

11.26.2021 A.D.

Ms. Jennifer M. Granholm, Secretary

U.S. Department of Energy (DOE)

1000 Independence Ave. SW

Washington, DC 20585

Re: Energy Conservation Program: Energy Conservation Standards for Manufactured Housing (EERE-2009-BT-BC-0021)

Secretary Granholm and DOE Staff,

A) **'Tell them what you will say. Say it with convincing evidence. Tell them what you told them.'** Paraphrase of junior high school tip in English class on how to write a good paper or article.

B) **"Forget what they told you. [If] You want the truth, follow the money."** – [Roxanne Bland, author](#).

C) **"The system is rigged."** – Senator Bernie Sanders (VT-DS), Donald J. Trump (as candidate and as the 45th President of the United States, R), Senator Elizabeth Warren (MA-D), along with a host of other candidates, officials, and pundits.

D) **"Propaganda works"** on **"most Americans."** - Guy Benson, author.

E) **"If you tell a lie big enough and keep repeating it, people will eventually come to believe it.** The lie can be maintained only for such time as the State can shield the people from the political, economic and/or military consequences of the lie. It thus becomes vitally important for the State to use all of its powers to repress dissent, for the truth is the mortal enemy of the lie, and thus by extension, the truth is the greatest enemy of the State." – Joseph Goebbels, [Jewish Virtual Library](#).

F) **"The best way to control the opposition is to lead it ourselves."** —[Vladimir Lenin](#).

G) **"Paltering is the active use of truthful statements to convey a misleading impression.** Across 2 pilot studies and 6 experiments, we identify paltering as a distinct form of deception." [Harvard \(2017\)](#). **"Paltering is the active use of selective truthful statements to mislead.** The term as applied in psychology and mediation studies was developed by researchers at the John F. Kennedy School of Government in the late 2000s. The first known use of palter to describe acting insincerely or deceitfully was in the 1580s." - [Wikipedia](#).

H) **"Facts are stubborn things."** More specifically: "Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence." — John Adams, [GoodReads](#).

I) **"See to it that no one deceives you."** – Jesus, [Mt. 24:4](#). **"You cannot serve both God and money."** Jesus, [Mt 6:24](#).

- Against that prologue, let's apply tip A.

J) Each of those principles and pull quotes shed light on the pending DOE energy standards for manufactured housing. Indeed, when the facts, evidence, proven principles are examined in the light of common sense, the only conclusion that can be drawn by objective thinkers is that the DOE can and must reject the pending standards and 'start over' or recognize that these proposed standards are the proverbial solution in search of a nonexistent problem. Indeed, when someone finishes this factual evidence-, historical- and reason-based analysis they may come to realize the meaning of three quotes from public officials from both major parties, each quite knowledgeable about the so-called rigged system.

- **"The nine most terrifying words in the English language are: I'm from the Government, and I'm here to help."** – Ronald Reagan (35th U.S. President) [Reagan Foundation](#) (R-GOP).
- **"You are entitled to your opinion. But you are not entitled to your own facts."** - Daniel Patrick Moynihan (NY-D), [GoodReads](#).
- **"There are no coincidences in Washington"** [D.C.] and **"Follow the money"** are the keys to understanding American politics, attributed to Senator [William Proxmire \(WI-D\)](#)

K) Why should the proposed manufactured housing energy standards be scrapped? Certainly, both the Arlington, VA based Manufactured Housing Institute (MHI) and the Washington, D.C. based Manufactured Housing Association for Regulatory Reform (MHARR) provide ample legal and practical reasons for doing so. Their comments, along with all other linked items should be considered as part of my comments submission.

- Note that linking a comment or quoting a source should not be construed as a blanket endorsement of what a person or group has said or done. A quote and/or reference are to be understood herein as used for the purposes of illustrating one or more specific points.

L) But there are other reasons that are not bluntly stated by MHI and/or MHARR. They include the following, in no particular order of importance.

- 1) There are several apparent conflicts of interest involved, which will be explored below.
- 2) There are apparent examples of corruption involved in this process. That purported corruption includes, but is not necessarily limited to, corporate, nonprofits, and public officials, to name but 3 categories. Examples will be provided.
- 3) There are clearly self-contradictory statements and behaviors involved in this process, some of which MHI and MHARR have identified.
- 4) To the Lenin quote and paltering issues raised by the quotes above, Clayton Homes and MHI have clear financial and other ties to Next Step U.S. While MHI makes some compelling arguments, which often mirror points raised by MHARR, they fail to make specific points that suggest that they are posturing and paltering.
- 5) Quotes by Warren Buffett, Kevin Clayton, Tom Hodges, Nick Hanauer, Carol Roth – among others that will be used herein – demonstrate that this exercise is part of a 'rigged' process which benefits a few insiders at modest- to significant-harm to most others.
- 6) There are constitutional issues that arguably bar the DOE's proposed rule. Ours is a system of limited government, not unlimited government. This rule fails to explore the constitutionality of this DOE energy rule process, which arguably is a form of taxation and regulation without representation.
- 7) This is yet another example of Washington, D.C. sadly wasting time and money that harms most taxpayers and millions of affordable housing seekers while demonstrably benefiting a few insiders. Some of the very people this is rule is supposed to benefit are the ones that will be the

most harmed. Who said? MHI did, when they correctly pointed out that racial equity and housing affordability housing for the masses are not being served.

- 8) But perhaps what is the most revealing point that this process is a "sham," as MHARR President and CEO Mark Weiss, J.D. said in an interview linked here. It is a classic example of paltering by MHI. That's demonstrated several ways herein. But one is ironically highlighted by MHI, and has been repeatedly indicated by MHARR. That is that MHI has not indicated that they will take any or all necessary legal action to stop this "sham" process, if in fact one of the proposed DOE energy standards for manufactured housing is implemented. Yet, [MHI themselves noted earlier this week in an email that the OSHA vax mandate rule was stopped by lawsuits](#). Those lawsuits, when examined, included nonprofits that sued OSHA on behalf of their members as well as state AGs that sued OSHA. Why doesn't MHI connect the dots on their own report and state to their members that they too will sue if DOE implements this rule that MHI admits is harmful?
- 9) There are genuine questions of science and its evidence in this mix. Questions of science, constitutional and other law - so long as they are not authentically unresolved - make any new 'rule' or 'mandates' worse than moot. More on those topics and other topics will follow herein.
- M) The bottom line will be this. There are documentable examples of conflicts of interests. There are several examples of apparent violations of law. There are examples of contradictory behaviors that defy common sense. It is demonstrably counterproductive for these proposals at DOE to move ahead.
- N) This is a solution in search of a problem. Manufactured homes are already less costly in their energy usage than other housing options. The ones who will be most harmed by these perhaps well intended but nevertheless misguided planned DOE rules will be the most economically marginal citizens of all colors and creeds. This process should be halted. The proposed rules scrapped.
- O) A fresh start based on accurate information that is free from conflicts of interest and apparent corruption must be utilized before any rule of any kind is explored.

I. Exploring the Reasoning and Motivations of Those who Favor the Proposed DOE Energy Rule for HUD Code Manufactured Housing.

- A) Per [Next Step Network's letter to the DOE](#), is the following comment. To the point about following the money trail in the prologue (B) and controlling your own opposition (F), it is a matter of record that Next Step [is supported by Clayton Homes](#), which is a [Berkshire Hathaway owned dominating brand at MHI](#). [Clayton Homes' general counsel happens to be MHI's chairman, Tom Hodges](#).

For instance:

[Clayton Donates \\$300K to Next Step Network | Press Release](#)
<https://www.claytonhomes.com > newsroom > Clayton-...>

Our donation will help families across **America** that deserve to own a beautiful new **home** of their own." **Clayton** and **Next Step** have worked closely ..."

Furthermore, Next Step is an MHI member (see [page 2, linked here](#)).

- B) A word search of the 14 page [Next Step comments letter](#) reveals the following.
- 1) There is no apparent use by Next Step of the word "disclosure" – such as "as a disclosure of a potential conflict of interest," that then states their ties to Clayton Homes or the Manufactured Housing Institute (MHI).
- 2) Clayton Homes is not mentioned in their letter, despite sizable donations that make their advocacy suspect.
- 3) MHI spelled out in their comments letter once, but not as a disclosure.
- 4) These pieces of evidence from the money trail, documents, and Next Step's letter, plus what follows, will make what MHARR alleged to be a '[shell game](#)' that is a 'sham process' spring to life.
- C) That noted, **"Next Step participated in and supported the negotiated rulemaking in 2015, which resulted in a 2016 draft standard that DOE never finalized. Therefore, we applaud you for issuing the draft standard."**
- D) What is not clearly disclosed is that MHI and Next Step, per documents provided by the DOE, were engaged in advocacy on behalf of having the energy rule put into place. This contradicts their current statements, but that can be explained by the notion of "paltering." MHI arguably knows that they have a checkered history at best in this process. See the reports linked below for details, and then the following documents obtained from DOE.

<https://www.manufacturedhomepronews.com/a-more-costly-re-boot-of-fatally-flawed-fundamentally-tainted-sham-doe-negotiated-rulemaking-process-smoking-gun-docu>

<https://www.manufacturedhomepronews.com/manufactured-housing-institute-warns-industry-act-now-will-hurt-new-manufactured-home-sales-more-threats-and-pitches-plus-manufactured-housing-market-up/>

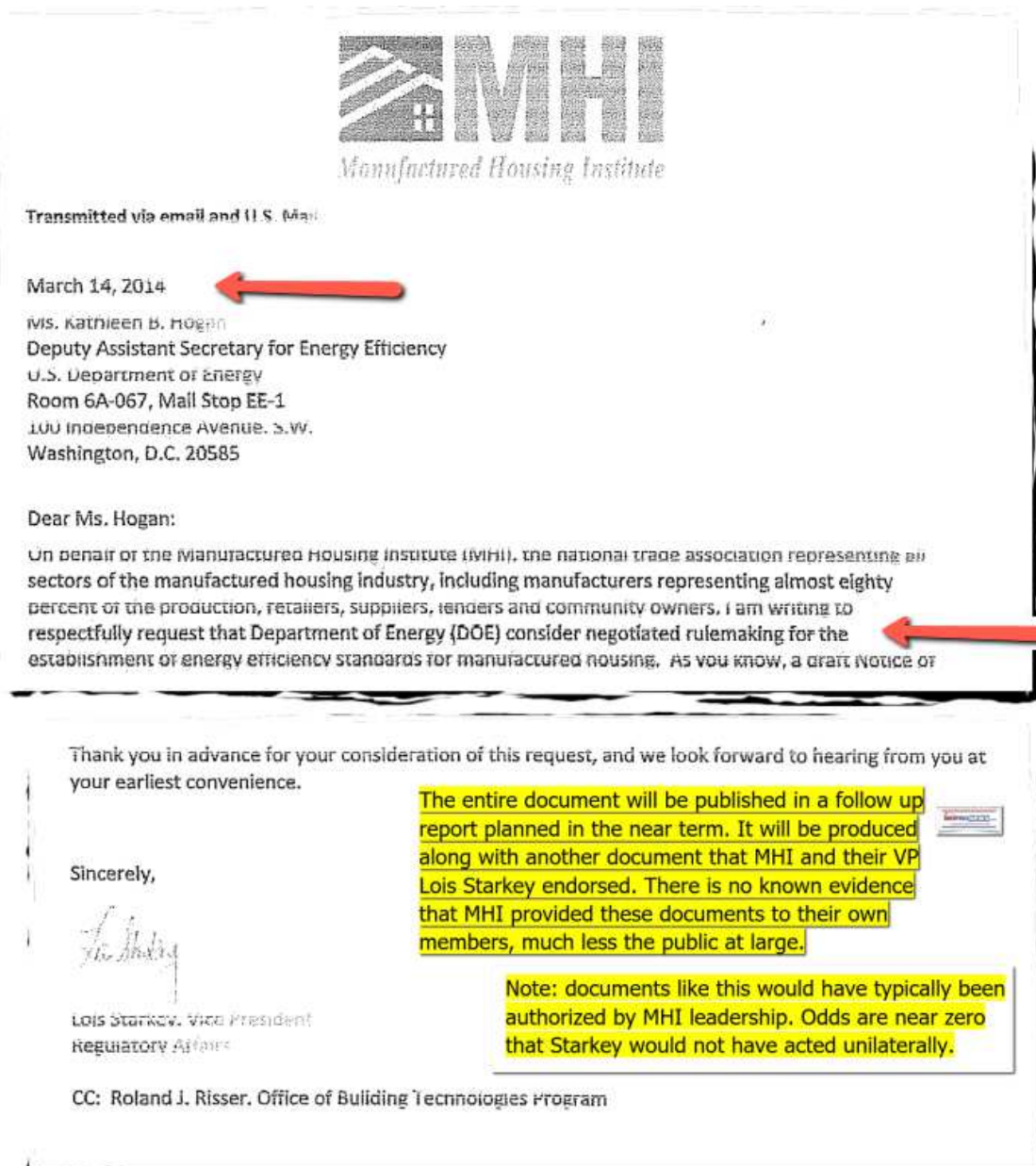
<https://www.manufacturedhomepronews.com/costly-threats-increase-manufactured-home-industry-concerns-federal-documents-tip-reveal-previously-undisclosed-facts-on-manufactured-housing-advocacy-another-smo/>



Mark Weiss, J.D.,
President & CEO of MHARR.



