Manufactured Housing Association for Regulatory Reform

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

October 19, 2026

VIA FEDERAL EXPRESS AND ELECTRONIC SUBMISSION

Manufactured Housing Consensus Committee
C/O Home Innovation Research Labs
Administering Organization
400 Prince George's Boulevard
Upper Marlboro, Maryland 20774

Re: Manufactured Housing Consensus Committee Meeting --
October 27-28, 2026 -- Permanent Chassis Removal Lowest Floor

Dear Members of the Manufactured Housing Consensus Committee:

The Manufactured Housing Association for Regulatory Reform (MHARR) submits the following comments in connection with the Manufactured Housing Consensus Committee's (MHCC) consideration of "changes to the [federal]standards for manufactured housing as [they relate] to the removal of the permanent chassis on the lowest floor" of the home, "including anticipated costs and benefits," as set forth in a U.S. Department of Housing and Urban Development (HUD) Federal Register notice published on October 14, 2026.[1] As a threshold matter, MHARR would note for the record the extremely short notice of this meeting – and for the submission of comments by stakeholders and stakeholders' representatives, such as MHARR -- given the elemental nature of the permanent chassis issue in relation to both the design and construction of manufactured housing, and the distinction between federally-regulated manufactured housing and state/local-regulated types of factory-built housing. Given the significant technical, practical, cost and legal issues implicated by this *elemental* matter, a mere two-week' notice for the MHCC and for interested stakeholders is *per se* insufficient and a de facto denial of the rights of interested stakeholders. MHARR, therefore, reserves its right to object to any and all procedural aspects of the impending meeting (and their substantive impacts) as may be warranted.

As for the substantive topic of the meeting, MHARR has long supported the repeal of the "permanent chassis" mandate set forth in the original National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401, et seq.). MHARR, as one of its initial acts in 1985, filed litigation to eliminate the chassis mandate and later supported legislation (i.e., the so-called "Hiler Amendment") to remove the "permanent chassis" mandate in the 1990s.

[1] See, 91 Federal Register, No. 197 (October 14, 2026), "Notice of Federal Advisory Committee Meeting: Manufactured Housing Consensus Committee (MHCC)" at pp. 65251, et seq..

It also publicly supported the chassis removal section of the 21st Century ROAD to Housing Act (ROAD Act), pursuant to which this matter has been referred to the MHCC.

From the perspective of MHARR and its manufacturer-members, the primary issue now for the MHCC (and for HUD) given the ROAD Act's repeal of the pre-existing "permanent chassis mandate," is to ensure that any new or revised Federal Manufactured Housing Construction and Safety Standards (FMHCSS) standards and/or Procedural and Enforcement Regulations (PER) related to – or designed to effectuate that repeal – are both cost-effective from the standpoint of producers and manufactured housing purchasers, and preserve all reasonable and functional design and construction options for both manufacturers and consumers.

This includes, but is not limited to, ensuring that any new or revised FMHCSS standards related to manufactured homes with or without a "permanent chassis," are:

> (1) Minimum;
> (2) Uniform;
> (3) Performance-based;
> (4) Cost-effective (including all further and additional costs related to no-chassis homes);
> (5) Generic standards, that do not replicate, incorporate, mandate or depend upon any proprietary or manufacturer-specific designs, processes, methods, systems, technology or practices of any kind.

Put differently, any standards recommended by the MHCC should not incorporate or rely upon the specific non-permanent chassis designs, practices or production processes of any one manufacturer of sub-group of manufacturers, and must not incorporate, rely upon or compel compliance with any proprietary design, practice, or method, which would require licensing or agreement by any single producer or subgroup(s) of producers. Any such standards, rather, should be generic and available, on equal terms and at equal cost, to all HUD Code manufacturers. This is essential, insofar as any contrary recommendation would raise cost and anti-competitive (and potential antitrust) issues. Proper consideration of such issues – by both the MHCC and HUD, prior to the proposal of any new or revised standards or related PER regulations – is essential to ensure that any new (or revised) standards do not discriminate against any existing (HUD-approved) designs and practices (including those produced pursuant to Alternative Construction processes) for HUD Code homes either with or without a permanent chassis.

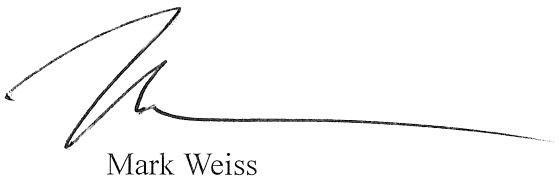
Accordingly, in addition to the technical and cost aspects of chassis removal, the MHCC and HUD must necessarily consider, address and rectify any possible anti-competitive impacts related to any new proposed FMHCSS standards or related PER regulations.

Even more importantly, while HUD is rushing to provide for chassis removal pursuant to the ROAD Act, presumably in an attempt to alleviate *some* zoning exclusion of manufactured homes, it has done nothing in 26 years to enforce the enhanced federal preemption of the Manufactured Housing Improvement Act of 2000 (2000 Reform Law). Targeted HUD enforcement of that enhanced preemption provision, which provides for the federal preemption of any state or local "requirement" that impairs the federal superintendence of the manufactured

housing industry, would do more to eliminate the discriminatory zoning exclusion of manufactured homes (and manufactured homeowners) than actions such as those before the MHCC, to change the nature (and with it, the affordability) of the home itself.

For all of the foregoing reasons, the MHCC must ensure that all relevant design, cost and competitive aspects of implementation of the ROAD Act chassis removal mandate are properly considered in its recommendations and any resulting standards (or regulatory) proposals.

Sincerely,



Mark Weiss
President and CEO

cc: Hon. Scott Turner
Hon. Matthew Jones
Hon. Joeseph Gormley
Hon. Russell Vought
Hon. Kelly Loeffler
Mr. Christopher Patterson
HUD Code Manufactured Housing Industry Manufacturers