Manufactured Housing Association for Regulatory Reform

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July 13, 2026

VIA FEDERAL EXPRESS AND ELECTRONIC SUBMISSION

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

Re: Manufactured Housing Consensus Committee Meeting July 23, 2026
Energy Conservation Standards for Manufactured Housing

Dear Members of the Manufactured Housing Consensus Committee:

The Manufactured Housing Association for Regulatory Reform (MHARR) submits the following comments in connection with the Manufactured Housing Consensus Committee's (MHCC) consideration of certain "Energy Conservation Standards for Manufactured Housing" as set forth in a U.S. Department of Housing and Urban Development (HUD) Federal Register notice published on July 8, 2026.[1] That notice states, in relevant part, that the "tentative agenda" for the meeting will include a "review" of "*the* Energy Conservation Standards for Manufactured Housing."[2] (Emphasis added). The said notice – affirmatively required by statute[3] – does not further elaborate for the information of regulatory stakeholders, other interested parties, or the public, exactly which (or what) "Energy Conservation Standards for Manufactured Housing" are being referred to. This and other more fundamental failures pertaining to this action are addressed in detail below. Ultimately, however – and in accordance with Executive Order 14394, "Removing Regulatory Barriers to Affordable Home Construction"[4] -- the MHCC should reject the development and/or adoption of any new or further manufactured housing energy standards absent a specific, compelling and detailed showing by HUD of the need for any such standards at the time of an unprecedented shortage of affordable housing and homeownership.

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[1] See, 91 Federal Register No.129, (July 8, 2026), "Notice of a Federal Advisory Committee Meeting: Manufactured Housing Consensus Committee (MHCC)" at p. 42210.

[2] Id.

[3] See, 42 U.S.C. 5403(a)(3)(G)(i): "The consensus committee shall provide advance notice of each meeting of the consensus committee … and cause to be published in the Federal Register advance notice of each such meeting." Further, pursuant to 42 U.S.C. 5403(a)(3)(A)(iv), the MHCC is deemed a federal advisory committee subject to the Federal Advisory Committees Act.

[4] See, 91 Federal Register, No. 52, (March 15, 2026) "Removing Regulatory Barriers to Affordable Home Construction" at p. 13207, et seq., attached hereto.

COMMENTS

1. THE MEETING NOTICE FAILS TO PROVIDE INTERESTED PARTIES A VALID AND LEGITIMATE OPPORTUNITY TO COMMENT

As a federal advisory committee subject to the Federal Advisory Committees Act (FACA)[5], the MHCC plays an important and vital role in the development and review of HUD Manufactured Housing Construction and Safety Standards. In that role, the MHCC must have access to and must receive and consider the views, interests and concerns of all affected stakeholders and the public at large, In order to ensure that federal advisory committees such as the MHCC can receive and consider such input at a relevant stage – and in a relevant manner – during its proceedings, federal regulations issued pursuant to FACA require, among other things, that an agency conducting such a meeting, provide:

> "(a) A notice in the Federal Register [which] must be published at least 7 calendar days prior to an advisory committee meeting, which includes: ***
> (4) A summary of the agenda, and/or topics to be discussed and instructions on how to access meeting materials."

In the case of the present MHCC meeting, the notice provided in the July 8, 2026 Federal Register is wholly and completely inadequate to meet the requirements and purpose of this mandate.

The FACA regulations are clearly designed to allow stakeholders, interested parties and the public a legitimate and valid opportunity to comment -- in advance and at the time of the meeting – on the subject matter that will be addressed by the federal advisory committee in question, in this case the MHCC. The publication of a meeting notice, however, referencing **only** "*the Energy Conservation Standards for Manufactured Housing,*" without further specifying whether those standards are the U.S. Department of Energy (DOE) "final" standards published on May 31, 2022, or some other alleged "standards" that have not previously been published, proposed or provided to the public, is to effectively ***provide no notice at all****, and is a* is a de facto and de jure denial of the Due Process (and statutory) right of stakeholders and other interested parties to comment.

Accordingly, the ambiguity of the purported MHCC meeting notice and its failure to properly identify the specific subject matter to be addressed at the meeting is a fatal flaw and defect in this proceeding and MHARR reserves its right to pursue all applicable legal remedies to address this deliberate violation of FACA, federal manufactured housing law and Due Process.