"Shell Game" Affordable Manufactured Home Threats "On Steroids" – Exclusive Probe into Manufactured Housing Industry's Twin Crises — a One-on-One Interview with MHARR President and CEO, Mark Weiss



- E) So, MHI asked for negotiated rule making. Next Step recent letter confirms that they were part of that negotiated rule making process that involved MHI. These are not disclosed. It is logically part of a sham, posturing via paltering.

Natural Resources Defense Council • California Energy Commission •
National Manufactured Home Owners Association • National Association of State
Energy Officials • Manufactured Housing Institute • Corporation for Enterprise
Development • Environmental and Energy Study Institute • Systems Building Research
Alliance • National Rural Electric Cooperative Association • Washington State
University Ext Energy Program • American Council for an Energy-Efficient Economy •
Northwest Energy Efficiency Alliance

May 28, 2014

The Manufactured Housing Institute (MHI) signed onto a letter with environmental and other groups that were pressing the DOE for tougher, more costly standards for manufactured homes. Note again this rule is a solution in search of a problem. Manufactured homes are already energy savers, as MHI and several of their members assert. Further, manufactured homes are often considerably more energy efficient than older rental housing that may be what manufactured home seekers are leaving in order to buy a manufactured home. Restated, imposing costly standards - per NAHB research - would price out hundreds of thousands of households from the ability to buy a manufactured home.



To: Members of the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC)

Sent via email to ASRAC Designated Federal Officer, ASRAC@ee.energy.gov

Re: Energy Efficiency Standards for Manufactured Housing

We are pleased that energy efficiency in manufactured housing is on the agenda for ASRAC's June 6 meeting, and are writing to express our support for ASRAC's efforts on this topic.

As you may know, a draft Notice of Proposed Rulemaking (NPR) has been pending at the Office of Management and Budget since 2011, and DOE published a Request for Information (RFI) seeking additional information in June 2013. We note that the revised standards are long overdue, and have been working jointly with diverse stakeholders following the RFI with the aim of accelerating the process to a successful standard.

We believe that ASRAC is an appropriate mechanism to engage stakeholders in a discussion of energy efficiency standards for manufactured housing, and to develop recommendations for long overdue changes to the current standards. An ASRAC process would facilitate even greater communication and importantly, also provide analytic support, both of which we believe would be helpful to the timely resolution of remaining issues.

In order to ensure that an ASRAC process is as pragmatic and efficient as possible, we recommend that DOE:

- F) The above is another letter obtained from the DOE. It lists several nonprofits, some of which have similar beliefs and/or similar connections with Next Step.
- G) This document and the other ones, both [linked here](#), make it clear that MHI supported what they now claim to oppose. Note again that while MHI and MHARR's letters are similar in several respects, MHARR makes clear that they believe that litigation may be necessary to stop this proposed energy rule. So, given MHI's far deeper pockets and resources, if they are serious (instead of posturing or paltering) about stopping this energy rule, then why didn't they say they will sue as needed to stop this rule?
- H) Page 2 of the letter above is shown below.

- • Appoint a strong facilitator to ensure the effective flow of information, and restrict time spent on repetitive or non-germane discussion, and;
- Provide prompt, effective analysis (e.g., running scenarios through their cost-effectiveness, national impacts and other models in advance of meetings).

Thank you in advance for your consideration, and we look forward to your further efforts.

Respectfully submitted,

Robin Roy
Natural Resources Defense Council
rroy@nrdc.org

Robert B. Weisenmiller, Chair
California Energy Commission
Catherine.Cross@energy.ca.gov

David Terry
National Association of State
Energy Officials
dterry@naseo.org

Ishbel Dickens
National Manufactured Home
Owners Association
ishbel@nmhoa.org

Doug Ryan
Corporation for Enterprise Development
dryan@CFED.org

Carol Werner
Environmental and Energy Study Institute
cwerner@eesi.org

→ Lois Starkey
Manufactured Housing Institute
Lois.Starkey@mfghome.org

Emmanuel Levy
Systems Building Research Alliance
elevy@research-alliance.org

Keith Dennis
National Rural Electric Cooperative
Association
Keith.dennis@nreca.coop

Michael Lubliner
Washington State University
Ext. Energy Program
LublinerM@energy.wsu.edu

Lowell Ungar
American Council for an
Energy-Efficient Economy
lungar@aceee.org

Christopher Dymond
Northwest Energy Efficiency Alliance
CDymond@neea.org

It remains to be seen if MHI's more recent statements are merely posturing. For example: Where is a clear and recent public statement by MHI that they will sue DOE and/or others as needed in order to prevent a harmful precedent to be imposed that limits the availability of HUD Code manufactured homes?

What is apparent from this letter obtained by a tipster and another one shown above in this report is that MHI signed onto a letter that unnecessarily handed ammunition to rival housing providers. MHI can't have it both ways. They are either working behind the scenes to get this DOE rule passed, or they are trying to stop it. Based on these two documents, there is arguably no good reason to merely take MHI at their word. Both of these tip-generated documents that were part of DOE's files are smoking gun evidence of MHI apparently working against the interests of manufactured home sellers and those consumers who may never be able to buy any other type of home.

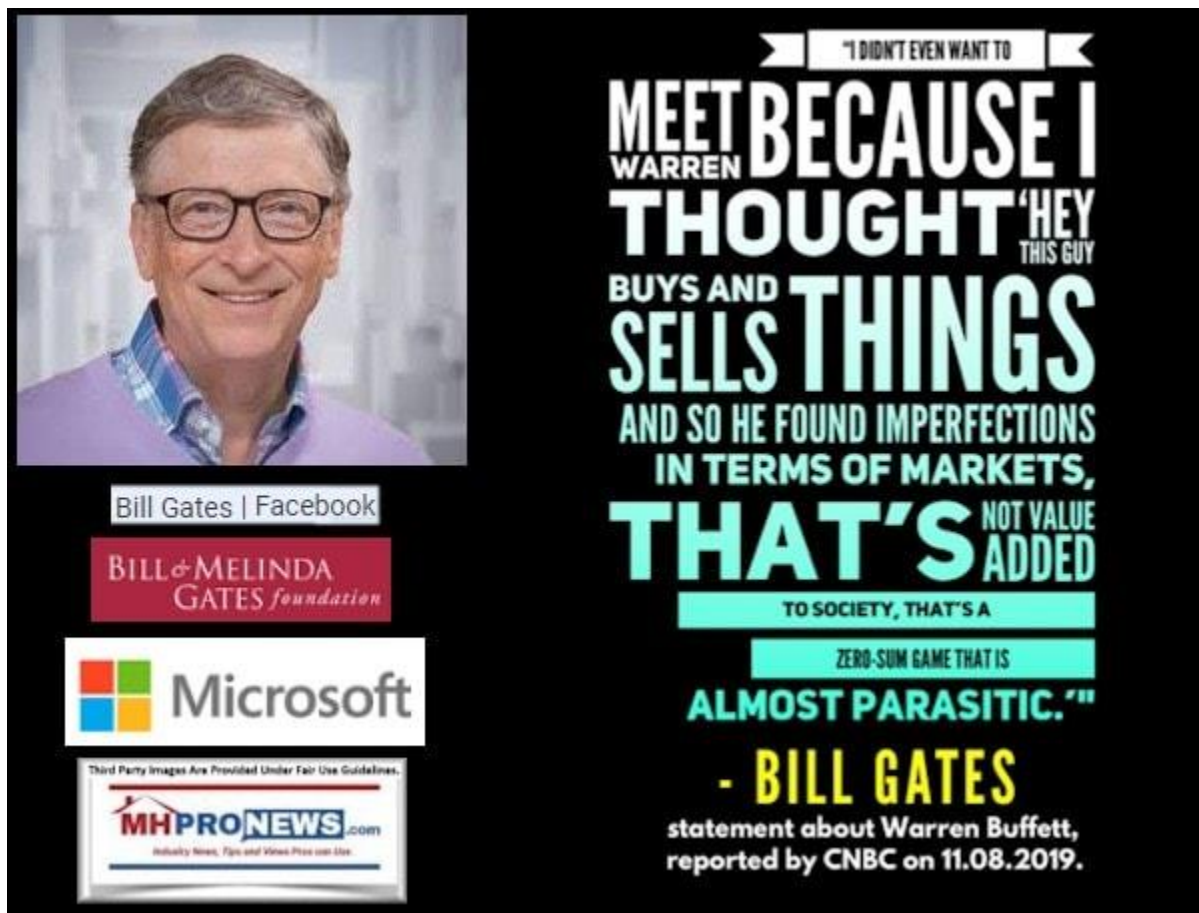


- I). There are several such conflicts of interest, not just those shown. These conflicts are routinely undisclosed. This alone makes the point that MHARR's president aptly made to MHPProNews that this is a sham process. **This alone is reason enough to nullify this entire rulemaking process as hopelessly tainted and corrupted.**
- J) During the Trump Administration, this process was effectively stopped until a lawsuit by the Sierra Club effectively restarted this process. But Berkshire and Buffett bucks, including from allied players such as Michael Bloomberg, are documented to be behind the Sierra Club. Note

that these points are supported by well documented, third-party research linked and examined in the report linked below.

<https://www.manufacturedhomepronews.com/masthead/energy-environment-institute-big-donors-conflicts-warren-buffett-mike-bloomberg-undermine-manufactured-housing-via-sierra-club-lawsuit/>

- K) Again, **MHI, Next Step, Berkshire, Clayton, and others have not made appropriate disclosures.** These are factual, historic, and empirical evidence of a corrupted process. These are reasons enough to stop this energy rule from causing the harm that MHI and MHARR both correctly argue will result if the rules are put into effect.
- L) Logically, that begs the question. Why would Berkshire and Buffett owned and backed brands or nonprofits try to subtly undermine manufactured housing when they are involved in that business? Longtime Buffett ally, William "Bill" Gates III, via the quote below, shed light on that topic.



"I DIDN'T EVEN WANT TO
MEET BECAUSE I
WARREN
THOUGHT 'HEY
THIS GUY
BUYS AND
SELLS THINGS
AND SO HE FOUND IMPERFECTIONS
IN TERMS OF MARKETS,
THAT'S NOT VALUE **ADDED**
TO SOCIETY, THAT'S A
ZERO-SUM GAME THAT IS
ALMOST PARASITIC."
- BILL GATES
statement about Warren Buffett,
reported by CNBC on 11.08.2019.

Bill Gates | Facebook
BILL & MELINDA
GATES foundation
Microsoft
Third Party Images Are Provided Under Fair Use Guidelines.
MHProNews.com
Industry News, Tips and Views From the Inside

- M) There are numerous third-party researchers that span the left-right media divide. They routinely mentioned the pernicious ways that Buffett's "Castle and Moat" method undermines markets in a manner that protects their own brands while making worse disadvantages for competitors. Some examples follow.
- *GuruFocus* said "[Warren Buffett Can't Escape Unethical Strategic Moats,](#)" their specific points are [linked here](#).

- *The Nation* called it "[The Dirty Secret Behind Warren Buffett's Billions...](#)" and specifies Clayton Homes among those using the strategic moat in 'dirty' ways.
- The *Seattle Times* in "[Minorities exploited by Warren Buffett's mobile home empire Clayton Homes](#)" said that "Clayton's grip on the lending market verges on **monopolistic...**"
- *The Jacksonville Florida Times Union*s summarized the connection between the John Oliver viral hit video dubbed "[Mobile Homes](#)," MHI, Clayton Homes, and their related lenders. That op-ed was first fact-checked by an editor, before it was published in multiple Florida newspapers.
- *The Atlantic*, without specifying how the monopolization was being accomplished, noted that the independent retailers in manufactured housing were being rapidly eliminated/consolidated, that report is [linked here](#).
- *Forbes* has an article that focuses on the racial bias and predatory businesses practices too. It is entitled "[Warren Buffett's Exploitative Mobile Home Investment](#)." Rephrased, there are sources across the left-right media divide that have highlighted problems with Clayton Homes, their business and lending practices for several years. Several of those have included a monopolistic angle.



“The [Warren] Buffett definition of good management [for Berkshire Hathaway owned firms] is therefore clear. If you have effective competitors, you are doing it wrong...”

– Robin Harding, *in the article cited at the left.*



- N) Keep in mind that Carol Roth, featured for her business and economic insights on networks that span the left-right media divide, aptly made the following observation.



Carol Roth | Fox News

"...all regulation, that excessively impacts small business...In fact, big companies secretly love regulation because regulations are in fact anti-competitive -- every new rule, law or compliance measure limits the ability of existing smaller competitors or new start-ups to compete."

