'Either Someone is Asleep at Switch or Fix is In–Either Way It's Not Good.' Exclusive Q&A w/Mark Weiss J.D.-Pres-CEO of Manufactured Housing Association for Regulatory Reform (MHARR) on MHI-ROAD Trump EO and State of Industry

MHProNews' Exclusive Interview with Mark Weiss, J.D., President and CEO of the Manufactured Housing Association for Regulatory Reform (MHARR).

MHProNews Question No. 1:

It is and has been a fact for quite some time that the United States has an affordable housing crisis, with millions of Americans unable to buy a home due, among other things, to a lack of competitive financing funds, or a lack of reasonably priced homes, or both. Federally-regulated manufactured homes could provide an affordable solution to this crisis but have had too many artificial (man made) roadblocks and bottlenecks placed in their path for years.

The Manufactured Housing Institute (MHI) indicated that this crisis can be addressed by manufactured homes if the mandatory "permanent chassis" required on such homes were changed to optional, instead. Some of their leaders claim that this change would lead to increased design options and greater innovation – which ultimately led to a "removable chassis" provision being included in the 21st Century ROAD to Housing Act (ROAD Act), which became law in July 2026.

Your September 2026 Issues and Perspectives (IP) article, "Midterm Trump 2.0 Verdict for [the] Industry – Continuing Failure," criticizing not only MHI's failures with this legislation, but also its parallel failure during a substantial portion of President Trump's two terms, to expand the utilization of affordable, federally-regulated manufactured homes, has raised serious questions and concerns among industry members and consumers of affordable housing. Will you please explain from your perspective exactly what MHI has done (or not done) during the ROAD Act legislative process that is at the root of such questions and concerns?

Mark Weiss Answer No. 1:

Our principal critique of the ROAD Act – and MHI's role in supporting that legislation – can be distilled into two points. First, the ROAD Act, with its removable chassis provision, "misses the point" (i.e., the factors driving the continuing sub-par market performance of HUD Code homes) in that it ***fails to address*** in any significant or effective way, **the three main bottlenecks** that have – and continue to – suppress the production and utilization of mainstream, affordable HUD Code manufactured homes, i.e., (1) discriminatory zoning exclusion; (2) non-implementation of the Duty to Serve (DTS) mandate within the predominant "chattel" manufactured home consumer lending sector; and (3) the continuing threat of excessive, discriminatory manufactured home "energy conservation" standards. Second, while the repeal of the "permanent chassis" mandate is positive in itself, and was supported (and has been supported) by MHARR for some time, that change, in and of itself, will not – and does not – overcome the ***failure*** of the ROAD Act to rectify the three principal bottlenecks noted previously.

Given the ROAD Act's (and MHI's) failure to address and affirmatively resolve these three principal industry bottlenecks, there are certain results that are reasonable predictable and likely to flow from its enactment. Put simply, by addressing the removable chassis issue in isolation – i.e., without addressing or resolving the other above-stated industry bottlenecks – the ROAD Act is effectively a bill designed to promote a limited class of "high-end," higher-cost, less affordable manufactured homes and not the industry as a whole or all manufactured homes as a class. As such it will have highly limited benefits for consumers and could have severe anti-competitive impacts within the industry (and the manufactured housing market) as a whole.

One further specific point regarding energy regulation, as we explained in detail in the above-referenced IP article, the ROAD Act actually mandates new HUD manufactured housing energy standards, with continuing updates every three years. While the ROAD Act does not specifically reference the International Energy Conservation Code (IECC) as the source basis for such standards, it fails to repeal section 413 of the Energy Independence and Security Act (EISA),

which directs the Department of Energy to develop manufactured housing energy standards based on the IECC. With this absurd set-up, it is entirely predictable that energy and climate zealots (every three years, as new IECC updates are issued) will seek further high-cost, restrictive and discriminatory "energy" standards for HUD Code manufactured homes, which will further undermine purchase price affordability to the detriment of mainstream affordable housing consumers and producers of mainstream, affordable manufactured homes.

