-
19 ment of Housing and Urban Development.

20 (3) **FRAMEWORK-RELATED TERMS.**—

21 (A) **LOCAL ZONING FRAMEWORK.**—The
22 term “local zoning framework” means the local
23 zoning codes and other ordinances, procedures,
24 and policies governing zoning and land-use at
25 the local level.

1 (B) STATE ZONING FRAMEWORK.—The
 2 term “State zoning framework” means the
 3 State legislation or State agency and depart-
 4 ment procedures, or such legislation or proce-
 5 dures in an insular area of the United States,
 6 enabling local planning and zoning authorities
 7 and establishing and guiding related policies
 8 and programs.

9 (4) SECRETARY.—The term “Secretary” means
 10 the Secretary of Housing and Urban Development.

11 **SEC. 4. GUIDELINES ON STATE AND LOCAL ZONING FRAME-**
 12 **WORKS.**

13 (a) ESTABLISHMENT.—Not later than 3 years after
 14 the date of enactment of this section, the Assistant Sec-
 15 retary shall publish documents outlining guidelines and
 16 best practices to support production of adequate housing
 17 to meet the needs of communities and provide housing op-
 18 portunities for individuals at every income level across
 19 communities with respect to—

20 (1) State zoning frameworks; and

21 (2) local zoning frameworks.

22 (b) CONSULTATION; PUBLIC COMMENT.—During the
 23 2 year period beginning on the date of enactment of this
 24 section, in developing the guidelines and best practices re-

1 quired under the previous subsection, the Assistant Sec-
2 retary shall—

3 (1) publish draft guidelines in the Federal Reg-
4 ister for public comment; and

5 (2) establish a task force for the purpose of
6 providing consultation to draft guidelines published
7 under the previous clause, the members of which
8 shall include—

9 (A) planners and architects;

10 (B) advocates with experience in affordable
11 housing, community development efforts, and
12 fair housing;

13 (C) housing developers, including afford-
14 able and market-rate housing developers, manu-
15 factured housing developers, and other business
16 interests;

17 (D) community engagement experts and
18 community members impacted by zoning deci-
19 sions;

20 (E) public housing authorities and transit
21 authorities;

22 (F) members of local zoning and planning
23 boards and local and regional transportation
24 planning organizations;

1 (G) State officials responsible for housing
2 or land use, including members of State zoning
3 boards of appeals;

4 (H) academic researchers; and

5 (I) home builders.

6 (c) CONTENTS.—The guidelines and best practices
7 required under subsection (a) shall—

8 (1) with respect to State zoning frameworks,
9 outline potential models for updated State enabling
10 legislation or State agency and department proce-
11 dures;

12 (2) include recommendations regarding—

13 (A) the reduction or elimination of parking
14 minimums;

15 (B) the increase in maximum floor area
16 ratio requirements and maximum building
17 heights and the reduction in minimum lot sizes
18 and set-back requirements;

19 (C) the elimination of restrictions against
20 accessory dwelling units;

21 (D) increasing by-right uses, including du-
22 plex, triplex, or quadplex buildings, across cities
23 or metropolitan areas, including mechanisms,
24 such as proximity to transit, to determine the
25 jurisdictional level for rezoning and ensures de-

1 velopment that does not disproportionately bur-
2 den residents of economically distressed areas;

3 (E) review of by-right development pro-
4 posals to streamline review and reduce uncer-
5 tainty, including—

6 (i) nondiscretionary, ministerial re-
7 view; and

8 (ii) entitlement and design review
9 processes;

10 (F) the reduction of obstacles to a range of
11 housing types at all levels of affordability, in-
12 cluding manufactured and modular housing;

13 (G) State model zoning regulations for di-
14 recting local reforms, including mechanisms to
15 encourage adoption;

16 (H) provisions to encourage transit-ori-
17 ented development, including increased permis-
18 sible units per structure and reduced minimum
19 lot sizes near existing or planned public transit
20 stations;

21 (I) potential reforms to the public engage-
22 ment process, including—

23 (i) meaningful access for persons with
24 limited English proficiency and effective

1 communication improvements for persons
2 with disabilities;

3 (ii) leveraging of virtual meeting tech-
4 nologies; and

5 (iii) proactive outreach in commu-
6 nities;

7 (J) reforms to protest petition statutes;

8 (K) the standardization, reduction, or
9 elimination of impact fees;

10 (L) cost effective and appropriate building
11 codes;

12 (M) models for community benefit agree-
13 ments;

14 (N) mechanisms to preserve affordability,
15 limit disruption of low-income communities, and
16 prevent displacement of existing residents;

