

# MHOAA Across America

[www.mhoaa.us](http://www.mhoaa.us)

March 2012 Edition

603/520-0955

## **Letter from MHOAA President Lois Parris**

As you can all see, our Executive Director Ishbel has been very busy.

Thanks to all her great work, dedication, and the passion that drives her to make a difference for those of us living in our communities, we are being heard by those who make the decisions that affect us all.

We are the “end user” in this arena of affordable housing and until now, have hardly been heard. I believe we are at the turning point in our fight for dignity and fairness as homeowners.

I would like to thank all of our partners and friends that have helped us through grants, donations and of course very importantly, our members, an Executive Director, more than willing to put her time, talents and passion into action.

I would like to also thank the many people that behind the scenes help to make MHOAA an organization to be proud of. We have a very dedicated BOD and we recognize all those that served on MHOAA before us as the stepping stones of success.

## **From Where I Sit – MHOAA Executive Director Ishbel Dickens**

Who knew that when the MHOAA Board voted to change the name of this quarterly newsletter to “MHOAA Across America” that MHOAA really would be reaching far and wide as it grows and matures. How prescient!

I am writing this in the first half of February and already I have been to Fort Collins, Colorado and Washington, DC. I will be in Los Angeles, California at the end of February and in Hartford, Connecticut at the beginning of March – all trips related to my work as the Executive Director of MHOAA.

I was invited to Fort Collins to participate in an afternoon forum sponsored by three state legislators. They were very concerned about the displacement of 40 families from a community in Fort Collins that was being redeveloped, and were hoping that I could provide them with some suggestions regarding how to ensure such displacement and consequent loss of homes would not happen to other manufactured home owners in the future. It is so gratifying when decision-makers care enough to get involved and work hard to find solutions that benefit manufactured home owners. Here is a link to a newspaper article about the event:

<http://www.coloradoan.com/article/20120129/NEWS01/120128030/Fort-Collins-forum-Mobile-home-owners-most-vulnerable-U-S->

In Washington DC I testified before the House Financial Services sub-committee on Insurance, Housing and Community Opportunity. I was the witness for MHOAA and manufactured home owners. There were four witnesses representing the manufactured housing industry, specifically the Manufactured Housing Institute (MHI) and the Manufactured Housing Association for Regulatory Reform (MHARR). A representative from HUD was also a witness. You can watch the whole hearing (1 hour 45 minutes) at this web address: <http://financialservices.house.gov/Calendar/EventSingle.aspx?EventID=276486>

It appears that my remarks have caused consternation amongst industry personnel. I stand by my statements and encourage you to contact me if there is anything in my testimony that is unrepresentative of your fears or your experiences as a manufactured home owner, renting the land under your home and living in a manufactured housing community.

I am looking forward to my trip to L.A. where I will be meeting with some of my colleagues from the Achieving Excellence Program that we all completed at Harvard’s Kennedy School. I will be presenting a “performance challenge” about leadership development and building a movement and I look forward to input from others that I can bring back and share with you all at a later date.

In Hartford I hope to meet with manufactured home owners, who may or may not be members of MHOAA, to offer them our resources should they need them, and to assist them in any way we can to help them address some serious issues they are facing regarding displacement and economic eviction.

I look forward to connecting with all of you at some future date – do not hesitate to keep me informed of your annual meetings or special events – you never know, there may be a way for me or a MHOAA board

member to attend and we would love the opportunity to network with manufactured home owners where you are.

MHOAA is here for all of you – please contact me at any time if you think I can be of assistance. The office number is: 206.851.6385 and my email address is: ishbel@mhoaa.us

## **Resident Ownership of Manufactured Home Communities is a Proven Strategy with Profound Benefits**

Approximately 2.9 million manufactured homes are placed in the 50,000 to 60,000 manufactured home communities or “mobile home parks” in the United States. These manufactured home communities are an important source of affordable housing, and are almost entirely unsubsidized. Yet, because residents own their homes but not the land under their homes, they are vulnerable to rent increases, arbitrary rule enforcement, and even closure of the community if the community owner decides to convert the land to some other use.