Again, the bottom line with this legislation is that it will advance higher-end manufactured home models – such as those being promoted by the industry's largest corporate conglomerates – at the expense of mainstream, affordable manufactured homes.

MHProNews Question No. 2:

Why do you think that the Manufactured Housing Institute (MHI) spent so much time, energy, effort and resources for 3-4 years on this ROAD bill?

WEISS Answer No. 2:

I cannot definitively answer that question. Unlike past situations – most particularly the landmark Manufactured Housing Improvement Act of 2000 – MHI never consulted or spoke with MHARR regarding the ROAD Act legislation in all its various iterations. Instead, whatever role that MHI had in crafting, developing and/or promoting the ROAD Act legislation was done behind closed doors based on over $1 million dollars in publicly-reported PAC contributions to Congress.

I can tell you, however, what the public track record of this legislation appears to show. First, as noted in response to your first question, it is evident – from the elimination of the "permanent chassis" mandate in isolation, i.e., without addressing and rectifying the three principal industry bottlenecks that MHARR identified and quantified years ago – that this bill, and the legislative effort underlying it – including efforts by MHI – were designed to advance and promote the types of higher-end, higher-cost manufactured homes that are today the principal province of the industry's largest corporate conglomerates (and MHI's largest dues-payers) at the expense of current-day, affordable, mainstream manufactured homes and the smaller production profiles of the industry's smaller, independent manufacturers.

Meanwhile, the legislation contains specific benefits for modular (and other types of factory-built housing) producers that could ultimately have negative impacts on the HUD Code manufactured housing market.

Accordingly, with this legislation, more was lost for the industry (i.e., definitive resolution of the three principal industry bottlenecks) than was gained.

MHProNews Question No. 3:

How do you think MHI failed during the ROAD Act legislative process?

WEISS Answer No. 3:

Well again, I have no specific knowledge of MHI's actions, none of which, that I am aware of, were public-facing. Again, though, certain deductions can be drawn from the likely results and implications of facts and aspects of the legislation that are known.

As is often the case, history provides clues about the present. What I mean is that when MHARR, sought to remove the "permanent chassis" mandate, through a provision in a 1990-era amendment to the 1974 federal manufactured housing law, known as the Hiler Amendment (after its principal sponsor, Rep. John Hiler, R-IN), intense opposition came from three sources: (1) HUD bureaucrats, who claimed that chassis removal would blur the distinction between manufactured housing and other types of housing; (2) site-builders and their national organization, the National Association of Home Builders, based on alleged competitive and regulatory concerns; and (3) modular home builders and their trade organization, again based on competitive and regulatory concerns.

Fast-forward to 2026, though, and suddenly, seemingly, all of the intense objections previously asserted by these interests appear to have magically evaporated! The question is "why?"

The answer, undoubtedly, is compromises and concessions offered by MHI (and possibly others) behind closed doors. The first and most obvious concession is to modular interests, which will get a mandated study about their inclusion in the federal factory-built (i.e., manufactured housing) regulatory system as an alternative to state and local regulation, to which they are currently subject.

Second, site-builders' (i.e., NAHB) opposition has evaporated, presumably on the basis that it now believes that blurring the lines between different types of homes (e.g., manufactured, modular and site-built) produced by the same corporate conglomerates (and/or their wholly owned subsidiaries, such as Berkshire-Hathaway-owned Clayton Homes, Inc. would now be beneficial to its members. Again, though, the emergence, growth and market consolidation sought by such conglomerates – and promoted through the ROAD Act – will be extremely detrimental to smaller and independent producers and to consumers of affordable housing through the diminution and elimination of full and robust free market competition.

As for HUD bureaucrats, it increasingly appears that the HUD manufactured housing program has a regulatory and policy bias in favor of the largest industry corporate conglomerate producers with correspondingly corrupt actions and decisions in a number of crucial areas. MHARR is in the process of addressing this bias NOW.

MHProNews Question No. 4:

Has the current group at MHI ever successfully moved major, national manufactured housing legislation that you are aware of? As you know, *Preserving Access* was MHI's legislative baby and it was never enacted.