- **Carol Roth**
- American television personality, bestselling author, entrepreneur, radio host, and investor. Roth appears regularly on national cable television networks including *Fox Business*, *CNBC*, *CNN*, *Fox News* and *MSNBC*, per Wikipedia.

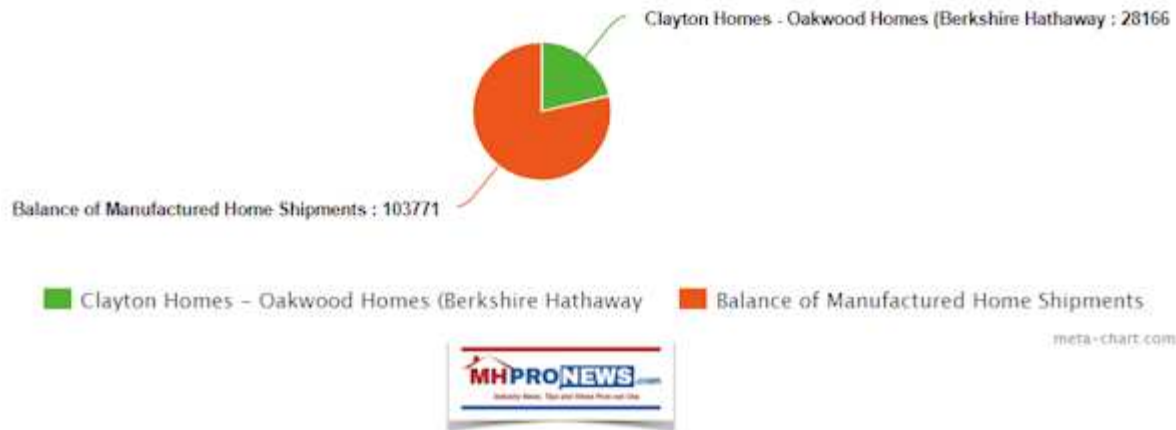


- O) So, while it may seem on the surface to hurt all manufactured housing producer brands to allow this energy rule to go into effect, there are subtle advantages to those who adhere to this castle and moat, "durable competitive advantages" stratagem. The illustration below makes the point.

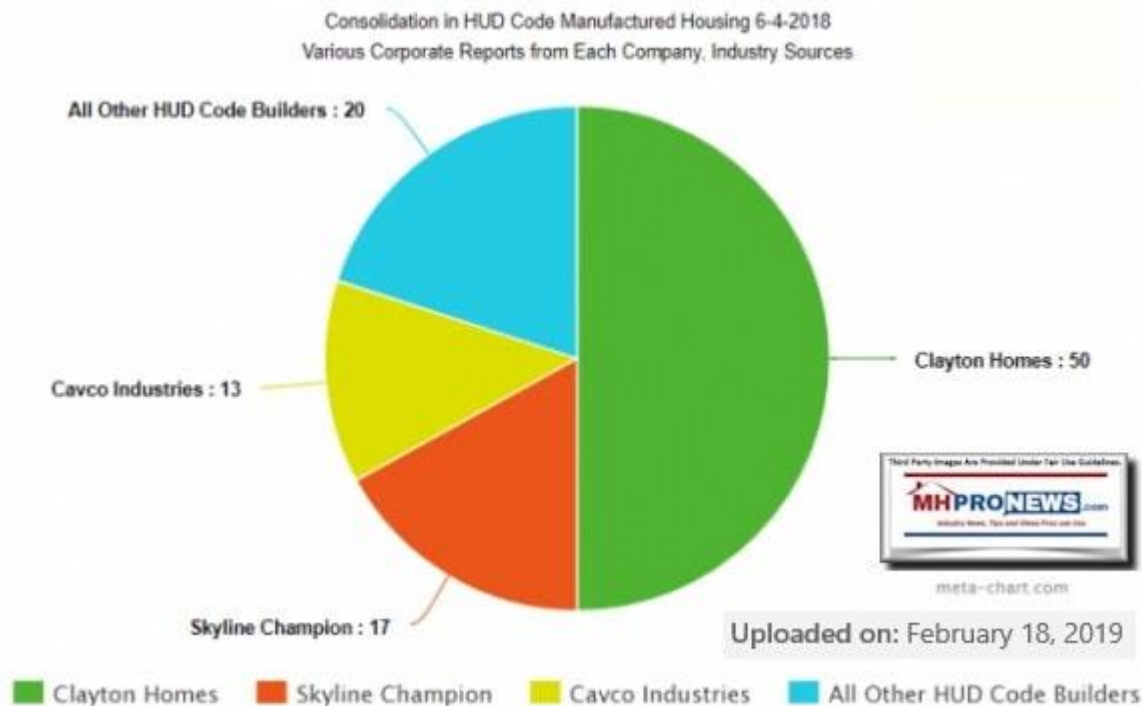


- **P) Arguably by limiting the manufactured housing market,** Clayton has surged in its market share during the Berkshire era of the industry.

Clayton Homes - Oakwood Homes (Berkshire Hathaway) Market Share End of 2003
Total Shipments: 130,937. Sources: HUD, Manufactured Home Merchandiser Magazine.



- Q) By limiting the market, Clayton and their key allies at MHI have grown to a dominating position.



- R) This makes the point that Gates made about what became his buddy and ally, Warren Buffett. MHI magically postures year after year for their trusting members that they are trying to stop or limit harmful regulations, when in fact *they benefit from the status quo in terms of market share.*
- S) Let's take a peek at what Samuel "Sam" Strommen at Knudson Law said to dot the i and cross the t.



"Here, in the midst of what could be declared without the merest hint of shame or irony one of the most comprehensive affordable housing gluts in American history, pernicious forces are skulking in the [backdrop]: consolidating power, subsuming an industry rife with lack of oversight, and preying upon the vulnerability of the impoverished in a gross, incestuous symbiosis."

- Samuel Strommen
- Knudson Law research on
- **The Monopolization of the American Manufactured Home Industry and the Formation of REITs: a Rube Goldberg Machine of Human Suffering"**



<https://www.manufacturedhomelivingnews.com/strommen-felony-conspiracy-case-monopolization-of-affordable-manufactured-housing-and-manufactured-home-communities-rube-goldberg-machine-of-human-suff/>

- T) Given repeated opportunities to dispute, debunk, or others disprove these facts and other evidence-based allegations, Berkshire Hathaway, Clayton, MHI and related attorneys have stayed silent.

<https://www.manufacturedhomelivingnews.com/machine-of-human-suffering-berkshire-hathaways-clayton-homes-manufactured-housing-institute-attorneys-response-to-allegations-felony-abuses-knudson-law/>

- U) Let's close out this segment with some pull quotes that illustrate the points made. While these may not have a direct relationship to DOE, they nevertheless shed light on the pattern of behavior.

"THE MOST IMPORTANT thing for me is
FIGURING OUT HOW BIG
A MOAT THERE IS AROUND THE BUSINESS.
What I would LOVE, OF COURSE IS
a big castle and a
BIG MOAT WITH PIRANHAS AND
CROCODILES."

Warren Buffett
 Chairman
 BERKSHIRE HATHAWAY INC.

- Warren Buffett,
 per
 U.S. News and World Report.



"But all the time, if you've got a wonderful castle, there are people out there who are going to try and attack it, and take it away from you. And I want a castle that I can understand, but I want a castle with a moat around it."

"MANAGERS OF THE BUSINESSES WE RUN, I'VE GOT ONE MESSAGE TO THEM, WHICH IS TO WIDEN THE MOAT. AND WE WANT TO THROW CROCODILES AND SHARKS AND EVERYTHING ELSE, GATORS, I GUESS, INTO THE MOAT TO KEEP AWAY COMPETITORS."

IN THIS ANALOGY, THE CASTLE IS A BUSINESS INTEREST AND THE MOAT IS THE WATERS OF COMPETITIVE ADVANTAGE THE SURROUND THAT CASTLE AND OFFER A MEASURE OF PROTECTION.

Warren Buffett's Castle and Moat Metaphor

The most important business growth concept you will ever learn. From Warren Buffett, the world's greatest investor

"I look for the stability of the franchise. The most important thing to me is figuring out how big a moat there is around the business. What I love, of course, is a big castle and a big moat with crocodiles and crocodiles." - Warren Buffett (US News & World Report, June 20, 1984)

Castle = A highly attractive business built upon a winning strategy and strategic brand
Moat = Barriers to competitor imitation and entry



Ben Sudduth



RUPERT HARGREAVES CITED THE ABOVE SAYING WARREN BUFFETT EXPLAINED THIS CONCEPT IN 2007 TO A GROUP OF MBA STUDENTS AT THE UNIVERSITY OF FLORIDA. THERE ARE OTHER EXAMPLES TOO!

<https://finance.yahoo.com/news/warren-buffett-economic-moat-09020102.html>



Andy Gedo



ManageAmerica
Online Property Management Systems



"So, six years before the conventional mortgage meltdown, MH chattel lending virtually disappeared for anyone with a flawed credit history..."

"Clayton's finance capability is a barrier to entry (what you [MHPRONews/MHLivingNews like to call a "moat") that limits competition. Barriers to entry can sometimes be exploited through unfair competition to gain monopoly power in a market..."

To see this in context go to the original debate linked below.

Let's note that our publications call it "the Moat" because Warren Buffett, Kevin Clayton and others in that mindset call it "the moat." It is Buffett's term, not one we created.

That noted, Gedo is quite right in saying that **"barriers to entry can sometimes be exploited..."** Why is the Duty to Serve (DTS) manufactured home lending passed in 2008 as part of the Housing and Economic Recovery Act (HERA) still not being properly implemented? Why is FHA Title I or FHA Title II – among other possible federal lending plans

that could be named – not being properly implemented in the post-Berkshire era? Is it a coincidence? Or have they used their influence and resources to limit and divert those options and thus maintain their moat as a barrier to entry, and maintenance in the industry?



Kevin Clayton, left, Warren Buffett, right.

Photo credit:

Seattle Times expose portrays Warren
handbill.us



"Warren [Buffett] is very competitive ...he paints such an image in each of our manager's minds about this moat, this competitive moat, and our job is very simple and we share this..."

Deepen and widen your moat to keep out the competition...

But some of our competitors do a good job, but our plans are to make that difficult for them."

- **Kevin Clayton,**
President and CEO of Clayton Homes,
a Berkshire Hathaway brand.
Source – video transcript posted on
MHLivingNews.com.

<https://www.manufacturedhomelivingnews.com/warren-buffetts-moat-per-kevin-clayton-ceo-clayton-homes-interview-transcript-video-affordable-housing-and-manufactured-homes/>



Coming Epic Affordable Housing Finance Clash?



Chair Maxine Waters vs. Warren Buffett – Clayton Homes - Historic Challenges Ahead

<https://www.manufacturedhomelivingnews.com/coming-epic-affordable-housing-finance-clash-chair-maxine-waters-vs-warren-buffett-clayton-homes-historic-challenges-ahead>



Michael P. Lebowitz
CFA is an Investment Analyst
and Portfolio Manager



American capitalism and free markets is built on monopolistic companies. Yes, I think we can add that to the list of contradictions...."

"...more than any other, best defines Buffett's investment preferences. He [Warren Buffett] routinely speaks about the competitive "moat" that he likes for his companies to have. Understanding what he means by that is important. The following [Buffett] quote captures the essence:

"If you've got a good enough business, if you have a monopoly newspaper or if you have a network television station, your idiot nephew could run it."