2. THERE IS NO VALID OR LEGITIMATE BASIS FOR HUD TO CONSIDER ANY NEW OR FURTHER ENERGY MANDATES FOR MANUFACTURED HOMES

While the Federal Register notice for the July 23, 2026 MHCC meeting is fatally ambiguous and deficient in that it fails to identify which – or what – manufactured housing "Energy Conservation" standards the MHCC will be "considering" at its meeting, that failure, ultimately,

[5] See, 5 U.S.C. App. 1001, et seq.

is substantively irrelevant, insofar as neither the MHCC nor HUD should be considering *any* new or further manufactured housing construction and safety standards regarding "energy conservation" absent a specific and compelling showing of need and cost-justification in the context of a multi-million unit affordable housing shortage. And no such showing has been made – or *could be made*.

Any action by either the MHCC or HUD to consider new or further energy conservation standards for manufactured homes, is subject to the directives set out by President Trump in Executive Order 14394, "Removing Regulatory Barriers to Affordable Home Construction," issued on March 13, 2026 (EO). That EO states, in relevant part:

> "Layers of unnecessary regulatory barriers … and onerous mandates at all levels of government have … driven up the costs of new housing. These constraints have made housing less affordable for many Americans. It is the policy of my Administration to reduce regulatory barriers to building homes and to … promot[e] housing affordability."

(Emphasis added).

And so as to leave no doubt whatsoever that this directive includes and embraces manufactured home energy conservation standards, EO 14394 further states, specifically:

> "[T]he Secretary of Housing and Urban Development [and] the Secretary of Energy … shall, within their respective authorities, take appropriate action to reform and, where appropriate, eliminate unduly burdensome or costly energy-efficiency … requirements regarding housing, including manufactured housing, to the maximum extent practicable…. Such action shall include … (i) the Energy Conservation Program's Energy Conservation Standards for Manufactured Housing."

(Emphasis added).

From this EO, it is clear that instead of reviewing, developing or considering the development and/or adoption of new or further manufactured home energy standards, any such development activity should be terminated and abandoned and the MHCC should not be presented with or asked to consider any such new or further standards. This includes not only the moribund and officially-deferred DOE May 31, 2022 "final" manufactured home energy standards, but also the development of any possible new or further HUD Manufactured Housing Construction and Safety Standards pertaining to "energy conservation" absent a compelling and evidentiary-based showing of need – of which there has been none.

Any action by HUD – via the Office of Manufactured Housing Programs (OMHP) or otherwise – to advance any such standards would violate EO 14394 and would be aggressively opposed through any and all means necessary by MHARR.

Instead of allowing program-level personnel to violate and undermine the public policy priorities of President Trump designed to foster the availability and utilization of affordable housing and promote homeownership – the same federal purposes as the Manufactured Housing Improvement Act of 2000[6] -- HUD Secretary Scott Turner should and must ensure that needless, unnecessary and discriminatory high-cost energy regulations are not imposed on HUD-regulated manufactured housing. In this respect, Secretary Turner should act in a manner consistent with the policy model set by DOE Secretary Chris Wright who, consistent with EO 14394, has acted in recent weeks: (i) to repudiate the 2024 International Energy Conservation Code (IECC) – and earlier iteration of which forms the basis and underpinning for the May 31, 2022 "final" DOE manufactured housing "energy" standards; and (ii) to "permanently end" unnecessary energy mandates for home appliances and equipment.

Rather than allowing President Trump's goal of housing affordability and availability to be undermined by OMHP, HUD Secretary Turner – and the MHCC – must ensure that inherently affordable manufactured homes and homebuyers are not needlessly burdened and excluded from homeownership by baseless, unnecessary, discriminatory and unduly onerous fraudulent "energy" mandates.

This same analysis applies, moreover, regardless of whether the present MHCC meeting has been noticed for further consideration of the DOE standards or for consideration of some other – as yet undisclosed – proposed energy mandates.