WEISS Answer No. 4:

None that I am aware of. In fact, based on what I have seen in my time working on manufactured housing industry matters, I am not aware of any major, national manufactured housing legislation that MHI has successfully pursued, or secured, since 2000. And just to be clear on the 2000 Reform Law. In the 1990s, MHI, as noted above, ultimately torpedoed the Hiler Amendment, with its chassis removal provision.

Subsequently, MHARR began a further push for manufactured housing reform legislation in response to a directive from its Board of Directors. Ultimately – after years of de facto opposition, MHI joined that effort, but it took a major change in direction by its Board and its then-Chairman, Walt Young, then-Chairman and CEO of Champion Homebuilders, Inc., to bring about a level of cooperation that led to the landmark Manufactured Housing Improvement Act of 2000 (2000 Reform Law). Later, in 2008, the two organizations worked together to seek and adopt the DTS mandate, but MHI has since given Fannie Mae and Freddie Mac a "get out of jail free" card by publicly stating that chattel loan support under DTS is not mandatory.

Other than these instances, though, and up until the ROAD Act, I am not aware of any major manufactured housing-related federal legislation that MHI has moved, advanced and/or supported into fruition.

MHProNews Question No. 5:

Can you tell us who you think would be the ultimate "winners" and "losers" of what appears to be this failure by MHI?

WEISS Answer No. 5:

Well, given the fact, as noted previously, that much – if not most – of the legislative process with the ROAD Act related to manufactured housing was conducted in secret, behind closed doors, and further that many – if not most – of the one-way "compromises" and concessions have not quite manifested themselves as of yet, we can only surmise who the ultimate "winners" and "losers" will be coming out of that legislation. But, given what is known about the law, and what is "there" to be seen, the "winners" will include (but are not necessarily limited to): (1) HUD program bureaucrats; (2) Fannie Mae; (3) Freddie Mac; (4) the site-built housing industry; (5) the modular housing industry; (6) HUD's program contractor; (7) home-site preparation contractors; (8) global warming/energy zealots; (9) State and local zoning boards and interests; (10) The International Code Council (ICC) and the IECC.

MHProNews Question No. 6:

And who do you think are the "losers" coming out of this legislation?

WEISS Answer No. 6:

The "losers" unfortunately, include those whose problems, concerns and impediments are left intact by the ROAD Act (i.e., are not addressed or resolved), or whose financial and/or competitive interests will be threatened or undermined by the ROAD Act's provisions or omissions. These include (but are not necessarily limited to): (1) traditional, affordable, mainstream HUD Code manufactured homes and their producers; (2) traditional consumers of mainstream, affordable HUD Code manufactured homes, including but not limited to – lower and moderate-income Americans across all demographics, younger Americans, senior Americans, members of minority communities; (3) mainstream manufactured housing retailers; (4) manufactured housing land-lease communities; (5) chattel consumer financing providers, among others.

MHProNews Question No. 7:

Is the ROAD Act and its manufactured housing-related provisions even designed to increase the supply and utilization of "affordable" homes?

WEISS Answer No. 7:

If the ROAD Act had been designed to expand the supply and use of affordable housing, and affordable manufactured homes in particular, it would have definitively addressed – and resolved – the principal industry bottlenecks that have suppressed the production and utilization of affordable, mainstream HUD Code manufactured homes for decades. It could – and should – have done that by: (1) clearly and unequivocally preempting discriminatory state and/or local zoning exclusion of mainstream HUD Code manufactured homes; (2) clarifying the DTS mandate to expressly include support for manufactured home consumer chattel loans; and (3) repealing EISA section 413 and its manufactured housing energy standards mandate. Language to effectuate all three of these points was submitted to Congress by MHARR during the (almost entirely closed-door) legislative process, but were not publicly supported by MHI and not included in the final ROAD Act. As a result, all of these major bottlenecks remain as an existential threat to the availability – and utilization – of affordable mainstream manufactured housing, as contrasted with the high-end, higher-cost of manufactured homes, such as so-called "cross-mod" models that MHI corporate conglomerate members wish to prioritize and utilize to dominate the market.

