

116TH CONGRESS  
2D SESSION

# H. R. 5547

To provide assistance for the acquisition and preservation of manufactured housing communities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2020

Mrs. AXNE (for herself and Mr. KHANNA) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To provide assistance for the acquisition and preservation of manufactured housing communities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Manufactured Housing  
5 Community Preservation Act of 2020”.

6 **SEC. 2. GRANT PROGRAM FOR MANUFACTURED HOUSING**  
7 **PRESERVATION.**

8 (a) **AUTHORITY.**—The Secretary of Housing and  
9 Urban Development shall establish a grant program under  
10 this section and, to the extent amounts are made available

1 pursuant to subsection (i), make grants under such pro-  
2 gram to eligible entities under subsection (b) for acquiring  
3 and preserving manufactured housing communities.

4 (b) ELIGIBLE ENTITIES.—A grant under this section  
5 may be made only to entities that meet such requirements  
6 as the Secretary shall establish to ensure that any entity  
7 receiving a grant has the capacity to acquire and preserve  
8 housing affordability in such communities, including—

9 (1) a nonprofit organization, including land  
10 trusts;

11 (2) a public housing agency or other State or  
12 local government agency;

13 (3) an Indian tribe (as such term is defined in  
14 section 4 of the Native American Housing Assist-  
15 ance and Self-Determination Act of 1996 (25 U.S.C.  
16 4103)) or an agency of an Indian tribe; or

17 (4) a resident organization in which home-  
18 owners are members and have open and equal access  
19 to membership; or

20 (5) such other entities as the Secretary deter-  
21 mines will maintain housing affordability in manu-  
22 factured housing communities.

23 (c) USE OF GRANT AMOUNTS.—Amounts from a  
24 grant under this section may be used only for—

1           (1) the acquisition and preservation of manu-  
2           factured housing communities;

3           (2) such acquisition and preservation, together  
4           with costs for making improvements to common  
5           areas and community property for acquired manu-  
6           factured housing communities; or

7           (3) the demolition, removal, and replacement of  
8           dilapidated homes from a manufactured housing  
9           community.

10          (d) PRESERVATION; AFFORDABILITY; OWNERSHIP.—

11         A grant under this section may be made only if the Sec-  
12         retary determines that the grantee will enter into such  
13         binding agreements as the Secretary considers sufficient  
14         to ensure that—

15                 (1) the manufactured housing community ac-  
16                 quired using such grant amounts—

17                         (A) will be maintained as a manufactured  
18                         housing community for a period that begins  
19                         upon the making of such grant and has a dura-  
20                         tion not shorter than 20 years;

21                         (B) will be managed in a manner that ben-  
22                         efits the residents and maintains their quality  
23                         of life for a period not shorter than 20 years;

24                         (C) will, for a period not shorter than 20  
25                         years, be subject to limitations on annual in-

1           creases in rents for lots for manufactured  
2           homes in such community either through resi-  
3           dent control over increases or, if owned by a  
4           party other than the residents, as the Secretary  
5           considers appropriate to ensure continued af-  
6           fordability and maintenance of the property,  
7           but not in any case annually to exceed the per-  
8           centage that is equal to the percentage increase  
9           for the immediately preceding year in the Con-  
10          sumer Price Index for All Urban Consumers  
11          (CPI-U) plus 7 percent, and such rents will  
12          comply with any applicable State laws;

13                 (D) will be owned by an entity described in  
14          subsection (b) for a period not shorter than 20  
15          years; and

16                 (E) has not been the primary beneficiary  
17          of a grant under this section during the pre-  
18          ceding 5 years; and

19                 (2) if in the determination of the Secretary the  
20          provisions of the agreement have not been met, the  
21          grant shall be repaid.

22          (e) AMOUNT.—The amount of any grant under this  
23          section may not exceed the lesser of—

24                 (1) \$1,000,000; or

1           (2) the amount that is equal to \$20,000 multi-  
2           plied by the number of manufactured home lots in  
3           the manufactured housing community for which the  
4           grant is made.

5           (f) MATCHING FUNDS.—The Secretary shall require  
6 a grantee of grant under this section to provide non-Fed-  
7 eral matching funds for use only for the same purposes  
8 for which the grant is used in an amount equal or exceed-  
9 ing the amount of the grant provided to the grantee. Such  
10 non-Federal matching funds may be provided by State,  
11 tribal, local, or private resources and may be a grant or  
12 loan, in cash or in-kind.

13           (g) APPLICATIONS; SELECTION.—

14           (1) APPLICATIONS.—The Secretary shall pro-  
15 vide for eligible entities under subsection (b) to  
16 apply for grants under this section, and shall require  
17 such applications to contain such assurances as the  
18 Secretary may require regarding the availability of  
19 matching funds sufficient to comply with subsection  
20 (f) and any organizational documents regarding the  
21 manufactured housing community for which the  
22 grant is made, as may be required by the State in  
23 which such community is located. The Secretary  
24 shall accept applications on a rolling basis and ap-  
25 prove or deny each application within 20 business

1 days of receipt in order to facilitate market-based  
2 transactions by an applicant.

3 (2) SELECTION.—The Secretary shall establish  
4 criteria for selection of applicants to receive grants  
5 under this section, which criteria shall—

6 (A) give priority to grantees who would use  
7 such grant amounts to carry out activities  
8 under subsection (c) within areas having a high  
9 concentration of low-, very low-, or extremely  
10 low-income families (as such terms are defined  
11 in section 3(b) of the United States Housing  
12 Act of 1937 (42 U.S.C. 1437a(b));

13 (B) give priority to grants for the benefit  
14 of communities that have not received a grant  
15 under this section during the preceding 10  
16 years; and

17 (C) ensure that not more than 40 percent  
18 of grant funds for any fiscal year are awarded  
19 to entities identified in subsection (b)(5).

20 (h) DEFINITIONS.—For purposes of this section, the  
21 following definitions shall apply:

22 (1) MANUFACTURED HOME.—The term “manu-  
23 factured home” means a structure, transportable in  
24 one or more sections, that—

1 (A) in the traveling mode, is 8 body feet  
2 or more in width and 40 body feet or more in  
3 length, or when erected on site is 320 square  
4 feet or more;

5 (B) is built on a permanent chassis and  
6 designed to be used as a dwelling (with or with-  
7 out a permanent foundation when connected to  
8 required utilities) and includes plumbing, heat-  
9 ing, air conditioning, and electrical systems;  
10 and

11 (C) in the case of a structure manufac-  
12 tured after June 15, 1976, is certified as meet-  
13 ing the Manufactured Home Construction and  
14 Safety Standards issued under the National  
15 Manufactured Housing Construction and Safety  
16 Standards Act of 1974 (42 U.S.C. 5401 et  
17 seq.) by the Department of Housing and Urban  
18 Development and displays a label of such cer-  
19 tification on the exterior of each transportable  
20 section.

21 Such term shall not include any self-propelled rec-  
22 reational vehicle.

23 (2) MANUFACTURED HOUSING COMMUNITY.—  
24 The term “manufactured housing community”  
25 means a community comprised primarily of manu-

1 factored homes used primarily for residential pur-  
2 poses.

3 (3) SECRETARY.—The term “Secretary” means  
4 the Secretary of Housing and Urban Development.

5 (i) AUTHORIZATION OF APPROPRIATIONS.—There is  
6 authorized to be appropriated for grants under this section  
7 \$100,000,000 for each of fiscal years 2021 through 2025.

8 (j) REGULATIONS.—The Secretary shall issue any  
9 regulations necessary to carry out this section.

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