CONCLUSION

For all of the foregoing reasons, the MHCC should – and must – reject any new and/or further HUD manufactured housing "energy conservation" standards that: (i) are identical to or in any way derived from, based upon, or in any way related to the "final" DOE manufactured housing energy conservation standards published on May 31, 2022; or (ii) have not been developed in toto, and from the outset, through an independent, legitimate and consensus-based statutory development process based on specific, credible evidence regarding the purchase price, market and competitive impacts of any such standards. Instead, in accordance with Executive Order 14394, the MHCC should reject the imposition of any new or further unnecessary and costly energy mandates on manufactured homes via the HUD Code unless and until a valid and legitimate cost-justified basis for any such new or further standards is demonstrated with valid, credible and compelling evidence.

While the MHCC, at its January 2026 meeting, (again) rejected the DOE May 31, 2022 manufactured housing energy standards stating:

> "The most constructive path forward is for HUD and the MHCC to develop energy efficiency improvements that are specifically designed for manufactured housing that account for the unique aspects of factory-built construction, that preserve the

[6] See, 42 U.S.C. 5401(b)(2): "The purposes of this chapter are -- *** (2) to facilitate the availability of affordable manufactured homes and to increase homeownership for all Americans.

affordable housing mission of the industry and … maintain reasonable consumer choice,"[7]

those comments were made prior to the issuance of EO 14394 and its specific directive to "eliminate" "to the maximum extent practicable" "unduly burdensome or costly" energy-efficiency requirements regarding housing, specifically including "Energy Conservation Standards for Manufactured Housing."

In accordance with EO 14394, neither the MHCC nor HUD should be developing, considering, evaluating or adopting any new "energy conservation" standards that would needlessly increase the purchase acquisition costs of manufactured housing during an unprecedented affordable housing crisis. Any such effort to impose unnecessary new or further regulations on manufactured homes should be fully and completely ***rejected***.

Sincerely,

Mark Weiss
President and CEO

cc: Hon. Donald J. Trump
Hon. Scott Turner
Hon. Scott Bessent
Hon. Kelly Loeffler
Hon. Russell Vought
HUD Code Manufactured Housing Industry Manufacturers

7 See, Meeting Minutes, Manufactured Housing Consensus Committee, January 27 & 28, 2026, Appendix C at p. 2.

Presidential Documents

Executive Order 14394 of March 13, 2026

Removing Regulatory Barriers to Affordable Home Construction

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose.* The American dream of homeownership depends on a dynamic housing market in which a varied inventory of new homes is built and renovated each year. Layers of unnecessary regulatory barriers, slow permitting processes, and onerous mandates at all levels of government have delayed construction, restricted development, and driven up the costs of new housing. These constraints have made housing less affordable for many Americans.

It is the policy of my Administration to reduce regulatory barriers to building homes and to steward taxpayer dollars in a manner that promotes housing affordability.

Sec. 2. *Targeting Federal Regulatory Barriers to Residential Development.* (a) The Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works, and the Administrator of the Environmental Protection Agency shall review and revise requirements related to stormwater, wetlands, lakes, rivers, and other bodies of water to reduce housing construction and ownership costs, streamline regulatory and agency decision-making processes, reduce property tax burdens, and increase insurability, as appropriate and consistent with applicable law. Such requirements shall include:

(i) the Construction General Permit for stormwater discharges from construction activity;

(ii) federally issued Total Maximum Daily Loads;

(iii) construction site and post-construction requirements for Municipal Separate Stormwater System permits;

(iv) Federal standards for permits under section 404 of the Clean Water Act (CWA), 33 U.S.C. 1344, for the discharge of dredged and fill material into waters of the United States; and

(v) Federal standards for assumption of dredge and fill permitting by States and tribes under section 404(g) of CWA.

(b) The Secretary of Commerce, the Secretary of Housing and Urban Development, the Secretary of Transportation, and the Director of the Federal Housing Finance Agency (FHFA) shall, within their respective authorities, consider eliminating unduly burdensome rules and reforming programs that constrain residential development and impede housing affordability, especially the construction of affordable single-family homes as well as suburban and exurban neighborhoods, including, as needed:

(i) the Economic Development Administration's guidelines and investment priorities concerning development density;

(ii) the Department of Transportation's Reconnecting Communities Pilot Program;

(iii) the Department of Housing and Urban Development's Pathways to Removing Obstacles to Housing Program; and

(iv) the FHFA's guidelines and regulations regarding chattel lending for manufactured housing and incentivizing low-balance home mortgages.