Further, it appears that the ROAD Act is designed, at least in part, to conflate HUD Code manufactured housing – now and historically *the most* affordable type of housing, with other less affordable types of housing, such as modular homes and smaller site-built homes, which MHI and other euphemistically refer to as "attainable" or "off-site" homes. This step is – and should be clearly seen as – irresponsible. HUD Code manufactured housing *is* affordable housing. In this context, "affordable" has a specific consensus-based meaning, and MHARR has fought for decades to promote and advance manufactured homes as the primary (if not only legitimate) source of truly affordable housing. To sacrifice that terminology, that status and that reference point, for a description with no specific consensus meaning or context, such as "attainable," is to sacrifice not only years of hard work to cement the market niche and market and legal status of manufactured housing (already recognized via specific federal statutory and regulatory language) with a term that is fundamentally meaningless and has no specific market or legal context.

Further, manufactured housing is clearly and definitively "factory-built." That term, again, has been accepted over the long-term and accurately describes where manufactured homes are uniquely produced. The term, "off-site," by contrast, can refer to a myriad of hybrid types of construction and is essentially meaningless – a ploy to blur the distinctions between manufactured homes and other types of homes with ill-defined, ambiguous and, ultimately, meaningless terminology. Consumers, instead, should have a clear and well-defined set of market choices.

MHProNews Question No. 8:

What do you anticipate will be the likely economic impact of the ROAD Act within the HUD Code industry? And, ultimately, for consumers of affordable housing?

WEISS Answer No. 8:

Again, the actual outcomes will not be known for some time. But this appears to be a case of MHI serving, primarily, the interests of its largest corporate conglomerate sponsors. Those conglomerates, which already have significant tentacles in the site-building and modular housing sectors, will undoubtedly welcome the opportunity to produce and sell higher-end, higher-cost HUD Code models and the opportunity to combine and mix types of higher-end, higher-cost manufactured homes with other types of modular and/or site-built construction. For the conglomerates, this is yet another opportunity to capitalize on their economies of scale, while smaller and medium-sized producers will be left to struggle – all of which will further serve the interests of the conglomerates by reducing competition levels and increasing the level of industry consolidation.

MHProNews Question No. 9:

Based on your answer to Question No. 3, above, it appears that MHI had to give up a lot, in the form of compromises, to other interests (and potential opponents) in order to advance the chassis legislation. What does that, or do they, appear to be?

WEISS Answer No. 9:

There are quite a few, but the two that are most concerning are on energy regulation and the nature of modular home regulation. First, on energy, this legislation should simply have repealed EISA section 413 and, with it, the authority for DOE regulation of manufactured housing energy standards. A bill filed in September 2025 by Rep. Erin Houchin (R-IN) would have done that, but was not included in the final ROAD Act. Instead, the ROAD Act: (1) requires manufactured housing energy standards proposed by any non-HUD federal agency to be approved by HUD; and (2) directs HUD to adopt new manufactured home energy standards within one year of enactment, with updates every three years (i.e., the same cycle as the IECC, without expressly saying so). Based on this "compromise" – and uncharacteristically rapid HUD follow-up – this new regulatory mandate is already well on its way to being implemented. So, bottom line, courtesy of the ROAD Act, the industry has traded one energy standards mandate (DOE) for another (HUD). If anyone thinks that is going to work, just wait for the next update to the IECC and the inevitable demands (if not lawsuits) of energy/climate zealots.

With regard to modulars, there are indications in the legislation (see, e.g., section 303) that modular interests are seeking, at least in certain instances and contexts, the same (or similar) regulatory treatment as HUD Code manufactured homes (albeit possibly without the rigorous enforcement, products, inspections and quality control processes that manufactured homes must comply with). If this comes to fruition, it will undermine one of the most significant aspects of the unique construction, design and affordability of manufactured housing and introduce confusion and new unfair competition to the market.

Other potentially damaging compromises and concessions will undoubtedly be revealed as elements of the ROAD Act are implemented.

MHProNews Question No. 10:

I realize it is too early in the implementation process, but can you identify some the benefits and advantages that might have been compromised by MHI to some of these "winners?" Let's start with HUD officials?