"Keyword: Monopoly. That is how a company retains pricing power. The empire of the perceived champion of

<https://realinvestmentadvice.com/a-walking-contradiction-warren-buffett/>

2018/09/19





Michael P. Lebowitz
CFA is an Investment Analyst
and Portfolio Manager



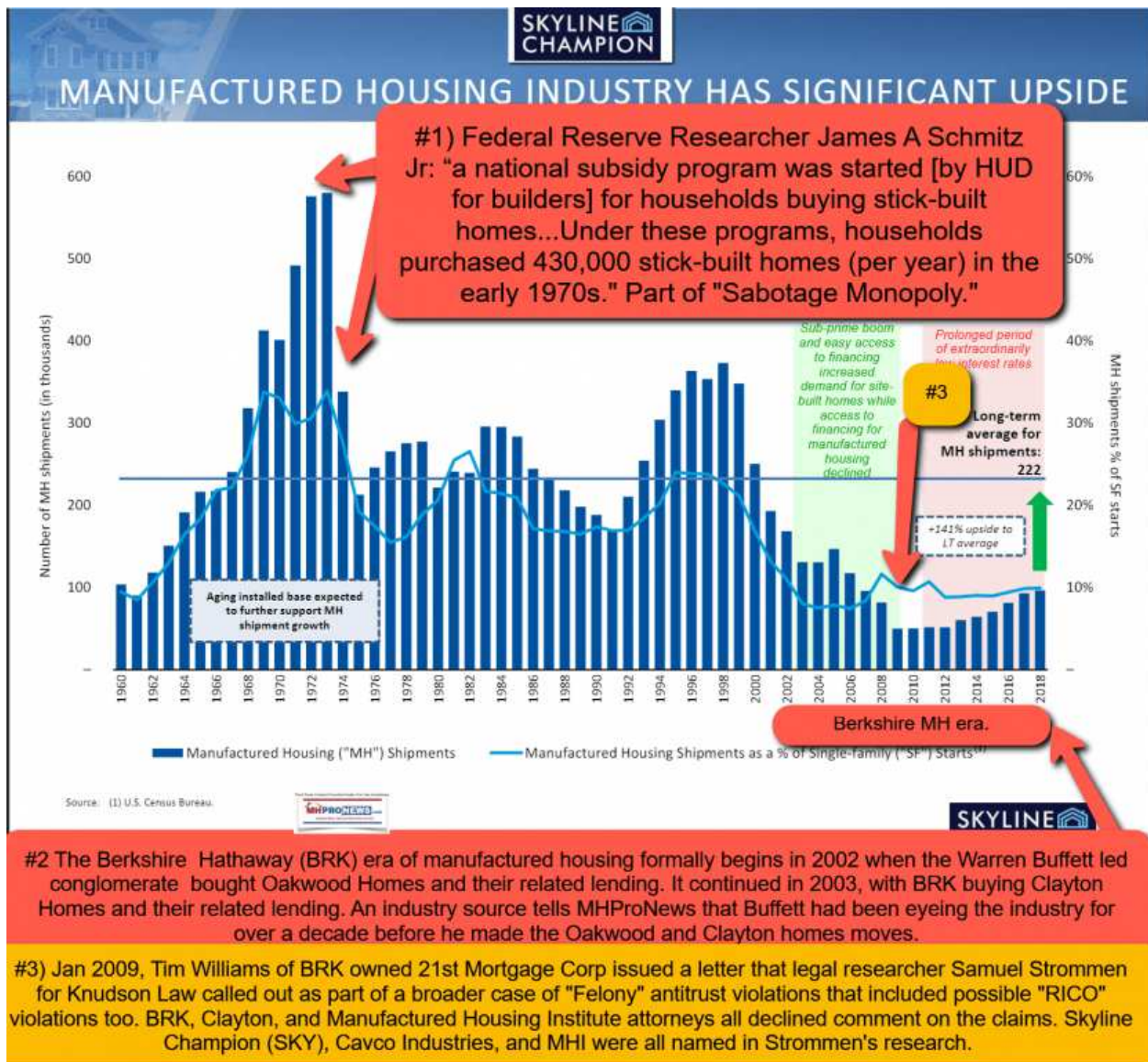
A Walking Contradiction – Warren Buffett

“...In this article we look at a few recent statements and actions of Buffett’s to highlight some contradictions that lie in their wake. Our conclusion is that it is far better for investors to watch what “The Oracle” does as an investor rather than hang on his words.”

- Michael Lebowitz’s article makes the case for two claims. One, that Buffett is known to speak in an apparently deceptive manner. Two, that Buffett and his moat strategy is nothing more than a method of creating and maintain a monopoly.

<https://realinvestmentadvice.com/a-walking-contradiction-warren-buffett/>





V) <https://www.manufacturedhomepronews.com/masthead/marketplaces-s2as-insights-september-2021-manufactured-housing-production-shipment-data-pesky-fact-potential-promise-penetrating-analysis/>



MARKETPLACE'S, S2A'S
INSIGHTS -
SEPTEMBER 2021
MANUFACTURED HOUSING PRODUCTION SHIPMENT
DATA - PESKY FACTS, POTENTIAL
PROMISE - PENETRATING ANALYSIS
- PESKY FACTS, POTENTIAL
PROMISE - PENETRATING ANALYSIS





Third Party Content Provided Under Fair Use Guidelines

II. Moats, Paltering, Evidence of Corruption, “Sabotaging Monopolies,” and Pitchfork Economics in the Manufactured Housing DOE Energy Rule Process.

- A) While the DOE energy rule was not the focus of the research by Samuel Strommen at Knudson Law into manufactured housing, he made a heavily footnoted case that MHI and their dominating brands are engaged in a scheme to monopolize the industry.

PROUD MEMBER OF

MHI
MONOPOLISTIC HOUSING INSTITUTE

Clayton homes

SKYLINE CHAMPION

Caveo

THE NATIONAL ASSOCIATION
SERVING CONSOLIDATORS OF THE
MANUFACTURED HOUSING INDUSTRY

SUN
SUN COMMUNITIES, INC.

els
Equity LifeStyle Properties

IMPACT
COMMUNITIES

HAVENPARK
COMMUNITIES

rhc PROPERTIES
PROPERTY GROUP

Flagship

“The Manufactured Housing Institute [MHI] acts not only as the public mouthpiece of the Big 3 manufacturers (in the name of the industry) but also appears to act directly on its behalf in its various lobbying endeavors.”⁹⁵

Samuel Strommen

Strommen said he **“submits that the MHI’s conduct in obfuscation judicious decision-making by the [FHFA and HUD] constitutes a conspiracy to restrain trade under Section 1 of the Sherman Act, and by virtue of the misrepresentative nature of the conduct, should not be afforded Noerr protection.”**

– Sam Strommen,
The Monopolization of the American Manufactured Home Industry and the Formation of REITs: a Rube Goldberg Machine of Human Suffering.

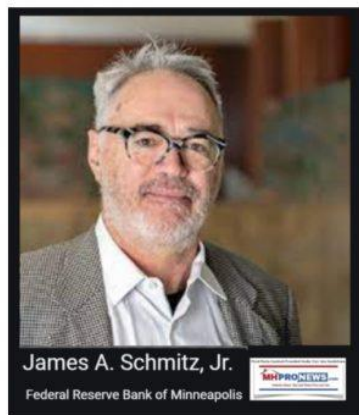
<https://www.manufacturedhomelivingnews.com/strommen-felony-conspiracy-case-monopolization-of-affordable-manufactured-housing-and-manufactured-home-communities-rube-goldberg-machine-of-human-suff/>

- B) Then there is a distinctive but similarly insightful third-party research by James A. “Jim” Schmitz Jr. and his colleagues that include others at the Minneapolis Federal Reserve and beyond.



<https://www.manufacturedhomepronews.com/monopolies-silent-spreaders-of-poverty-and-economic-inequality-insights-from-henry-simons-thurman-arnold-applied-by-schmitz-and-fettig-to-hud-manufactured-housing-economic-inequality-and-poverty>

C) Schmitz and others have been arguing against the pernicious impacts of monopolization. They explore several professions, including manufactured housing in a periodic series of research reports.



"Monopolies are difficult to detect...they form power relationships of infinite complexity that are hard to untangle...."

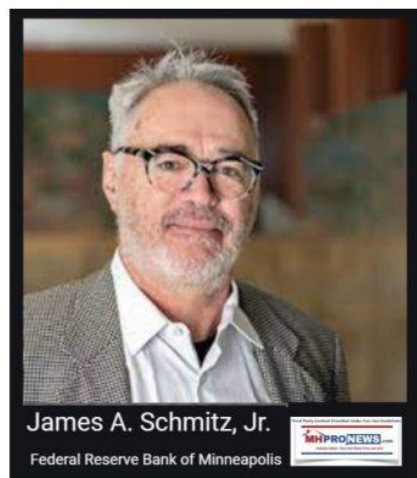
~ James A. "Jim" Schmitz
Senior Economist and his antitrust research colleagues, cited by economist John Cochrane, Senior Fellow of the Hoover Institution at Stanford.

John H. Cochrane



The Grumpy Economist

<https://www.manufacturedhomepronews.com/grumpy-economist-cochrane-sun-communities-sui-favorable-demand-drivers-with-supply-constraints-investor-data-yields-quick-case-study-in-buffett-moat>



"Monopolies sabotage and destroy markets."

Monopolies also use their weapons to manipulate and sabotage public institutions for their own gains..."

~ James A. "Jim" Schmitz
Senior Economist and his antitrust research colleagues, cited by economist John Cochrane, Senior Fellow of the Hoover Institution at Stanford. Note: their term 'monopolies' should be understood to include 'oligopolies.'

John H. Cochrane



The Grumpy Economist

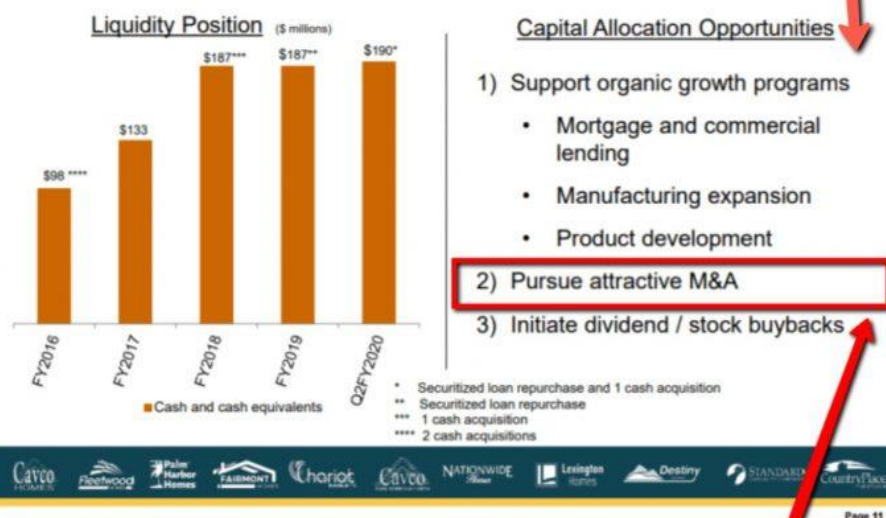
D) Keep in mind the quotes from Bill Gates on finding the weaknesses in markets and taking advantages of them, plus Warren Buffett on moats. Schmitz and his colleagues have thus far focused on the harm caused by builders, their nonprofit front, and HUD. One must recall that Clayton Homes has been increasing their footprint in conventional housing for years. So, Clayton is in several ways once more on both sides of what might look like battles over regulations, but which Clayton is apt to benefit from when the market is minimized.

E) While the dominating brands don't come out and directly say that they are deliberately limiting the market, the underperformance of manufactured housing is a 'barrier for entry,' a barrier for persistence, and a barrier for exit.

F) What the publicly traded members of MHI do say in their investor pitch-desk is this. They aim to consolidate the industry. This consolidation would not be as easy if the industry was growing robustly.

With so much of the industry already consolidated on the production and retail sides, why is there more evidence of M&A than organic growth?

Liquidity and Capital Allocation Strategy



Cavco's own statement makes it clear that pursuing M&A - mergers and acquisitions or 'consolidation' - is a key part of their corporate strategy. That mirrors what Skyline-Champion's EVP and CFO Laurie Hough was even bolder. Their "top priority" is M&A. Note that these are 2 of the 3 'big boys' in manufactured housing production. They all happen to be MHI members. Despite industry underperformance as measured by shipments, their focus is still M&A? But they have said so themselves.



Laurie Hough

Executive Vice President and Chief Financial Officer



"...but [Skyline Champion is] really more focused on the growth of the company through M&A [merger and acquisition or 'consolidation']. That would definitely be our top priority.

- Laurie Hough
- Executive Vice President and Chief Financial Officer Skyline Champion Corporation (SKY).

Per Motley Fool Q3 2020 Investors Earnings Call Transcript on 1.29.2020.



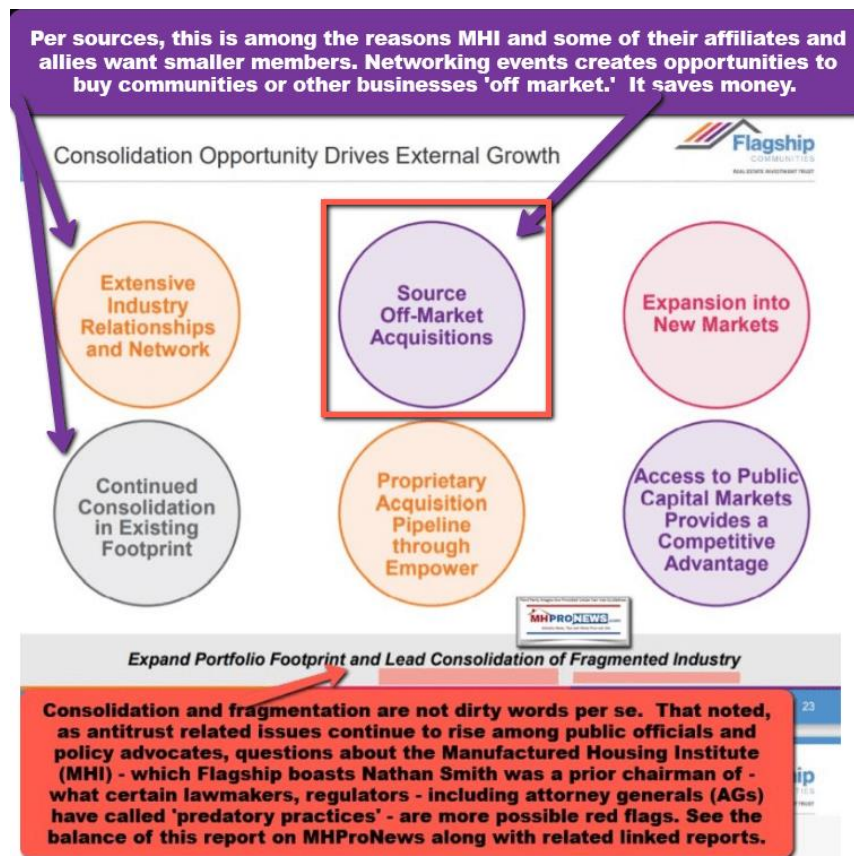
Nathan Smith
Prior MHI Chairman

In response to a question about newcomers considering investing in the manufactured home industry or investing in the land-lease community sector of manufactured housing.