(c) The Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Energy, and the Director of FHFA shall, within their respective authorities, take appropriate action to reform and, where appropriate, eliminate unduly burdensome or costly energy-efficiency, water-use, or alternative-energy requirements regarding housing, including manufactured housing, to the maximum extent practicable and consistent with applicable law. Such action shall include reviewing and revising, as needed:

(i) the Energy Conservation Program's Energy Conservation Standards for Manufactured Housing;

(ii) the Adoption of Energy Efficiency Standards for New Construction of HUD- and USDA-Financed Housing;

(iii) residential building energy codes subject to review by the Secretary of Energy; and

(iv) water and energy efficiency improvement standards for FHFA's duty to serve underserved market properties.

Sec. 3. *Streamlining Federal Permitting Requirements for Residential Development.* (a) The Chairman of the Council on Environmental Quality shall provide guidance to executive departments and agencies (agencies) on implementing the National Environmental Policy Act of 1969, including through the establishment, adoption, or application of categorical exclusions, in a manner that maximally exempts or reduces burdens on housing construction, preservation, adaptive re-use, and infrastructure that facilitates housing construction, such as roads, water, sewer, and other projects.

(b) The Chairman of the Advisory Council on Historic Preservation shall develop guidance on maximally exempting, or reducing burdens on, housing construction and infrastructure that facilitates housing construction, such as roads, water, sewer, and other projects under section 106 of the National Historic Preservation Act so that reporting requirements are no more burdensome than necessary.

Sec. 4. *Boosting Housing Affordability Through State and Local Regulatory Best Practices.* (a) Within 60 days of the date of this order, the Secretary of Housing and Urban Development, in coordination with the Assistant to the President for Domestic Policy, shall develop and promulgate a series of regulatory best practices for State and local governments to promote housing construction and affordability, including:

(i) streamlining permitting processes for housing developments by, for example, capping permitting timelines and fees; allowing by-right development for single-family homes; limiting retroactive application of new or changed building codes; allowing third-party inspections and appropriate builder choice on certified entities for inspections and studies; and ensuring swift dispute resolution with government agencies and private parties regarding construction matters;

(ii) curtailing mandates that increase housing construction costs, such as green-energy building requirements or other energy-choice restrictions, non-evidence-based building codes, and unreasonable building-code-adoption timelines;

(iii) re-examining restrictions on the use of manufactured or modular housing on the basis of the construction method rather than objective standards for building and safety, aesthetic requirements, or prohibitions on construction when comparable site-built housing is permitted; and

(iv) removing arbitrary limitations on residential housing development beyond urban centers, such as urban growth boundaries, growth moratoria, and commuting penalties.

(b) The Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency shall, within their respective authorities, take steps to revise, as appropriate and consistent with applicable law, regulations, guidance, grant applications and requirements, technical assistance, and other relevant agency documents or practices to advance the best practices issued pursuant to subsection (a) of this section.

Sec. 5. *Facilitating New Residential Construction in Opportunity Zones.* (a) The Secretary of the Treasury and the Secretary of Housing and Urban Development shall jointly evaluate Administration actions to better align programs and incentives with the Opportunity Zone tax incentives to expand investment in single-family home construction, including considering lawful mechanisms to link grants, financing tools, or other incentives with new or increased investment in Qualified Opportunity Funds engaged in the development and sale of single-family homes.

(b) The Secretary of the Treasury and the Secretary of Housing and Urban Development shall also assess opportunities to coordinate the Opportunity Zone incentives described in subsection (a) of this section with the New Markets Tax Credit under 26 U.S.C. 45D to promote single-family home construction in census tracts that qualify both as Qualified Opportunity Zones and as low-income communities for the purposes of the New Markets Tax Credit.

Sec. 6. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

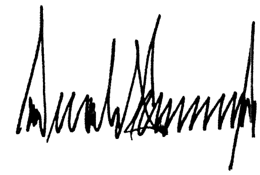
(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) If any provision of this order, or the application of any provision or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

(e) The costs for publication of this order shall be borne by the Department of Housing and Urban Development.



THE WHITE HOUSE,
March 13, 2026.

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