Preserving the American Dream of Home Ownership Through Regulatory Reform

MHARR NEWS

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MHARR ANALYSIS REVEALS SERIOUS QUESTIONS REGARDING PENDING HOUSING LEGISLATION

Washington, D.C., April 13, 2026 – In a one-page summary analysis (copy attached) of the manufactured housing-related provisions of the housing bills currently pending in the U.S. Senate (i.e., the "ROAD to Housing Act") and the U.S. House of Representatives (i.e., the "Housing for the 21st Century Act"), the Manufactured Housing Association for Regulatory Reform (MHARR) sets forth fundamental and potentially serious questions for the manufactured housing industry posed by those bills. MHARR has warned both the industry and consumers that an understanding of those questions and related issues is crucial insofar as Congress is returning from its recent recess and will imminently resume legislative activity. MHARR, therefore, will continue to closely examine the pending bills and publish further detailed analyses going forward. These analyses will begin with an examination of the statutory Duty to Serve (DTS), which is not addressed by either the Senate or House bill.

As the attached must-read analysis indicates, both bills would make optional the current statutory requirement for a "permanent chassis" on each manufactured home. While this change would be positive, it should have been made nearly 40 years ago, when it was first raised and advanced as a legislative amendment by MHARR, against strong opposition from homebuilders, HUD regulators and others, but was undermined when the Manufactured Housing Institute (MHI) withdrew its support. Given that experience, and given that the pending bills appear to contain multiple compromises contrary to mainstream industry interests, the MHARR analysis provides industry members and consumers with a basis to fully understand and potentially resolve these issues that could haunt the industry in the future.

The major defect in both bills is their failure to definitively rectify the principal post-production bottlenecks that continue to suppress the HUD Code industry. As previously detailed by MHARR, these bottlenecks are: (1) discriminatory zoning exclusion combined with HUD's failure to fully and properly implement the enhanced federal preemption of the Manufactured Housing Improvement Act of 2000; and (2) the failure of Fannie Mae and Freddie Mac, and their federal regulator, the Federal Housing Finance Agency (FHFA) to implement the Duty to Serve mandate within the market-dominant chattel consumer financing sector. While MHARR has prepared and submitted proposed amendments to remedy both issues, those amendments have not been included in the pending bills, and to MHARR's knowledge, have not been supported publicly by MHI, which has publicly supported the current deficient bills.

In addition, both proposed bills would leave open the possibility of a potential future landmine as a result of their failure to fully end the threat of draconian manufactured housing energy regulation. While a separate bill by Rep. Erin Houchin (R-IN) would have repealed the current U.S. Department of Energy (DOE) standards and simultaneously repealed the statutory mandate underlying them, the pending bills would merely subject energy standards from other federal agencies to HUD review and approval (which would be a foregone conclusion in a future climate-focused administration), while the House bill would, in itself, affirmatively mandate HUD energy standard updates on a continuing cycle. Ultimately, the HUD Code industry and consumers will pay a heavy price for this inexplicable concession.

Moreover, while the pending bills (without MHARR's proposed amendments) give – at best – short-shrift to these major issues and, arguably, to the industry as a whole and would not be likely to produce significant immediate benefits for the industry's mainstream inherently affordable homes, they would offer significant benefits for industry competitors, such as modular producers, site-builders and for certain segments of the industry that are heavily invested in the development and placement of more costly, high-end manufactured homes. This failure would perpetuate an uneven playing field for all HUD Code manufactured homes, with or without a chassis (including more costly high-end models) unless (and until) current law governing zoning preemption and DTS support for chattel loans are fully and properly implemented.

While MHARR will continue to further detail the significant dangers inherent in these failures, it will also continue to pursue a rigorous investigation of how these flaws and one-sided concessions were incorporated in the pending bills, including but not limited to the possible involvement of -- and collaboration with -- industry competitors (e.g., modular and site-built interests), industry detractors, regulators (including HUD and FHFA), energy special interests, financing interests (e.g., Fannie Mae, Freddie Mac and entrenched, market-dominant industry lenders) and other vested and arguably anti-industry interests (including those who would subject the industry to local building codes, such as – but not limited to – so-called "international" building and "energy efficiency" codes). MHARR, in these inquiries, will follow the facts – regardless of where they might lead.

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.