17 (O) with respect to State zoning frame-
18 works, a model for a State zoning appeals proc-
19 ess, which would—

20 (i) create a process for developers or
21 builders requesting a variance, conditional
22 use, or zoning district change or otherwise
23 petitioning a local zoning or planning
24 board for a project including a State-de-
25 fined amount of affordable housing to ap-

1 peal a rejection to a State body or regional
2 body empowered by the State;

3 (ii) establish qualifications for com-
4 munities to be exempted from the appeals
5 process based on their available stock of
6 affordable housing; and

7 (iii) establish a State zoning appeals
8 board to consider appeals to a variance re-
9 jection and objectively evaluate petitions
10 based on the potential for environmental
11 damage and infrastructural capacity;

12 (P) with respect to State zoning frame-
13 works, best practices on the disposition of land
14 owned by State governments for affordable
15 housing development;

16 (Q) with respect to local zoning frame-
17 works—

18 (i) the simplification and standardiza-
19 tion of existing zoning codes;

20 (ii) maximum review timelines;

21 (iii) differentiations between best
22 practices for rural, suburban, and urban
23 communities, and communities with dif-
24 ferent levels of density or population dis-
25 tribution; and

1 (iv) best practices for the disposition
2 of land owned by local governments; and

3 (R) other land use measures that promote
4 access to new housing opportunities identified
5 by the Secretary; and

6 (3) consider—

7 (A) local housing needs, including ways to
8 set and measure housing goals and targets;

9 (B) a range of affordability for rental
10 units, with a prioritization of units attainable to
11 extremely low-income, low-income, and mod-
12 erate income residents;

13 (C) a range of affordability for homeown-
14 ership units attainable to low-income and mod-
15 erate-income residents;

16 (D) with respect to State zoning frame-
17 works, distinctions between States providing
18 constitutional or statutory home rule authority
19 to municipalities and States operating under
20 the Dillon rule, as articulated in *Hunter v.*
21 *Pittsburgh* (207 U.S. 161 (1907));

22 (E) accountability measures;

23 (F) the long-term cost to residents and
24 businesses if more housing is not constructed;

1 (G) barriers to individuals seeking to ac-
2 cess affordable housing in growing communities
3 and communities with economic opportunity;

4 (H) consistency with respect to fair hous-
5 ing and civil rights requirements;

6 (I) effects of adopting any recommenda-
7 tions on eligibility for Federal discretionary
8 grants under the Department of Housing and
9 Urban Development, the Department of Trans-
10 portation, and the Department of Agriculture,
11 and tax credits for the purpose of housing or
12 community development;

13 (J) coordination between infrastructure in-
14 vestments and housing planning;

15 (K) with respect to State zoning frame-
16 works, statewide mechanisms to preserve exist-
17 ing affordability over the long term, including
18 support for land banks and community land
19 trusts;

20 (L) with respect to State zoning frame-
21 works, guidance to States on collecting and
22 maintaining proactive data on the current rent-
23 al housing market and rental registries;

24 (M) public comments described in sub-
25 section (b)(1); and

1 (N) other considerations as identified by
2 the Secretary.

3 **SEC. 5. REPORTING.**

4 Not later than 5 years after the date on which the
5 Assistant Secretary publishes the guidelines and best prac-
6 tices for State and local zoning frameworks, the Assistant
7 Secretary shall submit to Congress a report describing—

8 (1) the States that have adopted recommenda-
9 tions from the guidelines and best practices, pursu-
10 ant to section 4 of this Act;

11 (2) a summary of the localities that have adopt-
12 ed recommendations from the guidelines and best
13 practices, pursuant to Section 4 of this Act;

14 (3) a list of States that adopted a State zoning
15 framework;

16 (4) a summary of the modifications that each
17 State has made in their State zoning framework;
18 and

19 (5) a general summary of the types of updates
20 localities have made to their local zoning framework.

21 **SEC. 6. ABOLISHMENT OF REGULATORY BARRIERS CLEAR-**
22 **INGHOUSE.**

23 (a) IN GENERAL.—The Regulatory Barriers Clear-
24 inghouse established pursuant to section 1205 of the

1 Housing and Community Development Act of 1992 (42
2 U.S.C. 12705d) is abolished.

3 (b) REPEAL.—Section 1205 of the Housing and
4 Community Development Act of 1992 (42 U.S.C. 12705d)
5 is repealed.

6 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

7 There is authorized to be appropriated to the Sec-
8 retary of Housing and Urban Development to carry out
9 this Act \$3,000,000 for each of fiscal years 2026 through
10 2030.

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