Preservation of this crucial affordable housing through resident ownership of the land on which their homes sit eliminates the risk of closure, as the community is removed from the speculative real estate market. Home owners who own the community are able to preserve and protect what is often their largest asset – their homes – and ensure greater financial security. When manufactured home owners own their community, they set the monthly lot fee and the community rules.

Because their homes are more secure and because they have more control in community decision-making, they have more freedom and incentive to invest in their homes and the community. They have control over decisions about enhancing and maintaining the community infrastructure, including roads, grounds, landscaping, and water and sewer systems. The community becomes a better place for the home owners to live and an asset to the broader municipality. Neighbors outside the manufactured home community can see the changes that come when temporary, unstable communities are converted to stable, permanent ownership.

Typically, when manufactured home owners buy their community, they form a cooperative to own it and run it, just as residents of high-rise apartment buildings do. The best form of ownership is a non-profit cooperative, a limited equity cooperative, or a similar structure that is open to all residents and that preserves the affordable nature of the housing. Resident-owned manufactured home communities of various forms – close to 1,000 of them – are flourishing in the United States. In some states, over 20% of manufactured home communities are owned by the residents.

Yet, despite its many advantages, many states do not have any policies encouraging resident ownership. In many states, the business practices of real estate investors and community owners exclude residents from bidding on the community when it is for sale, even though they are the potential buyers who have the most at stake and the greatest need for an opportunity to purchase their communities.

A state policy that ensures manufactured home community residents have an opportunity to bid when their communities are for sale gives them equal rights with other potential buyers. Such a policy balances the property rights of the two sets of owners: the home owners and the community owners. A purchase opportunity policy applies only when the community owner has already decided to sell the community, so it does not force the community owner to sell. It ensures that the community owner will receive market price for the community – in fact, it brings an additional prospective buyer to the table, which enhances the community owner’s ability to sell the community for a fair price. *I'M Home Innovations in Manufactured Homes*

**Ishbel, I recently watched the congressional hearing** you participated in on the 2000 manufactured housing act and I just wanted to send you a note to say I think you did a great job representing home owners and MHCC. I hope our government takes action. *(From one of the other MHCC members)*

## **Questions and Answers**

MHOAA’s website ([www.mhoaa.us](http://www.mhoaa.us)) has proven to be very valuable to those who check it out. We have answered inquiries from Toledo, OH, Lexington, DE, Central OR, Colorado, questions on 1978 floor plans, loan discrimination, etc.

Dear Ishbel, We would like to express our thanks to you for all that you do for Manufactured Home Owners and Manufactured Home Parks. I don't know if it is known how much of yourself is going into the projects that are in place. (A NY MHOAA Convention Attendee )

**The testimony of Ishbel Dickens before the United State House of Representatives  
Wednesday, February 1, 2012 @ 2128 Rayburn Housing Office Building Washington, DC  
Financial Services Committee Subcommittee on Insurance, Housing and Community  
Opportunity follows:**

“Implementation of the Manufactured Housing Improvement Act of 2000”

Good morning Madam Chair Biggert, Ranking Member Gutierrez, and Members of the Committee. Thank you for the opportunity to share the manufactured home owner perspective with you this morning. My name is Ishbel Dickens and I am the Executive Director of the Manufactured Home Owners Association of America (MHOAA).

I have been working with manufactured home owners for more than 20 years. First as a volunteer for my church, gathering signatures to help preserve a manufactured housing community nearby; then as a community organizer working with manufactured home owners in Washington to help them gain stronger legal protections to save their communities and consequently their biggest asset – their homes. Since that time I had the opportunity to attend the University of Washington, School of Law and earned my law degree specifically to be a stronger advocate for people who own their homes but not the land under them. After law school, I was awarded a two year fellowship by Equal Justice Works to continue my manufactured housing work and was then hired as a staff attorney by a legal services agency. I have been the Executive Director of MHOAA since November 2010.

MHOAA is a national association of manufactured home owners and represents the interests of 17 million people who live in manufactured homes in this country. There are more than 50,000 manufactured housing communities throughout the United States and they provide rental space for 2.9 million home owners and their families upon which to place their manufactured homes.