"They should never get into this industry. Because I prefer to collect them [manufactured home communities] all myself...I don't want the competition. It's a horrible industry (laughing)."

Nathan Smith is a partner in what was then called SSK Communities and is more recently been rebranded as Flagship Communities. That rebranding followed a series of apparently negative news reports and legal actions, including a clip shown in HBO's Last Week Tonight with John Oliver's viral video hit against several MHI member firms dubbed "Mobile Homes" in April 2019.





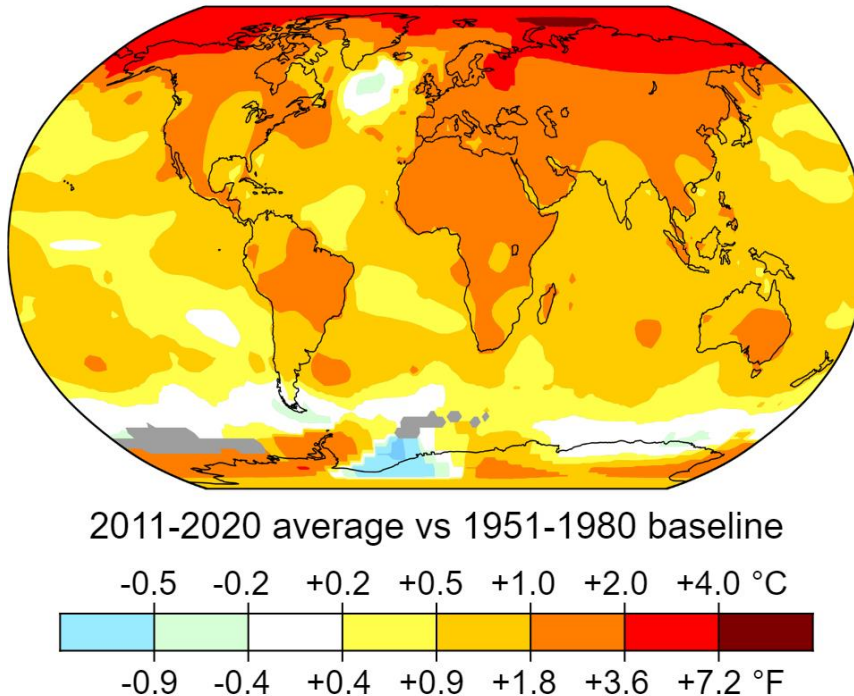
<https://www.manufacturedhomepronews.com/masthead/fresh-insights-from-manufactured-housing-institute-mhi-member-community-consolidator-undermines-mhis-claimed-agenda-publicly-traded-manufactured-housing-properties-inc-otc-mhpc-investo/>

III. "The Science" Behind the DOE Rules and Several of the Rules Advocates.

- There are broadly speaking two general types of comments on the pending Manufactured Housing Notice of Proposed Rulemaking (NPR).
- #1) Those who seem to strongly support the DOE proposal, perhaps to a different degree, but who nevertheless support new energy standards for HUD Code manufactured homes.
- #2) Those comments, largely from manufactured housing industry professionals, that strong oppose the manufactured home energy rule proposals.
- Category #1 comments, often from special interest groups that have direct or oblique ties to various "climate change" and energy advocacy related concerns, could to a certain degree be taken at face value. Category #1 will be examined below.
- Category #2 comments tend to come from those which are connect to the Manufactured Housing Institute (MHI), but also from their often-smaller rival trade group, the Manufactured Housing Association for Regulatory Reform (MHARR). Category #2 comments, on the surface, seem similar in nature. That noted, Category #2 comments will also be examined herein below.
- Let's begin with Category #1. There are logically 3 broad possibilities.

- 1) The concerns about the risks from man-made climate change are authentic, based upon good science, and are thus valid. If humanity is truly facing an existential crisis, then surely every effort should be made to mitigate that threat. Thus, manufactured home energy standards imposed by the DOE could in some sense be considered reasonable, necessary, and good. But that notion would be contingent upon the notion of the science behind 'man made climate change' being valid.
- 2) However, if concerns about man-made climate change are not a matter of broad popular consensus, as well as of sound scientific consensus, then the question should be asked. Are such energy standards a solution in search of a problem?
- 3) There is a possibility that something between those two poles could exist that are closer to reality.
- 4) Additionally, there is a question of just how much the public is willing to pay for the mitigation of climate-related 'threats.'
- What the objective evidence suggests is *that there is climate change*.
- Indeed, the evidence suggests that climate change is ongoing on a daily, seasonally, and over the course of centuries and millennia. Note this below from Wikipedia is not provided as 'fact checked,' but rather as an example of the type of illustration that is used to support the concerns over 'man made' climate change.

Temperature change in the last 50 years



- That noted, the question is to what extent is climate change being caused by humanity? The answer is far simpler than some may think.
- Centuries and millennia before the industrial revolution and the purported harms caused by human activity to the climate, geology provides clear evidence of the rising and falling of the seas. The map of Florida through the ages is an apt illustration of this point.



1) For sincere Category #1A thinkers and believers, as common as the belief in manmade climate change may be, common beliefs have been disproven by science in the past. The flat earth theory is a common example. Or the sun revolving around the earth was once a common belief, but it was later disproven.

2) Next, to the point made by the broad quote by Roxanne Bland - "Forget what the told you. If you want the truth, follow the money." There is clear evidence that deep corporate and/or ultra-wealthy pockets are tied to the litigation that brought the DOE and manufactured housing interests back to this present status.

[Energy Environment Institute – Big Donors – Conflicts Warren Buffett Mike Bloomberg Undermine](#)

3) That *MHProNews Masthead* report should be considered as part of this writer's comments. It includes third-party research evidence.

4) There is no known evidence that this concern has been properly brought before the DOE by the various advocacy groups previously referenced herein. This and the graphic at the right are reasons to entirely scrub this manufactured housing energy rule process, pending an independent investigation of the concerns being raised.

5) When the Biden Administration took office, one of the first actions was to stop the Keystone XL pipeline. That had a clear benefit to Warren Buffett and others investments.

6) **"The Keystone pipeline. Cancelled by Biden on first day. Warren Buffet [i.e.: Berkshire Hathaway (BRK)] owns the railroad that is now transporting all that oil...Warren Buffet** would lose billions in transport fees if the pipeline is completed. See how politics works? It is not an environmental issue, it is a money issue..." That's per the [Foundation for Economic Education \(FEE\)](#). The counterargument that some made is that FEE was mistaken in saying that Buffett made big donations to the Biden campaign. Money is fungible. There are numerous ways that Buffett

could subtly or substantially support candidate-turned apparent 46th President Joseph "Joe" Biden. FEE's point stands regardless of the amount of Buffett's donation. While this has not been raised by [MHARR](#), it fits their broader claim that the DOE energy rule process has been fundamentally tainted. Again, all linked comments should be considered as part of my submission for the DOE's consideration.

- 7) While killing the Keystone XL, the Biden White House stood by while the Russian pipeline into the NATO powers of the European Union moved ahead. See the links from mainstream media.

[I'm not happy about it': Dems torch Biden's Russian pipeline ...](#)
[https://www.politico.com > news > 2021/07/21 > democ...](https://www.politico.com/news/2021/07/21/democ...)

Jul 21, 2021 — President Joe **Biden** is facing bipartisan backlash **to** his administration's agreement with **Germany** that allows a controversial **Russian** ...

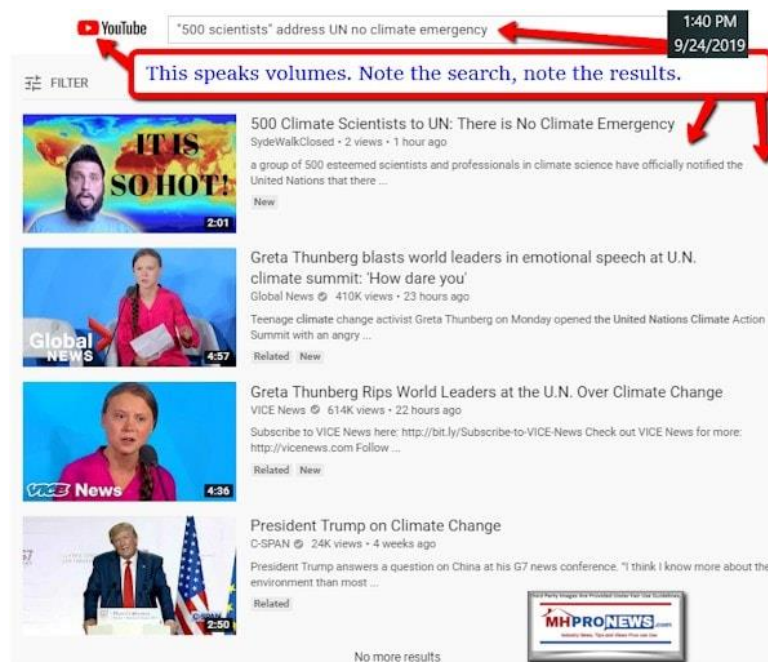
[Biden's strategy on the Russia-to-Germany gas pipeline ...](#)
[https://www.cnbc.com > 2021/05/21 > bidens-strategy-...](https://www.cnbc.com/2021/05/21/bidens-strategy-...)

May 21, 2021 — The **Biden** administration is facing backlash for a decision **to** waive sanctions on a **Russian** company overseeing the construction of the ...

[Nord Stream 2: Biden waives US sanctions on Russian pipeline](#)
[https://www.bbc.com > world-us-canada-57180674](https://www.bbc.com/world-us-canada-57180674)

May 20, 2021 — The **Biden** administration has waived sanctions on a company building a controversial **gas pipeline** between **Russia** and **Germany**.

- 8) This cancelling of Keystone while green-lighting the Russian Nord Stream 2 pipeline is a glaring contradiction. But there are other contradictions that are frankly too many to mention.
- 9) Let's point to just a few contradictions to illustrate how those who question 'man made climate change' underscore that the position of its supporters are absurd at best.



CLIMATE ALARMISM ISN'T RATIONAL

4
MINUTE
VIDEO

NATURE March 2014

Percentage
of the globe
in drought

1982 1990 2000 2010

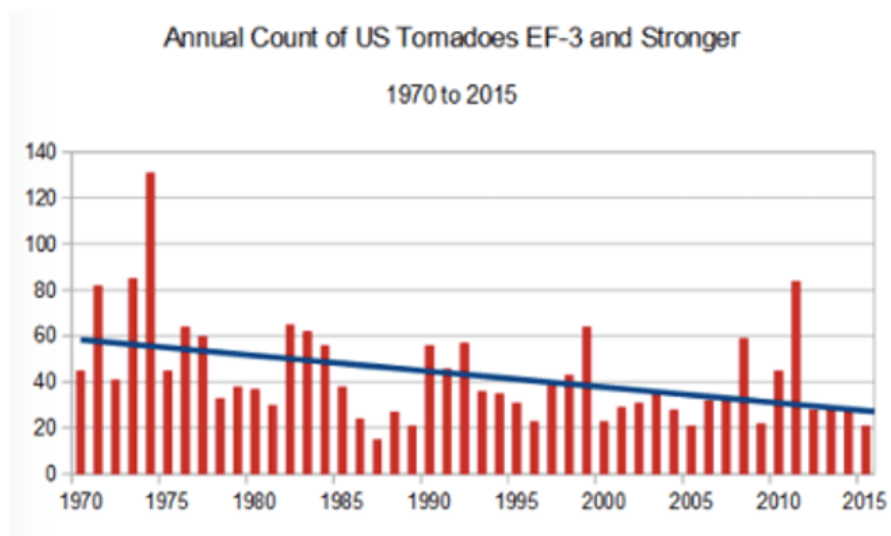
BJORN LOMBORG: WHAT'S SO ALARMING?

