



Manufactured Housing Association for Regulatory Reform

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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

Hon. French Hill
Chairman
House Financial Services Committee
Suite 2129
Rayburn House Office Building
Independence Avenue and
S. Capitol Street, S.W.
Washington, D.C. 20515

Hon. Maxine Waters
Ranking Member
House Financial Services Committee
Suite 2129
Rayburn House Office Building
Independence Avenue and
S. Capitol Street, S.W.
Washington, D.C. 20515

Dear Chairman Scott, Ranking Member Warren, Chairman Hill and Ranking Member Waters:

I am writing on behalf of the manufacturer-members 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 producers of manufactured housing subject to federal regulation pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by the Manufactured Housing Improvement Act of 2000 (2000 Reform Law) (42 U.S.C. 5401, et seq.).

On July 29, 2025, the Senate Banking, Housing and Urban Affairs Committee voted to approve and advance the Renewing Opportunity in the American Dream to Housing Act of 2025 (ROAD to Housing Act). That bill, as approved by the Committee, contains a number of provisions pertaining to federally-regulated manufactured housing including, most particularly, an amendment that would make optional the “permanent chassis” that is mandatory under current law. While MHARR supports this update to existing law that would make manufactured homes more available to a broader cross-section of Americans, the enactment of this provision would not remedy or even address two of the most crucial and consequential roadblocks to the greater

availability and utilization of HUD Code manufactured homes as an *inherently affordable* source of housing and homeownership for millions of Americans.

First, the ROAD to Housing Act, in its current form, does not address – in any *mandatory* manner – the exclusion of manufactured homes from entire communities via discriminatory and exclusionary zoning. This despite the fact that the 2000 Reform Law specifically authorized HUD to federally preempt any state or local “requirements” that impair HUD’s superintendence of the industry.

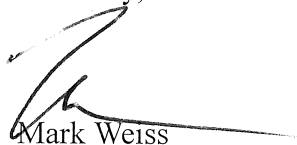
Nor does the ROAD to Housing Act address the failure of Fannie Mae and Freddie Mac to provide secondary market and securitization support for manufactured home personal property loans (comprising nearly 80% of all manufactured home consumer loans) notwithstanding Congress’ directive to serve that market as part of the Duty to Serve Underserved Markets mandate of the Housing and Economic Recovery Act of 2008 (HERA).

In order to address and rectify these *principal bottlenecks*, which have needlessly suppressed manufactured housing production and utilization for more than 20 years, MHARR asks that the House of Representatives, in its consideration of any bill corresponding to the ROAD to Housing Act, please include the two attached amendments relating to zoning exclusion and federal support for private sector manufactured home consumer lending.

It would be devastating for American consumers of affordable housing if Congress, in landmark, multi-faceted legislation such as the ROAD to Housing Act, failed to address and rectify the most damaging and significant impediments to the full availability and utilization – in all areas of the country – of the nation’s most affordable housing.

Thank you for your consideration and we look forward to speaking with you regarding this important affordable housing issue.

Sincerely,



Mark Weiss
President and CEO

cc: Hon. Scott Turner
HUD Code Industry Members



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AMENDMENT TO STRENGTHEN ENHANCED FEDERAL PREEMPTION WITH REGARD TO EXCLUSIONARY STATE AND/OR LOCAL ZONING REQUIREMENTS

In addition to negative impacts flowing from the failure to fully and properly implement the statutory Duty to Serve Underserved Markets, discriminatory state and local zoning and placement restrictions and/or exclusions, as MHARR has fully documented, prohibit modern, inherently affordable mainstream manufactured homes from many areas of the United States, including areas of concentrated poverty or housing poverty, where affordable homeownership is particularly needed. This includes, but is not limited to, many urban and suburban areas, where HUD-regulated manufactured housing could be a private-sector source of affordable homeownership, or a component of public-sector affordable housing initiatives, but has been – and continues to be -- excluded either as a result of de jure zoning/placement exclusions or de facto reluctance and hesitancy related to zoning and placement restrictions. Thus, while manufactured housing is nominally included in any number of existing federal affordable housing programs, its actual deployment and utilization in many areas is effectively prohibited by such zoning and placement exclusions. Those exclusions, in turn, could be overridden by HUD pursuant to the enhanced federal preemption authority provided by the 2000 Reform Law, but HUD has consistently refused to use that power in support of American consumers of affordable housing.

Accordingly, MHARR seeks the following amendment within the existing ROAD to Housing Act, to reiterate HUD's authority to override such exclusionary mandates. In order to address and ensure the remediation of state and/or local zoning restriction or exclusion of manufactured homes, section 301(e) at page 104, lines 11-16 should be amended as follows:

“PREEMPTION –Nothing in this section or the amendments made by this section shall be construed as limiting the scope of federal preemption under section 604(d) of the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended (42 U.S.C. 5403(d)). The Secretary shall fully implement federal preemption under that section to prevent, prohibit and remedy the zoning exclusion or discriminatory restrictions on the placement of manufactured homes in any state or local jurisdiction thereof.”

(Underlining denotes new language).



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AMENDMENT TO CONFIRM THE MANDATORY APPLICABILITY OF THE “DUTY TO SERVE” DIRECTIVE TO MANUFACTURED HOME PERSONAL PROPERTY LOANS

In addition to zoning and placement discrimination, the utilization of mainstream HUD Code manufactured housing has also been undermined by the unavailability of market-competitive consumer financing for such homes as a result of the persistent failure and refusal of the federal mortgage giants, Fannie Mae and Freddie Mac, to provide support for manufactured housing personal property loans (comprising nearly 80% of the entire HUD Code market) pursuant to the statutory Duty to Serve Underserved Markets (DTS). The failure to fully and substantially implement DTS within the manufactured housing market for nearly two decades after the enactment of the DTS mandate, effectively forces manufactured homebuyers to pay unnecessarily high interest rates on manufactured home purchase loans, to a small group of portfolio lenders which effectively dominate the HUD Code consumer financing market. This, in turn, excludes qualified but marginal borrowers who would qualify for financing in a market with legitimately competitive – and, therefore, lower, borrowing rates, as was intended by Congress in 2008.

This fundamental deficiency within the manufactured housing market, which needlessly impairs the industry’s ability to compete with other types of homes on a level playing field – despite the inherent affordability of mainstream manufactured homes – has suppressed both the growth of the industry and its ability to serve a larger segment of Americans in need of affordable homeownership.

In order to make it absolutely clear that the Duty to Serve mandate fully extends to and encompasses the personal property loans which comprise nearly 80% of the mainstream HUD Code manufactured housing market, new sections should be included in the ROAD Bill as follows:

“Amend section 12 U.S.C. 4565(a)(1)(A) as follows: ‘The enterprise shall develop loan products and flexible underwriting guidelines to facilitate a secondary market for mortgages on manufactured homes for very low-, low-, and moderate-income families. Such mortgages shall include loans secured by manufactured homes titled as real property and by manufactured homes titled as personal property.’”

“Amend 12 U.S.C. 4565(d)(3) as follows; ‘(3) Manufactured housing market - In determining whether an enterprise has complied with the duty under subparagraph (A) of subsection (a)(1), the Director shall consider loans secured by both real and personal property.’”

(Underlining denotes new language).