There are a variety of reasons why people choose to purchase manufactured homes, not least being their relative affordability. The average price of a new manufactured home is \$68,000. This may seem like a “steal” and it may be if the owner is able to afford to own the land upon which they want to place the home. Additionally, manufactured home living can be a good way for young families to start out on the home ownership ladder, and it can also be a way for seniors to “downsize” when adult children have moved out or when a spouse has passed away and the seniors want to continue to live independently in their own homes. However, if the home owner does not own land and is considering placing the home in a manufactured housing community, then the dream of home ownership may quickly turn into a nightmare when the home owner realizes what renting space in a manufactured housing community really means.

For instance, does it make sense to purchase a home and then place it on a rented pad when you do not have security of tenure? Yet that is the reality facing manufactured home owners. Most states that have Manufactured/mobile Home Landlord Tenant Acts (and 15 states have no such laws) allow for no more than one year rental agreements, and some do not even allow that. State laws also allow community owners to close the community without compensating the home owners for any costs associated with this displacement, thus not only is the household displaced from their neighbors, friends, chosen location, but in all likelihood they will also lose their biggest asset, their home, as a result of the community closure since it is unlikely that there are vacant lots in other manufactured housing communities to move to.

Additionally, manufactured home owners, living in land lease communities find themselves at the mercy of landlords, who can raise lot rents as much as they want, knowing full well that they have a “captive audience” since the home owner, unlike someone renting an apartment, cannot simply up and move when the rent gets too high or the landlord neglects the upkeep in the community.

Indeed, many manufactured home owners feel like “prisoners in their own homes” since they lack any other affordable housing option. Thus, instead of rewarding people who choose to live within their means by

purchasing an inexpensive home, we are crippling them by forcing them to stay in communities that are becoming less and less affordable to seniors on fixed incomes.

I do not make this claim, inadvisably. Indeed, at a public hearing before the Lynnwood City Council in Snohomish County WA, a city council member asked the attorney representing the community owners if he would advise his own mother to move into a manufactured housing community. The attorney responded that not only would he not advise his mother to move into a manufactured housing community, but he would not advise anyone to move into a manufactured housing community.

However, despite the significant barriers to manufactured home ownership, a significant number of people choose to purchase manufactured homes. If only it was easier to do so! For instance, it is rare for a potential purchaser of a manufactured home to have access to the same financing products as are available to the potential purchaser of a "site built" home. Manufactured home purchasers are most often steered towards chattel loans which tend to have much higher interest rates and shorter amortization times than real estate mortgages. Some may argue that chattel loans are better for manufactured home owners because the closing costs may be less. That may be true, but the actual monthly payments on a chattel loan will be almost double the amount that would be required if the same loan had been financed with a real estate loan product. For instance, the principal and interest monthly payments for an FHA 5.375% fixed rate 30 year mortgage on \$100,000 are \$560, whereas someone with a chattel loan for the same amount would likely pay \$1,136/month since the loan would be offered at an interest rate of 10.99% and would have a 15 year term.

By highlighting the issues inherent in manufactured housing community living, I hope I have also identified some of the areas where the consumers that I work with and represent could also get together with the manufactured housing industry to work on matters of common concern. After all, if home owners are scared away from living in manufactured housing communities because of ever increasing rents, short-term leases, and lack of security of tenure, then the sales of manufactured homes are going to continue to decrease.

MHOAA welcomes the opportunity to work with the industry as together we do our best to guarantee (i) adequate financing products to ensure loans on manufactured homes are as competitive as those for "site built" homes, (ii) long-term security of tenure, and (iii) reasonable rents and rules so that manufactured housing community living really is an attractive option for lower income households and retirees who desire to own their own homes.