PragerU

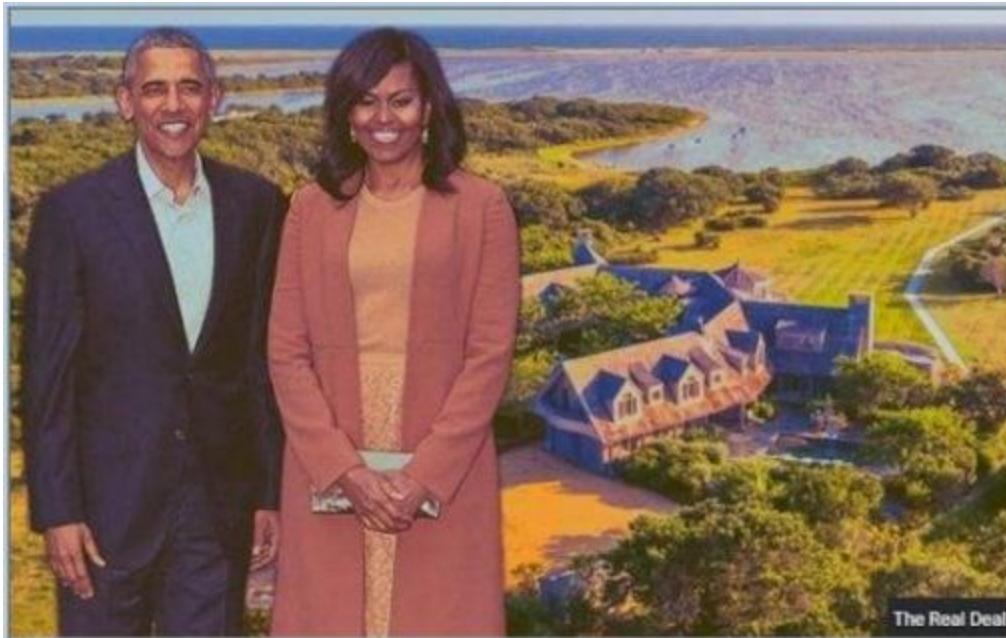
Global warming
Global warming is the long-term rise in the average temperature of the Earth's climate system. It is a major aspect of current climate change, and has been demonstrated by direct temperature measurements and by measurements of various effects of the warming.
[Wikipedia](#)

<https://www.prageru.com/video/climate-change-whats-so-alarming>

<https://www.youtube.com/watch?v=3PWtaackIJU>



New data from the federal government, reported by Climate Depot, shows extreme weather is on the decline. More details, [click this image](#) or the link above to RC William's report on MHLivingNews.com.



Vineyard waterfront estate ...
www0.bostonglobe.com



\$11.75 Million Waterfront Mansion ...
breitbart.com

Contracts for books, with Netflix, with other firms, speaking fees, and other revenue sources have made the Obamas millionaires.

www.hellomagazine.com › Homes ▾

Inside Barack and Michelle Obama's two lavish family homes ...

Sep 3, 2020 — It has been almost four years since Barack Obama and his family left the White House, after he spent eight years serving as the US President, ...

www.quora.com › How-many-homes-does-Obama-own

How many homes does Obama own? - Quora

Jul 17, 2019 — They decided to buy the one in Kalorama [Washington DC]. Then the recent purchase of that unbelievably beautiful home in Martha's Vineyard. I predict they are ...

- 10) The Obamas bought an ocean-side mansion in tony Martha's Vineyard, where the elites meet, vacation, and live. If the oceans and seas are 'rising,' wasn't this a pretty short-sighted move? Far more likely, says common sense, is that Obamas know that man-made climate change is not a real thing that humanity can change.



- 11) Additionally, per recent public polling, even those who believe that climate change is a serious concern, the public is not willing to pay much toward mitigation. These two links appeared number 1 and 2 under a Google search on this topic on 11.23.2021.

[More Americans believe in global warming — but they ...
https://www.nbcnews.com/news/us-news/more...](https://www.nbcnews.com/news/us-news/more...)

Jan 24, 2019 · **More Americans** believe in **global warming** — but they won't pay much to fix it. **Most Americans** are unwilling to **pay \$10 a month** to fight **climate change**, a **survey** found.

[Americans Aren't Willing To Pay More To Stop Climate ...
https://yournews.com/2021/10/27/2245093/americans...](https://yournews.com/2021/10/27/2245093/americans...)

Oct 27, 2021 · **Americans** Believe **Climate** Change Is Happening But Are **Only Willing To Pay** \$1 In Carbon Tax, Poll Shows. The majority of **Americans** believe that human-caused **climate** change is occurring but are unwilling **to pay more** than \$1 extra to mitigate its effects, a new poll shows.

- 12) If the public is unwilling to spend such a modest sum of money - and our Republic is supposed to be a country of, by and for the people - then under what argument can the DOE construe its authority to do far more costly efforts toward a problem that is disputed?
- 13) To the point of soft-corruption that some say is hiding in plain sight is this donation from one of the world's richest men.
- 14) To underscore the above, one of the world's richest men, Jeff Bezos, announced a donation to the Obama Foundation of \$100 million dollars.

[News about **Jeff Bezos \\$100 Million To Obama Foundation**
bing.com/news](https://bing.com/news)



Jeff Bezos Donates \$100 Million to Obama Foundation in Honor of Civil Rights Icon John Lewis
Amazon founder Jeff Bezos is donating \$100 million to the Obama Foundation in honor of late Georgia ...

Yahoo · 3h

- 15) The argument for climate change is shown in part below, but in doing so, they cite a number of groups that are opposed to the notion of manmade climate change. While the list below is deemed to be front group for fossil fuel interests, that is akin to Warren Buffett or others making donations to the Sierra Club. There is no doubt that when someone 'follows the money trail,' there is money that is tainting both sides of the debate.

[Global Warming Skeptic Organizations | Union of Concerned ...](#)

<https://www.ucsusa.org/resources/global-warming-skeptic-organizations>

Jul 16, 2008 · Published Jul 16, 2008 Updated Aug 16, 2013. An overwhelming majority of **scientists** agree — **global warming** is happening and human activity is the primary cause. Yet several prominent **global warming skeptic organizations** are actively working to sow doubt about the facts of **global warming**.

- 16) That said, per their website: "Climate Intelligence (CLINTEL) is an independent foundation that operates in the fields of climate change and climate policy. CLINTEL was founded in 2019 by emeritus professor of geophysics Guus Berkhout and science journalist Marcel Crok."

TOTAL SIGNATORIES

956

[Climate Intelligence \(CLINTEL\) climate change and climate policy](#)

Their statement is summed up like this: [World Climate Declaration - Clintel](#) "There is no climate emergency."

- 17) Until there is a true consensus and citizens are willing to pay more than \$1 to \$10 monthly for climate mitigation efforts, any possible rationale advanced by the DOE to advance the manufactured housing energy rule is undermined by the kinds of concerns raised herein.
- 18) Not to be overlooked is the revolving door and Iron Triangle type influence on DOE.

[PDF] [The New Revolving Door](#)

<https://scholarlycommons.law.case.edu/cgi/view...>

Jan 20, 2020 · the environmental area—a new green **revolving door**—but we suggest that this new **revolving door** also may be emerging in labor, health and safety, and other regulatory areas. † David Daniels Allen Distinguished Chair of Law; Director, **Climate Change** Research Network; and Co-Director, Energy, Environment and

[10.3 Interest Groups as Political Participation - American ...](#)

<https://openstax.org/books/american-government-3e/...>

The **iron triangle** is a hypothetical arrangement among three elements (the corners of the **triangle**): an **interest** group, a congressional committee member or chair, and an agency within the bureaucracy. 57 Each element has a symbiotic relationship with the other two, and it is difficult for those outside the **triangle** to break into it.

1. [Climate Change Science | American Enterprise Institute - AEI](https://www.aei.org/research-products/report/climate-change-science)

<https://www.aei.org/research-products/report/climate-change-science>

Contact. **American Enterprise Institute** 1789 Massachusetts Avenue, NW Washington, DC
20036 Main telephone: 202.862.5800 Main fax: 202.862.7177

- 19) Last for now, but certainly not least, is the fact that the U.S. is utterly unable to effect change solo or in conjunction with other nations, so long as the two largest polluters – said to be Communist China and India, continue to expand their use of fossil fuels.

• [The US, China and India must lead to reverse the climate ...](https://thehill.com/opinion/energy-environment/...)

<https://thehill.com/opinion/energy-environment/...>

Sep 09, 2020 · **China**, the **United States** and **India** are being hit harder than ever by climate impacts. There is growing public support for **climate action**, but there needs to be resolute country leadership.

- **Estimated Reading Time:** 9 mins

• [There is no climate fix without China and India ...](https://www.washingtonexaminer.com/opinion/...)

<https://www.washingtonexaminer.com/opinion/...>

Jun 05, 2019 · There are many nations, the largest of which — **China** and **India** — are still rapidly developing their economies. **U.S.** emissions have been on the decline for more than a decade, in fact ...

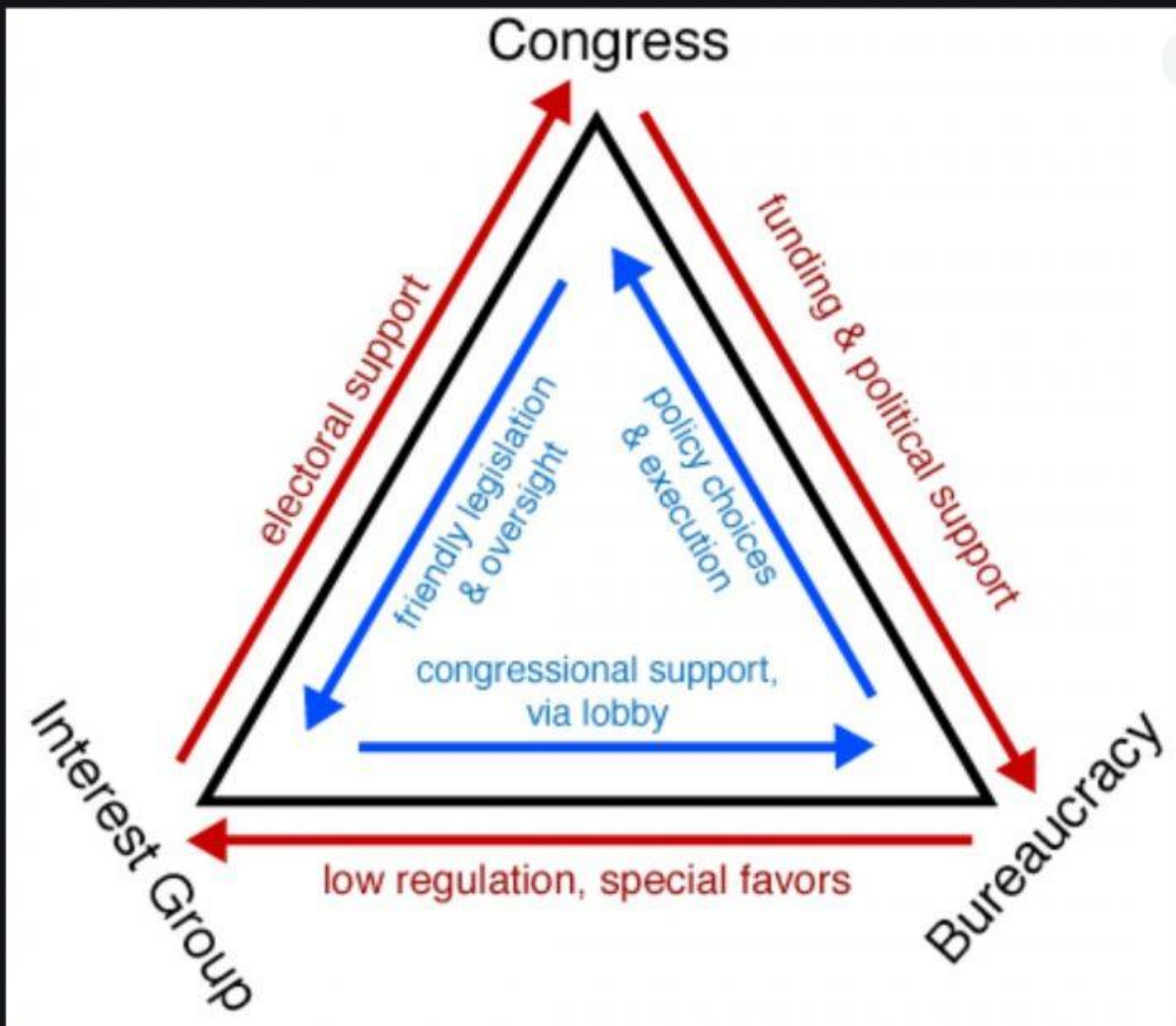
- 20) Summing Up Category #1 issues. Those who may sincerely support doing something run up against the sobering indications stated and linked above. There are factual and evidence-based reasons to doubt that any level of climate change is indeed caused to a large degree by human influences. History, geology, and archeology all reveal that climate on planet Earth has always been changing.
- 21) Citizens who 'believe' in climate change don't want to pay much for it. There is a growing push-back against Biden Administration policies that are driving up prices and inflation. There are dark money forces on both sides of the debate, and there is no consensus despite claims to the contrary.
- 22) For these and an array of other reasons, the DOE energy rule for manufactured housing based on any Category #1 related thinking are fundamentally flawed.
- 23) Category #2 opposition to this proposed energy rule on manufactured housing should thus be given credence for these reasons.