WEISS Answer No. 10:

Well, again, they have to be discerned from context – i.e., what the language of the ROAD Act does do (what included) and what it does *not* do (what is *not* included). To begin with, the ROAD Act, by failing to definitively state that federal preemption under the 2000 Reform Law reaches and includes state/local discriminatory zoning exclusion of manufactured housing, essentially leaves HUD bureaucrats to continue their 26-year failure and refusal to preempt widespread discriminatory zoning exclusion of HUD-regulated manufactured homes under that law's enhanced preemption provision. Essentially, then it cements in place an unacceptable status quo on that key issue. Beyond that, the ROAD Act affirmatively ***directs*** HUD to impose new energy standards on manufactured homes and to update those standards every three years – just magically on the same schedule as the IECC. Moreover, by failing to address the HUD regulatory process in any other way, the ROAD Act is basically an invitation for HUD – especially under future presidential administrations – to open the floodgates on manufactured housing regulation, which – as it ***always does*** – will disproportionately affect and harm smaller, independent manufacturers as well as consumers of affordable housing.

MHProNews Question No. 11:

How about Fannie Mae and Freddie Mac?

WEISS Answer No. 11:

This is probably the easiest question of all. Given the fact that: (1) Fannie and Freddie have refused to implement DTS in the manufactured housing chattel consumer financing market for nearly 20 years; and (2) the ROAD Act does not address DTS implementation at all (as MHI failed to publicly support an MHARR-proposed amendment to do so), it does not take a crystal ball to expect or predict that Fannie and Freddie will continue to deny any secondary market or securitization support to that market segment under DTS. From MHARR's perspective, the ROAD Act presented a clear opportunity to insert language that would have further clarified the Enterprises affirmative, mandatory duty, pursuant to DTS, to serve the chattel sector of the HUD Code consumer lending market, and MHARR's proposed amendment, as submitted to Congress would have done exactly that. Interestingly, it would also have cured MHI's needless, unforced concession at a July 18, 2023 Federal Housing Finance Agency (FHFA) DTS "Listening Session" that DTS chattel lending support within the manufactured housing market under existing law is nonmandatory.

MHProNews Question No. 12:

How about the International Code Council (ICC)?

WEISS Answer No. 12:

The ICC is the developer and proprietor of not only the IECC, but the International Residential Code (IRC), various iterations of which have been adopted (in whole or part) by state and/or local jurisdictions as the basis for their regulation of the construction of types of residential housing that are *not* "manufactured homes" regulated by HUD pursuant to federal authority and the HUD Code. There have long been anecdotal reports that the ICC is interested in bringing as many types of residential construction as possible within the ambit of the IRC (and/or its other codes). By removing the pre-existing "permanent chassis" mandate, for manufactured homes, the ROAD Act potentially provides ICC, as well as state and/or local building code officials, with an argument that non-chassis manufactured homes should be subject to – and regulated under – the IRC (and other ICC -based codes) as adopted and implemented in differing forms by hundreds (if not thousands) of jurisdictions around the country. This would enormously expand the scope and reach of the I-codes, while empowering ICC and state/local building code officials and providing financial windfalls to ICC. Put differently, it could potentially undermine ***the exclusive federal regulatory jurisdiction*** over manufactured homes that has existed since the implementation of the original 1974 federal act, and with that, undermine the

current affordability and availability levels of manufactured homes for millions of American homebuyers.

MHProNews Question No. 13:

How about "global warming" and energy/climate zealots?

WEISS Answer No. 13:

They have to be happy as well. Look, MHARR's position has been clear and consistent from day-one. We have long supported the complete **repeal** of EISA section 413 and the restoration of HUD's full, complete jurisdiction over manufactured housing energy standards. As previously noted, a bill filed in September 2025 by Rep. Erin Houchin would have done that, but that bill or, rather, its specific language, was ***not included*** in the ROAD Act as proposed by MHARR. Instead, the ROAD Act, in what has to be one of the worst compromises (or "surrenders") ever, leaves EISA section 413 intact. That means that DOE would still retain authority to develop and pursue (or simply pursue its May 31, 2022 manufactured housing energy standards) if it wanted to. All it would have to do under the ROAD Act, would be to get HUD approval for them and run them through the MHCC process. Does anyone living in the real world think, though, that under a future presidential administration dedicated to "global warming" and climate extremism, that a HUD controlled by such an administration would not simply pass through an extremist proposal pursued by a DOE under the same administration? Under such an administration, the ROAD Act's approach would not be a roadblock. For that matter, it wouldn't even be a speed bump.