MHOAA also welcomes the opportunity to work with the Department on two very specific issues that could make a huge difference in the lives of the 2.9 million households who live in manufactured housing communities. For instance, as I mentioned earlier, there are 15 states that do not have any laws on the books to protect the rights of home owners living in manufactured housing communities. This means that these home owners are amongst the most vulnerable home owners in the country. Indeed, not only are they at risk of losing their biggest asset, their homes, but they may well be living in situations where their basic constitutional rights are being infringed upon, since their landlords may have established rules that prevent them from meeting together to discuss issues of common concern, or they may fear retaliation if they attempt to pass out fliers inviting their neighbors to a meeting. MHOAA encourages the Department to look at ways to incentivize states to establish manufactured home landlord tenant acts so that manufactured home owners are entitled to the same fundamental freedoms (freedom of speech, freedom of assembly, freedom from retaliation, and equal protection under the law) as everyone else in the country can exercise without fear of eviction. One way to do this would be to withhold HOME funds from any state that had not enacted a manufactured housing landlord tenant act.

A second proposal that the Department might consider, which would be of great importance to manufactured home owners, would be to look at ways to incentivize community owners so that they are encouraged, should they be considering selling their property, to sell it to the home owners' association, the local housing authority, or another non-profit affordable housing agency. This way manufactured housing communities can be preserved and continue to provide affordable housing options for senior and low income households. There are over 100 resident-owned communities in the country and not one of them has yet defaulted on its loan. Housing Authorities in some jurisdictions have also stepped in to purchase at-risk manufactured housing communities and preserved them as affordable housing for hundreds of home owners.

These are just two examples of ways that the federal government could help protect and preserve this unique home ownership opportunity in a way that would benefit both the consumers and the industry. My invitation to participate in this hearing asked that I not only address the current state of manufactured housing but that I also focus on four specific questions which were listed in the invitation. I turn to them now.

1. Has the Department fully implemented the Manufactured Housing Improvement Act of 2000? I believe the Department is better placed to respond to this question than I am. It is my understanding that given the limited resources available to HUD to carry out the intent of the Manufactured Housing Improvement Act of 2000 that staff are doing what they can.

2. How does the Department determine the make-up of the Manufactured Housing Consensus Committee (MHCC)? What role does the 2000 Act give to the MHCC? The Manufactured Housing Consensus Committee (MHCC) is made up of 21 voting members, seven represent the manufactured housing industry, seven represent consumers, and the remaining seven are supposed to represent the general public. Each member of the MHCC serves a three-year term and may renew for one additional three year term. I have been serving on the MHCC since January of 2011 and was appointed by the Secretary of HUD following the submission of my application and due consideration. It is my understanding that the MHCC is required to meet no less than once every two years. Indeed, there were three in-person meetings in 2011, as well as several sub-committee conference calls. The MHCC's role is to advise HUD on issues relevant to the construction of manufactured housing to ensure quality products are available to consumers, and to provide balanced input regarding regulations relating to manufactured housing.

3. How often are the construction and safety and installation standards for manufactured housing updated? How does the Department utilize the MHCC in updating these standards? The MHCC has four sub-committees: General, Regulatory Enforcement, Technical Structure & Design, and Technical Systems. Every MHCC member serves on two sub-committees. The sub-committees meet as and when needed, sometimes by conference call between in-person meetings of the whole and generally there is time set aside at the in-person meeting for sub-committee meetings too. All committee and sub-committee meetings are open to the public and the public also has the ability to submit written comments for the MHCC members to review. The main industry representatives, the Manufactured Housing Association for Regulatory Reform (MHARR) and the Manufactured Housing Institute (MHI), make very good use of the public process that is provided for their input.

MHCC members are provided with a log that lists all the requests for changes to the HUD code regarding manufactured housing and these log items are assigned to the appropriate sub-committee for discussion and review.

In my opinion, the MHCC spends considerable time, sometimes too much time, reviewing proposals, providing opportunities for expert and public input, and discussing the pros and cons of particular proposals. Ultimately, while the sub-committee needs only a majority vote to bring the proposal to the full MHCC for further deliberation, it requires 2/3 vote of the MHCC members before the proposal can move forward to HUD. In addition, the MHCC members may choose to vote definitively, vote in principal, or reject any proposal before them.