- 24) At a minimum, the DOE should attempt a serious effort to have a healthy, transparent, and public debate over the climate issue. The fact that deep pockets are pressing the issue doesn't mean it is genuine.

IV. **Obvious and subtle Corruption, Iron Triangles, Conflicts of Interest, Purported Illegals.**

- A) We can look at statements and descriptions such as "the moat," "sabotaging monopolies," the revolving door and other similar notions for evidence that the process at DOE is tainted.

Iron triangle (US politics) - Wikipedia



- B) There are years of evidence that MHI and their dominating brands are posturing support for manufactured housing while they routinely are ineffective at doing what they claim.
- C) Who says B? Ironically, one of their past chairman and one of their past award winners.



Nathan Smith

Prior MHI Chairman

"This industry has not always been, umm, forthright with itself....in governmental affairs [lobbying, advocacy] you need to be pro-active not reactive. Because you want to find it [the threat or challenge] before it happens and not to have to deal with it [the threat or challenge] after it happens.

...One of the things I, during my tenure as the chairman at MHI, I want to leave this organization with a pro-active government affairs [approach] not a reactive [one].

*Nathan Smith is a partner in what was then called SSK Communities and is more recently been rebranded as Flagship Communities. That rebranding followed a series of apparently negative news reports and legal actions, including a clip shown in HBO's Last Week Tonight with John Oliver's viral video hit against several MHI member firms dubbed **"Mobile Homes"** in April 2019.*




"So the association [MHI] is not there for the "industry," unless the interests of the Big Boys join the industry's."

- Marty Lavin, J.D.
MHI Award Winner
High Volume Retailer, Community Owner, Finance Expert.



Marty Lavin performed services for companies and the trade association he politely but pointedly ripped. The industry is being undermined from within, arguably by those who are consolidating the industry through efforts that violate various laws and regulations.

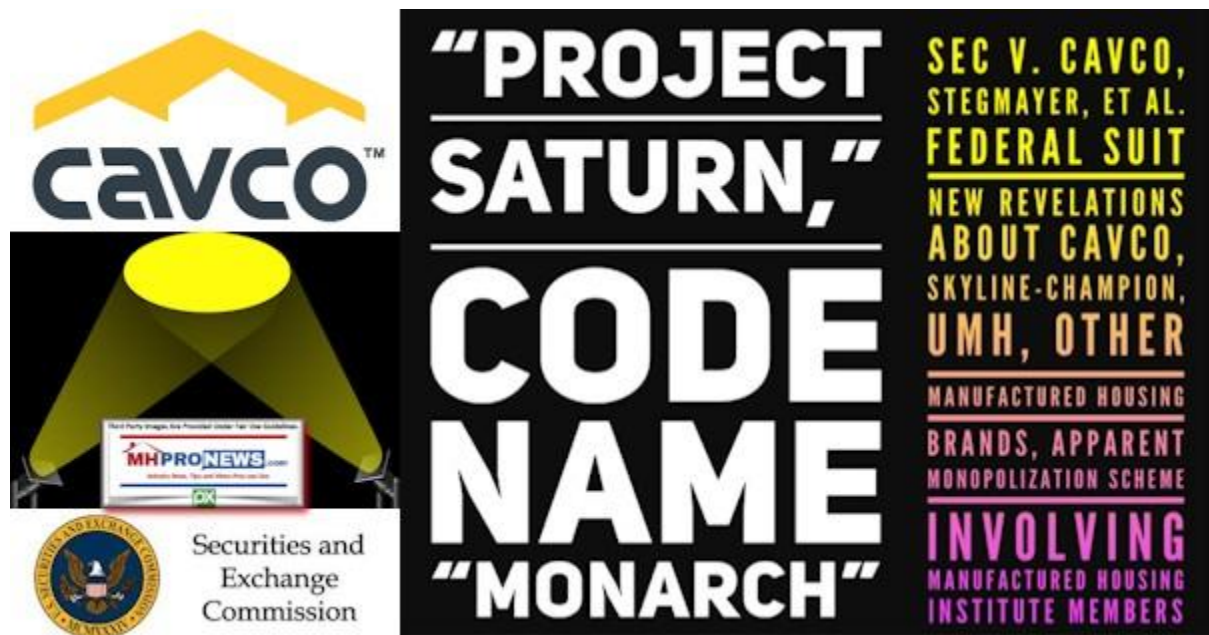
D) MHI notes that they had 48 state association affiliates. At one time, they claimed some 50 such groups. What happened? Let's look.

 **"Due to the lack of effective representation at a national level, the MHCA withdrew its membership from the national association [re: Manufactured Housing Institute, MHI] to pursue other avenues of representation. We are not the only state association to do so. The MHCA has been exploring other options; including hiring a lobbying firm that is prominent in Washington, D.C."**

- Neal T Haney, President.



E) There is growing evidence that some key members of MHI are engaged in corrupt and/or illegal behavior.



<https://www.manufacturedhomepronews.com/masthead/project-saturn-code-name-monarch-sec-v-cavco-stegmayer-et-al-federal-suit-revelations-about-cavco-skyline-champion-other-manufactured-housing-brands-apparen/>

F) One might think that MHI would on occasion win a battle on behalf of the manufactured housing industry. But in the Berkshire era, there seems to be a lot of paltering and posturing going on that results in lots of MHI generated headlines that yield few-to-any serious results that actually trace back to MHI.



"Given Democratic gains in the House and Senate, it is not widely anticipated that Obama will seek to strike a conciliatory mood with Republicans on fiscal issues, or on issues related to a softening of Dodd-Frank."

- Jason Boehlert
Manufactured Housing Institute (MHI)
Senior Vice President of Government Affairs



- G) MHI spent years and millions of dollars in lobbying for "Preserving Access to Manufactured Housing." It never passed. But the truth hiding in plain sight was that Warren Buffett said he opposed the changes to the rule and that he supported the Obama-Biden Administration's reelection.





Obama honours Bill, Melinda Gates with ...
business-standard.com

President Barack Obama Honors Warren Buffett - cnn

President Barack Obama Honors Joe Biden
denverpost.com



3Bs -
Bill,
Buffett,
Biden -

**"WHAT IF" WARREN BUFFETT,
BILL GATES, JOE BIDEN,
AFFORDABLE
MANUFACTURED HOMES
POTENTIAL ANALYSIS - "UGLY" -**

PLUS,
SUNDAY WEEKLY
HEADLINES REVIEW

<https://www.manufacturedhomepronews.com/3bs-bill-buffett-biden-what-if-warren-buffett-bill-gates-joe-biden-affordable-manufactured-homes-potential-analysis-ugly-plus-sunday-weekly-headlines>

- H) There is ample evidence that the controversies that routinely keep manufactured housing with a public black eye routinely traces back to MHI member brands. This is despite their [so-called Code of Ethical Conduct](#).

<https://www.manufacturedhomelivingnews.com/hbos-john-oliver-on-last-week-tonight-mobile-homes-video-manufactured-home-communities-fact-check/>

<https://www.manufacturedhomelivingnews.com/consumer-alert-state-records-years-of-negligence-safety-violations-greedy-greedy-sun-communities-ripped-by-residents-manufactured-homes-dam/>

<https://www.manufacturedhomelivingnews.com/clayton-homes-gc-thomas-tom-hodges-manufactured-housing-institute-chairman-slapped-by-bpr-complaint-facts-claims-why-it-matters-to-affordable-housing-seekers/>

- I) There is clear evidence that MHI has covered up behavior from federal officials that doesn't fit their narrative.

<https://www.manufacturedhomelivingnews.com/usa-seemingly-stumbles-affordable-housing-crisis-deepens-hud-oig-complaint-hits-office-of-manufactured-housing-programs-teresa-payne-hud-sec-marcia-fudge-why-it-matters-to-most-americans/>

<https://www.manufacturedhomeproneews.com/hud-sec-marcia-fudge-zoning-manufactured-homes-until-we-start-to-address-this-we-are-going-to-continue-to-be-perpetually-in-this-kind-of-situation-news-analysis/>

- J) This pattern of MHI behavior has existed regardless if a Democrat or Republican is in the White House.

<https://www.manufacturedhomeproneews.com/former-hud-fha-trump-admins-brian-montgomery-manufactured-housing-expose-trump-derangement-syndrome-conflicts-of-interest-revolving-door-iron-triangle-case-study-analysis-plus-manufactu/>

<https://www.manufacturedhomeproneews.com/masthead/prima-facie-cases-against-manufactured-housing-institute-richard-a-dick-jennison-tim-williams-21st-mortgage-kevin-clayton-tom-hodges-clayton-homes-et-al>

- K) A MHEC member explained why the state associations routinely go along with MHI.



"Why does Clayton [Homes] dominate many state associations? Attrition. The decline in independent retailers who used to dominate the states. AZ has lost 60% of their retailers since....wait for it...2011."

– MHEC State Association leader to MHProNews (2018).

- L) Former MHI VP turned MHARR founding president put it like this.



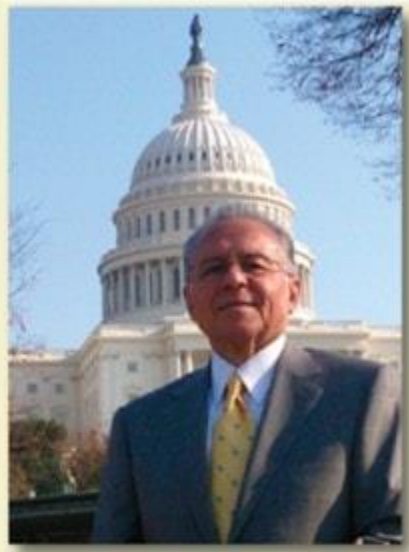
Danny Ghorbani, Senior Advisor



"To overcome the industry's zoning and consumer financing woes, this so-called post production representation needs to do more than hold meetings, issue talking points, engage in "photo ops," or publish newsletters full of braggadocio and boasts, but bereft of any tangible results."

- Danny Ghorbani,

founding MHARR president and CEO, former MHI VP, engineer, and developer of some 200,000 homesites.



"From my personal experience, at any given time, the largest manufacturers tend to dominate that Association -- i.e., the Manufactured Housing Institute. The same principal may well apply at the state association level."

Danny Ghorbani, a structural and civil engineer, former **Manufactured Housing Institute (MHI)** Vice President.

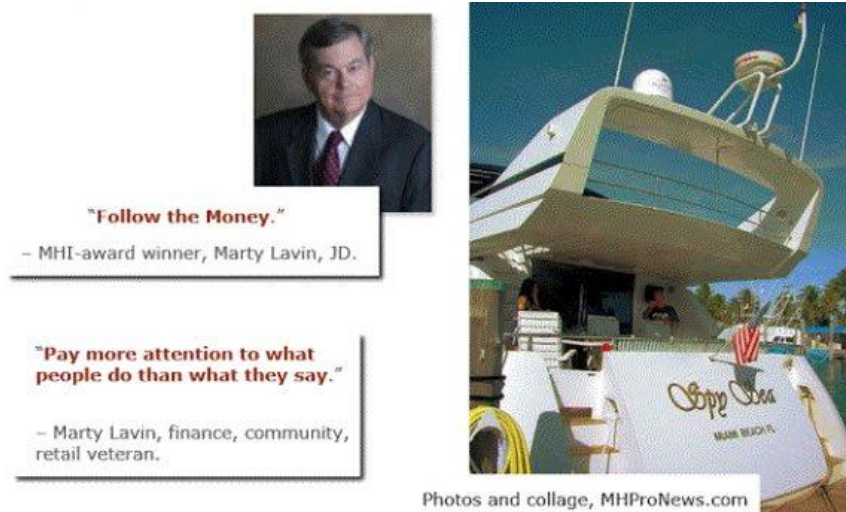
He is the Founding President and CEO of the **Manufactured Housing Association for Regulatory Reform (MHARR)**. He is a 51-year veteran of the manufactured housing industry, who has represented all aspects of the industry in Washington, D.C., including, but not limited to, manufacturers, suppliers, retailers, communities and

developers, and has managed two national manufactured housing industry trade shows. He is currently Senior Advisor to MHARR.



V. Summing Up and Conclusion

- A) Former MHI Chair Nathan Smith said it. MHI has a history of talk without delivery. Marty Lavin, J.D., has said similarly for years.



- B) I opened this comments letter with a quote similar to Lavin's above. I make these comments as the co-founder and publisher of the most-read trade media serving manufactured housing professionals. MHPProNews is documented to dominate, and we have a public-facing sister site – MHLivingNews – each of which gets millions of visits a year, [per third party data](#). MHI and others praised MHPProNews for years, right up to the point that they apparently recognized that their pattern of behavior was becoming apparent to us, and we began to report accordingly.



