



11.15.2019

FHFA Division of Housing Mission and Goals  
400 Seventh Street, S.W.,  
Seventh Floor  
Washington, D.C. 20219

CC: Director Mark Calabria, U.S. Congress, HUD Secretary Ben Carson, the White House, Other Interested Parties

**RE: Request for Input (RFI) on Fannie Mae and Freddie Mac Proposed Modifications to their 2018-2020 Duty to Serve Plans (October 2019).**

To Addressees and Those It May Concern,

I'm a proud to be [a new citizen of the United States](#) who has lived here for some 15 years now. My father was a successful conventional builder in Iran. I have been involved in manufactured housing for approaching 15 years, but my husband has been in this industry for over 25 years.

Professionally, I have a broad scope of understanding HUD Code manufactured housing, land-lease manufactured home communities, retail, production, lending, and other aspects of the industry. That has come through living in manufactured homes as well as working in the industry side-by-side with [L. A. 'Tony' Kovach](#) in providing professional services, plus numbers of interviews with residents, experts, and professionals.

There are a variety of posted comments on the FHFA website with regards the 'plans' by Fannie Mae and Freddie Mac and their respective implementation of the Duty to Serve manufactured housing, rural, and underserved markets.

Those other comments range from supportive of the plans, mixed, or opposed.

All of them are interesting. But this entire exercise is rather odd. Why is it that FHFA simply doesn't enforce the Housing and Economic Recovery Act (HERA) of 2008, and compel the GSEs to fully implement federal law?

Each of the comments linked below have relevance to me on several levels. Some examples:

- [CPA Brian Gallagher](#) reveals the economic logic to homeowners, affordable housing seekers, and business given full enforcement of the law.

- [Mark Weiss, J.D.](#), President and CEO of the Manufactured Housing Association for Regulatory Reform ([MHARR](#)) says the law isn't being enforced, that the GSEs plans are a sham, and that the law should be enforced. MHARR has repeatedly [argued that Congress must investigate the ongoing failure to enforce a law 10 years after it was passed](#).
- [Jody Anderson](#) is a retailer who says more Americans would qualify for affordable housing if all manufactured homes were given proper support as the GSEs are required by law. Yet manufactured housing is heavily regulated?
- [Robert Van Cleef](#) explains the stresses that residents of manufactured homes experience, including how easy it was for him to get lending on a 90 year old conventional house, vs. how hard it was for him with good credit to get a loan to update the manufactured home he had his wife love.
- [L. A. 'Tony' Kovach](#) covers numbers of issues, including evidence he as an expert believes reflects who benefits from the derailment of DTS to date, namely larger companies at the expense of smaller ones. He says the law as written and intended should be fully enforced. He points to relevant insights as to why the GSEs could do so promptly, successfully, sustainably. Tony explains the law should be enforced, period.

I'd concur with those observations. Please consider those as part of my submission, as well as the articles linked herein, including the links, downloads and related references that flow from those reports.

HERA's Duty to Serve manufactured housing provisions should be fully and robustly enforced as a matter of law. Everything else may be of genuine interest, but to do less than enforce the law is by definition a violation of law.

Lawmakers on Capitol Hill from time to time stress that no one is above the law, and that the law should be enforced.

[Senators](#) and the [Minneapolis Fed](#) have raised concerns that not properly implementing DTS harms many, but disproportionately harms minorities. As a minority myself, that resonates.

President Donald Trump and Vice President Mike Pence have said that they are in the 'promises made, promises kept' business. Each has said they want the law enforced.

It seems to me, as a new citizen, that if the GSEs can ignore the law, that undermines the rule of law.

At the [Economic Club of New York](#), [President Trump stressed the importance of the rule of law](#) as being good for business and the economy. It is an entirely relevant point. A mantra for investors is that they crave the maximum certainty.

But [how can reasonable certainty exist when there is evidence of duplicitous if not corrupt behavior on the part of the Manufactured Housing Institute and their 'big boy' members?](#)

Our publishing has [repeatedly provided evidence of how denying financing has harmed independents](#). But as Robert Van Cleef and Brian Gallagher - among numerous [other possible examples](#) -

All of that is relevant. Credible [allegations of corruption and conflicts of interest are relevant](#). But it should all be boiled down to a simple principle that has too long been ignored by some public officials and others.

Why the law hasn't been fully enforced ought to be at the heart of this RFI.

My request to the FHFA is therefore simple. Reject the modified and other plans submitted by Fannie Mae and Freddie Mac. Make the GSEs fully enforce federal law, lending on manufactured homes in each category of

- personal property manufactured home loans,
- land-lease manufactured home mortgages,
- and land/home mortgages.

Those loans should apply to all manufactured homes, because the law made no distinction. Indeed the [MHI backed 'new class of homes' didn't exist when HERA and DTS became law](#).

Fully and promptly enforce the DTS provision of the HERA 2008 law. Anything else is a violation of the rule of law.

Respectfully submitted.

*Soheyla*

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