I must say the process can seem labored at times, especially when an issue one cares deeply about gets stalled repeatedly. I believe consumers and industry representatives on the MHCC have all felt frustrated by the process at different times. Several examples that have frustrated me recently are:

(1) The unwillingness of industry representatives to support energy efficiency standards that had been proposed. Given the high cost of utilities it certainly made sense to the consumers that manufactured homes be produced to be as energy efficient as possible but there were not enough votes to get energy standards out of the Committee. Fortunately, the Department of Energy has jurisdiction over energy efficiency standards for all types of housing (manufactured and "site built") so at least manufactured housing consumers can be assured that their homes are no less energy efficient than other housing types;

(2) Indoor air quality standards. A member of the public brought this issue to the MHCC in 2009 and illustrated quite graphically how roof ventilation systems that did not meet residential building code standards are causing manufactured home owners serious illness. This issue has yet to be acted upon by the MHCC; and

(3) Despite a presentation, in March 2011, from an expert on improving moisture durability standards for manufactured homes, the MHCC has had no further discussion on this important issue.

From the consumer perspective the 2/3 vote required to move these issues forward to the Department was incredibly frustrating especially as at least one of the issues deals with health risks that some manufactured home owners currently face since their indoor air quality could be making them very sick.

However, it might be helpful to know that even where there is consensus and the Department moves forward to issue proposed regulations based on the advice of the MHCC, individual MHCC members, as well as the general public, are still at liberty to provide their own comments regarding the proposed rules and therefore have an opportunity to voice concerns contrary to the vote of the MHCC should they choose to do so.

4. In its FY 2012 budget, the Department proposed to charge a \$60 label fee for each transportable manufactured housing unit produced. What is the Department's process for collecting and administering revenue generated from its label fees? How are these fees used in accordance with the 2000 Act and what effect will the increased fee have on production levels for the manufactured housing industry?

The Department's process for collecting and administering revenue is laid out in the 2000 Act. See Section 620 (42 U.S.C. 5419). Given the limited resources currently available to the Department I would assume that these fees will be deposited in the Manufactured Housing Fees Trust Fund and that the money will be used to support the State Administrative Agencies (SAAs) (the states' manufactured housing inspection programs) and the Dispute Resolution Program so that consumers can access timely help if they need to address problems caused by either the manufacture, sale, or installation of their manufactured home, since this dispute resolution program is only available for the first 12 months after the installation of the home. Presumably the cost of the fee will be passed along to the consumers and the increase to \$60 will be money well spent since the states' inspection programs and access to the Alternative Dispute Resolution Program provide consumers with meaningful programs to ensure that they purchase and have installed the best products available and ones that are in compliance with federal and state building and installation codes.

Having responded, as best as I am able, to the specific questions presented, I would now like to offer some personal reflections on the value of the MHCC to consumers.

One of the most important aspects of the MHCC from the consumer perspective is the opportunity it provides to "level the playing field." Consumers of manufactured homes are always at a disadvantage. They do not have access to the same loan products as those buying more conventional homes; people who place their homes in manufactured housing communities have no security of tenure, no guarantee of reasonable rents, and few legal protections; and without government oversight there would be no way for manufactured home owners to be assured that the home they were purchasing was going to last. Thus, the MHCC provides consumers with a venue to share their concerns with the manufactured housing industry and to find ways to work with the industry to improve its product so that it will continue to be a viable affordable home ownership opportunity for millions of home owners for years to come.

There are more and more "small footprint" homes on the market every day – one only needs to put the words "small footprint homes" into a search engine to be inundated with webpages devoted to this subject. A lot of these small footprint homes are too expensive for the average manufactured home owner but it might give the industry pause to consider how they can compete with this up and coming market in a way that will provide lower income households and seniors with quality affordable manufactured homes.

In closing, let me reiterate some of the ways in which I believe the consumers and the industry could work together for the benefit of all involved. First of all I think it would be extremely helpful if the industry could support better financial tools for the purchase of manufactured homes. Indeed, homes will not sell if potential purchasers cannot afford the loan payments, and chattel loans, as I pointed out earlier, are relatively expensive to pay off. Second, having the industry work with home owners to secure long term leases in manufactured housing communities, as well as reasonable rent structures and other legal protections, would go a long way towards encouraging potential purchasers to buy manufactured homes. Finally, having the consumers and the industry work together to improve the "image" of manufactured housing, by showing that these homes are energy efficient, will allow seniors to "age in place", and will be an asset that will have increased equity over time could really help boost the sales of manufactured homes.