"To rephrase, Tony's publications and MHI are both correct on this issue. There is no daylight, just a difference in delivery.

I'm happy to commend Tony and his team members for the important work they do to advocate for our MH industry.

Perhaps one of the more useful points that can be made about their value is that others in the mainstream media and in government have cited Tony, [MHPProNews.com](#) and [MHLivingNews.com](#), and/or have shared his pro-industry take on a wide range of MH related subjects. They've done positive and profitable work promoting the MH industry, events, products and services.

We hope his team continues their years of efforts to provide a balanced and useful source of info on MH. Their growth and success are good news for our MH Industry."

- Tim Williams, President and CEO of 21st Mortgage Corp, and then MHI Chairman, in an "Industry Voices" guest letter for publication to *MHPProNews*.

Third Party Images Are Provided Under Fair Use Guidelines





"MHPRONews.com and MHLivingNews.com are both good communications resources for the Manufactured Housing Industry. I and many others at 21st Mortgage and at MHI logon to see the latest news, interviews, debates, videos, opinions and reports they publish. Having a trade publisher that presents thoughtful, respectful commentary independent of any association's perspective – as important as an association's view can be – can be a big asset to advancing the MH Industry's cause. Let me explain why..." - Tim Williams, 21st Mortgage Corp, then MHI Chairman.



Bob Thieman, CAE
Executive Director at

January 18, 2012, Bob worked with L. A. 'Tony' but at different companies

Tony and his company are leading the way for manufactured housing to enter the 21st century. He and his staff have put together remarkable educational programs and marketing that are ahead of the time and benefit the industry greatly



Tim Williams
Executive Director at Ohio Manufactured Homes Association

February 3, 2011, Tim was a client of L. A. 'Tony's'

Tony was utilized as the primary means to promote the 2011 Louisville Manufactured Home Show. As a member of the Show Committee and parent body presenting the Show, I can say we received tremendous value for the monies spent with Tony's firm. He was enthusiastic and very creative with the promotional aspects and follow up after the Show. I would recommend consideration of his services to MH professionals.



"The emergence of Tony Kovach's group of publications has brought a new standard of professionalism to the industry. The thorough and unbiased reporting fills the vacuum that has existed for too long. It's been refreshing to have these communications serving the manufactured housing industry, and here's to their continued success."

- Howard Walker, JD,
Vice-Chairman of Equity LifeStyle Properties (ELS)
Manufactured Housing Institute Executive Committee Member



Kind thoughts from the late Howard Walker, the long-time right-hand man to ELS Chairman, billionaire Sam Zell. To this day, readers from firms of all sizes, ranging from the industry's giants, to mom-and-pops, make this most-read, runaway #1 trade media in the manufactured housing industry.

<https://www.manufacturedhomepronews.com/masthead/4-quick-documented-examples-of-manufactured-housing-institute-leaders-publicly-ducking-out-on-explaining-their-performance-or-lack-of-thereof-els-howard-walker/>

- C) Let's recap the prologue to this letter and draw to a conclusion in that fashion.
- **"The system is rigged."** – Senator Bernie Sanders (VT-DS), Donald J. Trump (as candidate and as the 45th President of the United States, R), Senator Elizabeth Warren (MA-D), along with a host of other candidates, officials, and pundits.
- **"Propaganda works"** on **"most Americans."** - Guy Benson, author.
- **"If you tell a lie big enough and keep repeating it, people will eventually come to believe it."** The lie can be maintained only for such time as the State can shield the people from the political, economic and/or military consequences of the lie. It thus becomes vitally important for the State to use all of its powers to repress dissent, for the truth is the mortal enemy of the lie, and thus by extension, the truth is the greatest enemy of the State." – Joseph Goebbels, [Jewish Virtual Library](#).
- **"The best way to control the opposition is to lead it ourselves."** —[Vladimir Lenin](#).
- **"Paltering is the active use of truthful statements to convey a misleading impression."** Across 2 pilot studies and 6 experiments, we identify paltering as a distinct form of deception." [Harvard \(2017\)](#). **"Paltering is the active use of selective truthful statements to mislead."** The term as applied in psychology and mediation studies was developed by researchers at the John F. Kennedy School of Government in the late 2000s. The first known use of palter to describe acting insincerely or deceitfully was in the 1580s." - [Wikipedia](#).
- **"Facts are stubborn things."** More specifically: "Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence." — John Adams, [GoodReads](#).
- **'Tell them what you will say. Say it with convincing evidence. Tell them what you told them.'**
- D) Once the facts, conflicts of interests, competing claims, head fakes, apparent corruption and purported illegalities are unpacked and examined, it becomes clear that the DOE energy rule is just one more example of what this writer said to the [FHFA Listening Session earlier this year](#). Please keep in mind that all of these linked items are part of my comments, as are the referenced MHARR comments letters.

<https://www.fhfa.gov/Media/Documents/Kovach-statement.pdf>

- E) With all due respect to Harvard and Wikipedia, deception and misdirection, paltering, and such methods go back to Biblical times. The motivations are routinely about money and power. Who says? Warren Buffett and his longtime partner, Charlie Munger, J.D.



**"Politicians in this country want more power.
The rich want more power."
That's per Warren Buffett who also said that:
"the bad guys win. They know more games."**

Buffett's Berkshire Hathaway (BRK) partner Charlie Munger:

**"Well, the regulators aren't
[regulating]..."**



CNBC transcript of Becky Quick's June 29, 2021 interview with Buffett and Munger, dressed up under the title – **"A Wealth of Wisdom."**

<https://www.manufacturedhomepronews.com/politicians-rich-want-more-power-warren-buffett-bad-guys-win-buffett-charlie-munger-interview-transcript-re>

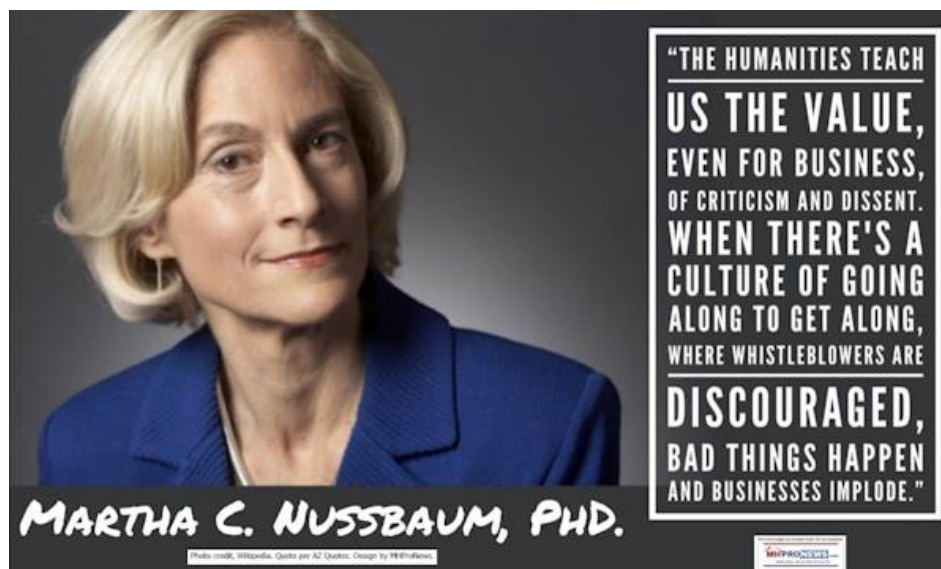
G) If MHI actually cared about minorities and those who are being denied access to affordable housing, they would be acting in cases like the one linked below.

https://www.reflector.com/standard/opinion/editorial_columnists/legal-moral-and-pragmatic-reasons-support-affordable-home-ownership-and-aydens-plant-a-home-program/article_378be022-22ca-11ec-8b8f-433a5b26a726.html

H) If MHI authentically cared about stopping this energy rule, or a range of other issues that limit manufactured housing, they would use their financial and legal resources as the nonprofits below have done.

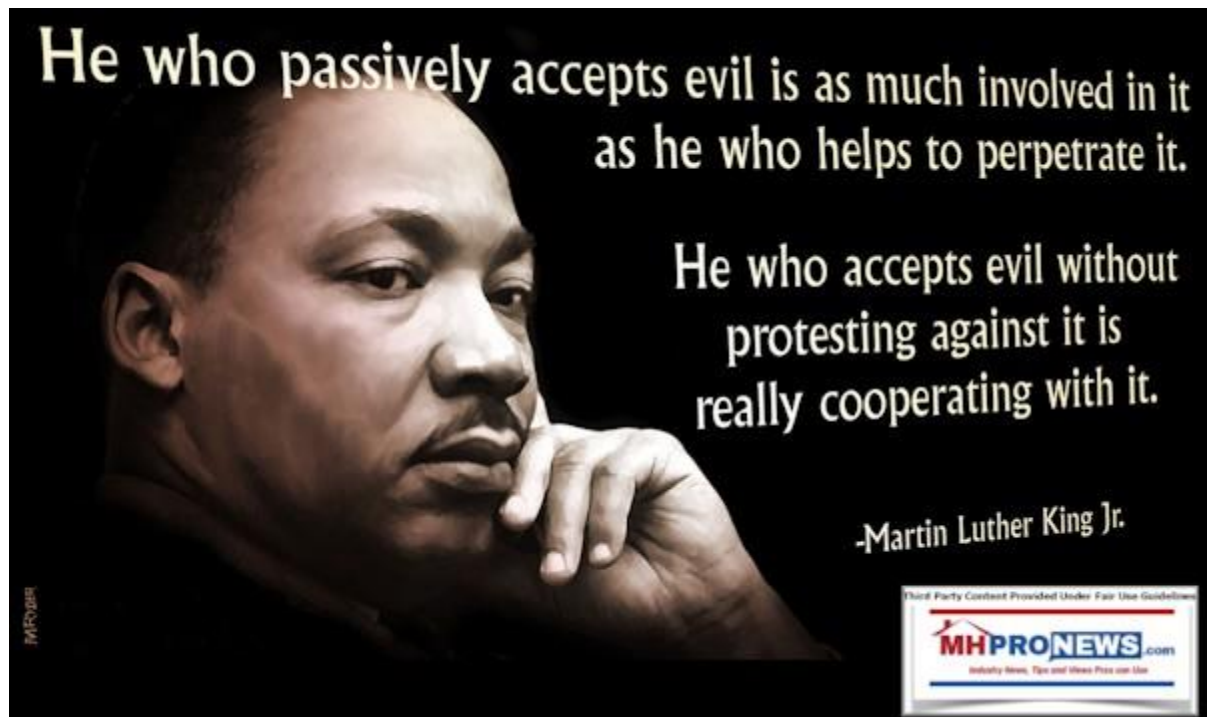


<https://www.manufacturedhomepronews.com/national-spotlight-tiny-house-calhoun-suit-nonprofit-attorneys-institute-of-justice-sue-where-s-manufactured-housing-institute-plant-a-home-manufactured-housing-improvement-act-en/>



- I) "See to it that no one deceives you." – Jesus, [Mt. 24:4](#). "You cannot serve both God and money." Jesus, [Mt 6:24](#).

- J) For these and other reasons, this multi-decade professional in manufactured housing professional who believes in the rights of all, not just the elites, opposes the DOE energy rule as being hopelessly corrupted.



- “Jesus said: **“Watch out that no one deceives you.”** (Mt. 24.4).
- **“My people are destroyed for lack of knowledge.”** Hosea 4:6.
- **“And do not argue on behalf of those who deceive themselves. Indeed, Allah loves not one who is a habitually sinful deceiver. [Quran, 4:107]”** – according to the *Understand Quran Academy*.
- **“All warfare is based on deception. Hence, when we are able to attack, we must seem unable; when using our forces, we must appear inactive; when we are near, we must make the enemy believe we are far away; when far away, we must make him believe we are near.”** — Sun Tzu, *The Art of War*, per *GoodReads*.
- **“Just because something isn't a lie does not mean that it isn't deceptive. A liar knows that he is a liar, but one who speaks mere portions of truth in order to deceive is a craftsman of destruction.”**
— Criss Jami, per *GoodReads*.

<https://baptistnews.com/article/the-connection-between-the-wealth-gap-monopolies-affordable-housing-and-biblical-truths/>

Respectfully submitted,

Tony

L. A. "Tony" Kovach
Managing Member
LifeStyle Factory Homes, LLC

DBAs:

MHLivingNews.com | MHProNews.com | LATonyKovach.com | Office: (407) 350-3093 | Cell
832-689-1729 |

Connect on **LinkedIn**:

<http://www.linkedin.com/in/latonykovach>

L. A. "Tony" Kovach is one of the most endorsed professionals in manufactured housing. He is the winner of numerous awards in history, including the Lottinville Award from the University of Oklahoma.

+++

Whether you think you can or whether you think you can't, you're right. - Henry Ford