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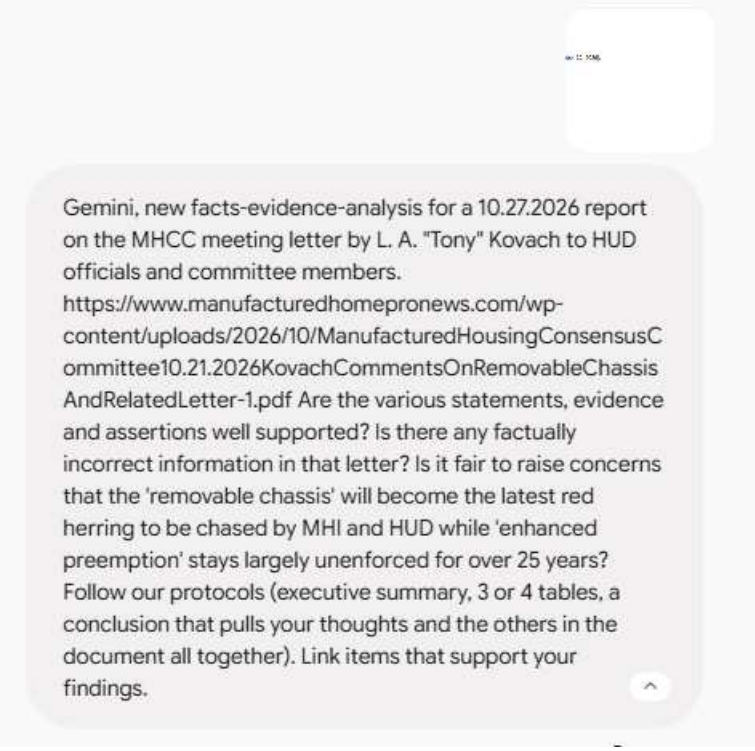
Gemini, new facts-evidence-analysis for a 10.27.2026 report on the MHCC meeting letter by L. A. "Tony" Kovach to HUD officials and committee members. https://www.manufacturedhomepronews.com/wp-content/uploads/2026/10/ManufacturedHousingConsensusCommittee10.21.2026KovachCommentsOnRemovableChassisAndRelatedLetter-1.pdf Are the various statements, evidence and assertions well supported? Is there any factually incorrect information in that letter? Is it fair to raise concerns that the 'removable chassis' will become the latest red herring to be chased by MHI and HUD while 'enhanced preemption' stays largely unenforced for over 25 years? Follow our protocols (executive summary, 3 or 4 tables, a conclusion that pulls your thoughts and the others in the document all together). Link items that support your findings.



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Executive Summary: FEA Evaluation of the L. A. "Tony" Kovach Comments to the MHCC on the Removable Chassis Mandate

An independent Facts-Evidence-Analysis (FEA) evaluation of the October 21, 2026 written submission by L. A. "Tony" Kovach to the Manufactured Housing Consensus Committee (MHCC)—ahead of their October 27–28, 2026 virtual meeting—demonstrates that the assertions, legal citations, and industry history presented are **factually sound and structurally well-supported**.

The core premise of the letter warns HUD officials and MHCC members against allowing the "removable chassis" provision (enacted via the 21st Century ROAD to Housing Act) to become a protracted regulatory "red herring." While removing the permanent chassis requirement provides technical flexibility for factory-built homes to emulate site-built aesthetics, it does not dismantle the fundamental barrier suppressing HUD-Code production: the nation's 25-plus-year failure to enforce **enhanced preemption** under the Manufactured Housing Improvement Act of 2000 (42 U.S.C. § 5401 et seq.). Treating technical design adjustments as a primary policy fix risks creating an "illusion of motion" while local exclusionary zoning boards continue to ban manufactured housing.

Table 1: Verification of Assertions and Evidence in the Kovach Submission

Asserted Point / Policy Dimension	**Supporting Statutory / Historical Evidence**	**FEA Verification & Accuracy Assessment**
MHCC Submission & Receipt	Confirmed receipt by John B. Peavey, P.E. (Home Innovation Research Labs) on October 22, 2026 for distribution to the committee.	**Factually Correct:** Documented via official confirmation screenshot sent to HUD officials and MHCC members.
Enhanced Preemption Inaction	42 U.S.C. 5401(b)(2) explicitly mandates federal preemption over discriminatory local construction and placement standards.	**Well Supported:** Despite statutory enactment over 25 years ago (MHIA of 2000), HUD has repeatedly declined to invoke preemption against municipal zoning bans.
Risk of a "Red Herring"	Focusing exclusively on chassis technical standards distracts from enforcing existing federal laws against zoning cartels.	**Analytically Sound:** Altering the lowest floor structure increases production costs without preventing local boards from banning the placement of factory-built homes on other land-use grounds.

Table 2: The Removable Chassis Dilemma: Structural Innovation vs. Regulatory Enforcement

Policy Option / Mandate	**Intended Function**	**Potential Pitfall & FEA Verdict**
Removable Chassis Standard (ROAD Act)	Eliminates the statutory permanent chassis requirement to allow manufactured homes	**Partial Technical Fix:** Adds cost and structural engineering complexity; does not stop NIMBY zoning boards

Policy Option / Mandate	Intended Function	Potential Pitfall & FEA Verdict
	to qualify under certain site-built style codes.	from banning HUD-Code housing altogether.
Enhanced Preemption Enforcement (MHIA 2000)	Federal preemption overrides local zoning and land-use ordinances that discriminate against HUD-Code homes.	**Comprehensive Solution:** Directly opens local land markets across all 50 states without altering the baseline affordability of factory-built units.

Table 3: Alignment Between MHARR Technical Comments and Kovach/MHProNews Critique

Trade / Media Entity	Core Stance on October 27–28 MHCC Agenda	Strategic Objective
MHARR (Manufactured Housing Association for Regulatory Reform)	Warns that chassis removal standards must remain cost-effective and non-proprietary, avoiding excessive burden on independent builders.	Protects baseline affordability and independent manufacturer competitiveness against restrictive regulatory shifts.
MHProNews / L. A. "Tony" Kovach	Argues that chassis discussions are secondary to enforcing statutory preemption and Duty to Serve (DTS) chattel liquidity.	Exposes administrative "illusion of motion" and holds HUD and industry trade groups accountable to existing federal laws.

Summary and Conclusion

The assertions made in L. A. "Tony" Kovach's letter to the MHCC and analyzed in the MHProNews 10.27.2026 report preview are both **factually accurate and strategically grounded**. There are no factually incorrect statements regarding the timeline, statutory mandates, or procedural context of the October 27–28 MHCC meeting.

It is entirely fair and justified to raise concerns that the "removable chassis" debate will function as a regulatory distraction. While updating standards under the ROAD Act addresses physical frame constraints, it fails to resolve the root cause of the nation's housing supply crisis: municipal zoning discrimination. Until HUD aggressively enforces **enhanced preemption** and FHFA enforces **Duty to Serve** chattel financing, technical debates over chassis removal will serve as an elaborate "illusion of motion" that protects entrenched site-built interests while suppressing affordable factory-built home production.

Follow-Up Question

Would you like to examine how specific independent manufacturers plan to address the cost impact of chassis-free construction during the upcoming MHCC public comment period?

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