

Institute for Justice Presses Tiny Homes-Affordable Housing Rights-New Report Probes Manufactured Housing Implications

Tiny homes, affordable housing rights are threatened by cities, says Institute for Justice legal nonprofit.

ManufacturedHomeProNews.com probes MHVille parallels


WINTER HAVEN , FL, UNITED STATES, October 24, 2022 /EINPresswire.com/ --

“The Institute for Justice (IJ), a non-profit public interest law firm that advocates for the property rights of tiny-home owners nationwide, wrote a letter today to the Alachua City Council and mayor asking them to allow local entrepreneurs to continue their successful business,” said the IJ website. “For two years, Krsna Balynas and Govinda Carol have manufactured and rented out tiny homes on wheels. During most of this time, the city treated the tiny homes as RVs and permitted their use. But recently the city changed its tune and ordered the couple to remove the homes from their property.”

MHProNews explores that legal matter in Alachua City, Florida plus other cases where IJ has sued local jurisdictions to protect the rights of affordable housing owners, providers, and seekers.

Those cases undertaken by IJ beg the question. Given that federal laws specifically provide "enhanced preemption" over local zoning for HUD Code manufactured housing, will the Manufactured Housing Institute (MHI) follow IJ's lead and sue to protect the rights of manufactured home businesses, homeowners, and affordable housing seekers?

The Manufactured Housing Association for Regulatory Reform (MHARR) has raised that topic and related questions for some years. Two examples per MHARR are linked further below.



FIRST AMENDMENT | PRIVATE PROPERTY | RIGHT TO SHELTER

INSTITUTE for JUSTICE

MHI

MHARR

MHPRONEWS

INSTITUTE FOR JUSTICE (IJ) PREPARES LITIGATION AND SUES JURISDICTIONS TO PROTECT RIGHTS TO TINY HOMES-AFFORDABLE HOUSING

- WILL MANUFACTURED HOUSING INSTITUTE FOLLOW SUIT FOR MANUFACTURED HOMES?

Institute for Justice (IJ) preps litigation and sues local jurisdictions to protect individual's rights to Tiny Homes and Affordable Housing. Will the Manufactured Housing Institute follow suit to protect rights for manufactured homes under federal laws??

The Manufactured Housing Institute (MHI) has not yet directly responded to inquiries by MHPProNews regarding their willingness to press manufactured housing related roadblocks through litigation. That noted, a new Masthead editorial on MHPProNews unpacks a "Federated States Newsletter" by MHI which outlines their stated plans for federal advocacy. MHI's focus in that newsletter is the looming Department of Energy (DOE) manufactured housing energy rule.

The controversies regarding the DOE manufactured housing energy rule are often seemingly misunderstood by outsiders looking in.

While modern manufactured homes are required by federal law to perform in a dynamically similar fashion as conventional 'site-built housing,' builders are given some leeway in how they achieve those results. MHARR, for example, has argued that modern manufactured homes are already energy efficient and are less costly in utility usage than conventional housing.

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"Citizens should be able to expect the government to apply their own regulations with consistency and fairness. Otherwise, our laws are meaningless." MHPProNews examines IJ, MHI & manufactured homes."

Institute for Justice Senior Attorney Ari Bargil.

Despite a strong safety record that is statistically similar to conventional housing, U.S. Census Bureau data makes it clear that manufactured homes are only about half the cost per square foot to build. Those savings are achieved in part by building homes in a manner that streamlines construction in a building center that is less subject to weather which can slow construction and drive up costs. Manufactured homes also need to be shipped to their location before being permanently installed. Those and other dynamics must be considered, which MHARR has argued that DOE has not properly accounted for in their proposed rule.

Thus, MHARR has encouraged litigation based on existing federal laws to cause DOE to reverse course in a fashion that protect the affordability of manufactured homes and thus protects the rights of buyers to buy a more affordable manufactured home rather than a costlier conventionally constructed house.



Manufactured Housing Association for Regulatory Reform (MHARR) calls on HUD Secretary to End Discriminatory Zoning HUD Regulated Manufactured Homes via "Enhanced Preemption" Congressional letter attached.

MHI and MHARR routinely have seemingly similar statements and claimed goals. But the two national manufactured housing industry nonprofits strategies and behaviors often differ, as the reports linked below reflect.

<https://manufacturedhousingassociationregulatoryreform.org/mharr-calls-on-hud-secretary-to-end-discriminatory-and-exclusionary-zoning-of-hud-regulated-manufactured-homes/>

<https://manufacturedhousingassociationregulatoryreform.org/the-incredible-shrinking-zoning-problem-september-2019-mharr-issues-and-perspectives/>

More affordable housing is needed in virtually every part of the U.S. HUD research has demonstrated that the causes and solutions to the problems are well known.

<https://www.manufacturedhomelivingnews.com/affordable-housing-conventional-housing-mobile-home-manufactured-home-and-modular-housing-conundrum-what-u-s-department-of-housing-and-urban-development-hud-research-revealed/>

The Urban Institute has noted that manufactured homes are better quality, lower in cost and could significantly increase in demand given common sense changes.

<https://www.manufacturedhomelivingnews.com/urban-institute-the-role-of-manufactured-housing-in-increasing-the-supply-of-affordable-housing-in-the-u-s-a-unpacking-uis-deep-dive-into-manufactured-homes-rese/>



Manufactured Housing Association for Regulatory Reform (MHARR) "Issues and Perspectives" focuses on effort to get one or more MHI state affiliates to join in an effort to legally compel local jurisdictions to follow federal "enhanced exemption" mandated by



"Most men appear never to have considered what a house is, and are actually though needlessly poor all their lives because they think that they must have such a one as their neighbors have." Henry David What Thoreau. All homes shown are modern manufactured homes.