More recently, perhaps realizing its mistake in the ROAD Act, MHI has promoted a standalone Senate bill that would parallel the Houchin Bill previously described. If adopted, that, at least would remove any immediate threat of excessive DOE standards, but there are no guarantees, especially in the midst of a hotly disputed midterm election.

Meanwhile, as if that weren't bad enough, the ROAD Act **affirmatively mandates** the adoption of new and/or revised HUD manufactured home energy standards within **one year** of enactment. Why? Why make or offer such a gargantuan concession? Especially now, with a Trump Administration in office that made it clear during the President's first term that it did not support and would not advance the "final" DOE manufactured housing energy standards adopted under the Biden Administration? Further, as previously noted, the ROAD Act also affirmatively mandates updates to the HUD manufactured housing energy standards every three years. Is there anyone, again, who thinks that energy/climate zealots will not push for the incorporation of substantial elements of the IECC every time that code is updated? For the energy and climate zealots, the ROAD Act and its energy mandates will be a gift that keeps on

giving. At least every three years they will be hounding HUD for new, additional and increased standards based on the IECC, which does not mandate consideration of cost-benefit. Again, the negative impacts and effects of this will land the hardest on smaller, independent manufacturers and consumers of affordable housing.

MHProNews Question No. 14:

How about the site-built housing industry?

WEISS Answer No. 14:

You'll have to ask them. But one of the keys to success in life – always – is simply seeing what is there to be seen. All you need to know about this can be discerned from the fact that the site-builders generally supported the ROAD Act – including its removable chassis provision for manufactured housing. As an outsider, I can only presume that they concluded, for valid and legitimate reasons, that it would be in the best interests of their members for them to do so. And that is especially the case in light of the fact that when the very same issue was raised in the 1990s, via the Hiler Amendment explained above, they objected loudly, strenuously and vociferously. So, in the 1990s, they were dead-set against the repeal of the "permanent chassis" statutory mandate, but now – somehow and for some reason – they are apparently alright with it. What would that tell you? Or any reasonable, perceptive person? They supported it because they expect to receive some type of benefit or advantage as a result. I'm not going to speculate as to all the ways that regulatory conflation of non-permanent chassis manufactured homes might benefit site builders, but I would bet the farm that site builders *have* calculated what those benefits are and how they will play out.

MHProNews Question No. 15:

How about state and local zoning boards?

WEISS Answer No. 15:

Again, I'm not going to speculate but, I believe these people have made it clear that the crux of their discrimination is not necessarily based on the presence or absence of a chassis, but rather that manufactured homes are affordable homes built to a federal code rather than their preferred version or iteration of the IRC. I have to believe that such discrimination will continue,

unless and until HUD fully implements the enhanced federal preemption of the 2000 Reform Law to stop it from occurring.

MHProNews Question No. 16:

How about home-site construction companies?

WEISS Answer No. 16:

It certainly appears that they will benefit. Without a permanent chassis and the simple approach of securing the home – via the permanent chassis – to the ground at the homesite, non-permanent chassis manufactured homes will undoubtedly require foundations, footings and other structural/architectural means of being secured to the ground at the homesite, all of which will entail further and additional cost compared to the current installation baseline for manufactured homes permanent chassis. Thus, I would expect this to be a financial windfall for site construction/installation companies and an additional expense for consumers.

With the MHCC scheduled to meet on this very topic on October 27-28, 2026, I would expect that a slate of new standards/regulations for the installation of non-permanent chassis manufactured homes will soon emerge from HUD.

MHProNews Question No. 17:

And HUD's program contractor?