Thus the opportunity for manufactured home owners and industry representatives to meet together through the MHCC has real benefit, and I would hope that we can continue to explore areas of mutual interest for the betterment of all concerned. Thank you.

### **We did it! 100 Resident-owned Communities in NH!**

We've reached 100. That is, 100 resident-owned manufactured-housing communities in little New Hampshire.

The 54 home owners at Big W Mobile Home Park in Derry last week became the 100th resident-owned community in NH. This is a historic milestone for the New Hampshire Community Loan Fund and our ROC-NH™ team. It's also evidence of the growing interest in and enthusiasm for resident ownership, and of the strength of this affordable housing sector.

The Derry home owners join more than 5,600 others in NH, and another nearly 1,500 home owners in 22 communities in the ROC USA® network, who enjoy the security, stability and affordability that cooperative resident ownership provides.

Perhaps the most remarkable element of our First 100 story is that in the 27 years since our first conversion, through boom and bust economic and real estate cycles, not one park has failed!

That statement speaks not only to the resourcefulness and resilience of the co-ops, it tells us that ROC-NH's strategy of training and working closely with community leaders, and supplying intensive assistance when needed, works.

Resident-ownership also means that the NH home owners have access to the Community Loan Fund's NEXT Award-winning Cooperative Home Loans. The only program of its kind in the U.S., Cooperative Home Loans have provided fair, fixed-rate mortgage and home-equity loans to more than 500 home owners and home buyers in manufactured-housing cooperatives.

For 27 years, we've turned investments into loans and education to create opportunity and transform lives across NH. We invite the many individuals and institutions that donate to, invest in, or partner with the Community Loan Fund in any way, to celebrate our First 100 with us.

We hope you'll help us spread the news of our achievement to your audiences through your newsletters, social media and other communication channels. Steve Varnum, our communications director, will be happy to supply any material you need. *Craig W. Welch, Vice President of Housing*

### **News Items?**

Please pass on items for this newsletter that may be of interest to other readers to Russ at [r.pherson@sbcglobal.net](mailto:r.pherson@sbcglobal.net) All items will be considered.

### **MHOAA strives to have newsworthy items in the MHOAA Across America.**

We are confident that want the same. In your neighborhood, there are many who do not receive this newsletter. When you are through reading this newsletter, please pass it on to someone else who lives in your community or make a few copies to pass out to them. They need to know about MHOAA.

**MHOAA is Speaking and Voicing Thoughts for You** To as many as will listen and as often as we can get a listening ear, MHOAA's voice is speaking out for you. MHOAA alone can and will be stronger with your voice and membership. We need your state manufactured organization, your local home owner association, your individual membership and your donations. All MHOAA officers serve at their own expense. Please consider supporting MHOAA regularly.

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## MHOAA

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Manufactured Home Owners Association of America  
United We stand    Strength In Numbers

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All Parks Alliance for Change

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## MHOAA Membership Form

         **New Membership**               **Renewal**

Company/Organization \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

Cell Phone \_\_\_\_\_

E-mail Address \_\_\_\_\_

Web site <http://> \_\_\_\_\_

### **Membership (check one):**

         \$150 for State Membership

         \$75 for first-time State Membership

### **Annual Subscription (check one):**

         \$15 for Individual/Family Membership

         \$100 for an Associate Membership

         \$35 for Local Home Owners Association

Amount Enclosed \$ \_\_\_\_\_ Check Number \_\_\_\_\_

**Make Checks Payable to MHOAA. Mail to Above Address.**

**PLEASE NOTE: MHOAA is a 501(c)(3) organization**  
**Your membership and donations are tax deductible**

### **Involvement:**

I/We want to become involved with MHOAA by:

         Putting a link to MHOAA on our web site.

         Becoming involved in a MHOAA Committee.

         Promoting MHOAA in my state.

         Receiving alerts on issues that affect home owners.

         Making an additional contribution.

Application Approved /Accepted Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Revised 1/6/12