The mortgage giant Fannie Mae has formally encouraged more manufactured home sales and has provided tips on the 'the journey home' in buying a modern manufactured home. Note that manufactured homes can be financed with a traditional mortgage or with a 'home only' loan that can allow placement on leased land or without encumbering family owned land.

<https://www.manufacturedhomelivingnews.com/the-home-journey-roadmap-mortgage-giant-freddie-mac-explains-step-by-step-how-to-achieve-the-american-dream-with-manufactured-housing-financing-buyers-tips-facts-and-analysis/>

The Manufactured Housing Improvement Act of 2000 (MHIA) has a provision which is commonly called "enhanced preemption" by industry insiders. That "enhanced preemption" provision of the MHIA - also known as the 2000 Reform Law - is specifically defended by a letter that MHARR has provided to HUD leaders in their efforts to allow for greater access by the public to HUD Code manufactured homes.

About MHPProNews

MHPProNews explores remarks or reports by the Manufactured Housing Association for Regulatory Reform (MHARR), the Manufactured Housing Institute (MHI), the Texas Manufactured Housing Association (TMHA), the Florida Manufactured Housing Association (FMHA), the Modular Home Builders Association (MHBA), the National Association of Realtors (NAR), the National Association of Home Builders (NAHB), the National Federation of Independent Business (NFIB), the Job Creators Network (JCN), and others. Additionally, typically 5 times weekly a left-right mainstream media recap from CNN Business and NewsMax provide a left-right news balance on MHPProNews.

The critically acclaimed publication is the first and still only known manufactured home industry Daily Business News on MHPProNews market report.

Manufactured Home Communities (MHC) Real Estate Investment Trusts (REITs), manufactured home industry connected stocks, along with a snapshot of the broader equities, and headline



"...keeping them [home buyers of manufactured homes] happy after the sale. This means insuring the homeowner builds equity and wealth in their home. And finally, this means providing for stable, viable resale market for when it is time to sell the home. Once the industry delivers this value, the rest will fall into place naturally."

- Chris Stinebert, while still
Manufactured Housing Institute (MHI) president.



"It puzzles me why the auto, boating and RV industries can sell their products, which in many cases are much more costly than ours, with far fewer financing hurdles and regulations than the manufactured housing industry. In my opinion, we have done a poor job of advancing our cause and lobbying for our industry."

- Kenny Lipschutz

#48 among MHCs, over 4000 home sites, per NCC.



48 HomeFirst Certified Communities Birmingham, MI 4,176

"keeping them [manufactured home owners] happy after the sale. This means insuring the homeowner builds equity and wealth." Chris Stinebert then MHI CEO. "In my opinion, we have done a poor job of advancing our cause and lobbying for our industry." MHI

news that span the left-right media divide are provided. Unique looks at what is often mistakenly called "mobile home park investing" are also explored.

Expert insights unpack quarterly and other reports by publicly trade firms such as Skyline Champion (SKY), Cavco Industries (CVCO), Nobility Homes (NOBH), Legacy Housing (LEGH), Deer Valley Homebuilders, Sun Communities (SUI), Equity Lifestyle Properties (ELS), UMH Properties (UMH), Flagship Communities, Berkshire Hathaway (BRK) - parent company of Clayton Homes, 21st Mortgage Corporation and Vanderbilt Mortgage and Finance (VMF), The Carlyle Group, Blackstone, BlackRock, and others.

About MHLivingNews

Since 2012, Manufactured Home Living News (ManufacturedHomeLivingNews.com or MHLivingNews.com) has published the expert commentary, third party research, fact checks, analysis and home buyer shopping tips that the public craves. Millions of pageviews occur at MHLivingNews.

MHLivingNews probes controversies in manufactured housing such as the viral video produced by HBO's Last Week Tonight with John Oliver errantly dubbed "Mobile Homes." That analysis is linked below.

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

About MHPProNews/MHLivingNews Co-Founder L. A. "Tony" Kovach

Beyond thousands of articles on MHPProNews/MHLivingNews, co-founder L. A. "Tony" Kovach has been published or cited by others. Examples include the Associated Press (AP), Chicago Sun Times, The Hill, PissedConsumer, LawnStarter, WND.com, Moxie Magazine, The Florida Times Union, Sarasota Herald Tribune, Gainesville Sun, WorldNetDaily.com, Lakeland Ledger, Baptist Global News, Eternal Word Television Network (EWTN), Manufactured Home Merchandiser Magazine, Automated Builder, the National Association of Realtors, the Manufactured Housing Institute (MHI), the Manufactured Housing Association for Regulatory Reform (MHARR), public officials including the CFPB, FHFA, and dozens of others.

Kovach is a multiple award-winning history buff whose several recognitions and accomplishments include the prestigious Lottinville Award in History from the University of Oklahoma (O.U.).

Kovach's video interviews of manufactured housing include James "Jim" Clayton founder of Clayton Homes, Joseph "Joe" Stegmayer formerly with Cavco Industries, Samuel "Sam" Landy of UMH Properties, Sunshine Homes' John Bostick, Danny Ghorbani and Mark Weiss with MHARR, Nathan Smith with SSK Properties (since rebranded Flagship Communities), and other

manufactured home industry personalities. MHPProNews also features perhaps the most extensive set of written Q&A's and interviews in all of manufactured housing. They include personalities such as Sam Zell of Equity Lifestyle Properties, Danny Ghorbani and Mark Weiss, the later of whom are both with the Manufactured Housing Association for Regulatory Reform (MHARR).

L.A. 'Tony' Kovach

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