WEISS Answer No. 17:

This one is actually fairly simple. Probably the biggest single fan of new/additional/more onerous and demanding regulation is HUD's pet contractor, IBTS (the one and only program contractor since the inception of federal regulation 50 years ago). And if there is one thing that is absolutely certain about no-permanent chassis manufactured homes, it is that new, additional and different federal standards will be required for both construction and installation functions. This will entail the review of new designs, the approval of new and novel construction methods and practices, the review of new installation designs and instructions, and the inspection of new/different installations. In short, it will be a financial bonanza for the program monitoring contractor. And this will undoubtedly extend to matters and issues that are not even readily apparent or obvious now.

MHProNews Question No. 18:

What about the modular housing industry?

WEISS Answer No. 18:

Modular interests will be perhaps one of the most significant beneficiaries of the ROAD Act. First, via section 303, it gives them potential entre into the federal regulatory system that currently is limited to HUD Code manufactured housing and all of the affordability-promoting aspects of that code and related federal enforcement. Second, the foregoing provision, in conjunction with the repeal of the permanent chassis mandate, will promote the conflation of modular and manufactured homes which, no doubt, will be exploited for the benefit of more costly modular homes and more costly manufactured home models. Beyond that, it would be good to ask the modular industry and its national organization specifically why they supported the ROAD Act. If the answer is forthright I would expect it to be quite revealing.

MHProNews Question No. 19:

Do you have any comments regarding recent HUD activity such as its "Action Plan" for modular and manufactured housing?

WEISS Answer No. 19:

Several. First, it is simply astounding that the very ***first item*** listed by the so-called "Action Plan," is a *plan* for **NEW AND ADDITIONAL** regulations **ON ENERGY**, specifically targeting HUD Code manufactured homes. I find it nothing short of amazing and despicable that under a Trump Administration – which is and has been publicly committed to reducing federal regulatory burdens on American businesses and specifically on the alleviation of regulatory burdens on the type of smaller, independent businesses that constitute the traditional core of the manufactured housing industry – a federal department (HUD) and its Secretary would propose a "plan" that has – ***as its very first component*** - new and additional federal regulation without one word, at all, about possible cost considerations or concerns. Either someone is asleep at the switch or the fix is in – either way, its not good.

Beyond that basic, profound and elemental failure is the "Plan's" failure to address – again, at all – the two other principal bottlenecks that have suppressed the production and availability of HUD-regulated mainstream manufactured housing – i.e., (1) invocation of the enhanced federal

preemption of the 2000 Reform Act (finally, some 26 years after its enactment) to target and stop the discriminatory zoning-based exclusion of HUD Code homes from large areas of the United States; and (2) a concerted effort to ensure the wider availability of competitive chattel-based consumer financing for manufactured housing purchasers, which serves approximately 80% of the manufactured housing consumer financing market.

Third, the "Action Plan" makes it clear that one of HUD's priorities, pursuant to the ROAD Act, is to extend all of the benefits of the federal regulatory system – previously available exclusively to manufactured housing producers – to producers of modular homes which are often in competition with manufactured homes and manufactured housing producers.

Thus, a benefit previously available exclusively to HUD Code producers will now be "watered down" to include competitors of those producers, producing higher-priced, less-affordable modular homes.

Fourth, and perhaps most revealing, even if the so-called "Action Plan" provided anything in the way of substantive benefits for manufactured housing producers and consumers, its lack of a deadline or aspirational completion date is a significant flaw which demonstrates, among other things that the so-called "Action Plan" is primarily a promotional document rather than a substantive policy pathway.

MHProNews Question No. 20:

So, what is your overall evaluation of the ROAD Act and MHI's role in its adoption?

WEISS Answer No. 20:

The bottom line with the ROAD Act and its chassis removal provision is that it will yield some benefits for producers and purchasers of high-end manufactured housing models. Beyond that, it fails to address or resolve the main bottlenecks constraining the industry and consumers of affordable housing. And while I do not know what positions MHI might have taken behind closed doors and its negotiations, the bill fails to include remedial provisions for zoning exclusion and the ongoing failure to fully implement DTS, which continues to significantly suppress industry production, while depriving Americans of affordable housing in the form of today's modern mainstream manufactured homes. ##