

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3332
OFFERED BY MRS. AXNE OF IOWA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Manufactured Housing
3 Community Preservation Act of 2021”.

**4 SEC. 2. GRANT PROGRAM FOR MANUFACTURED HOUSING
5 PRESERVATION.**

6 (a) **AUTHORITY.**—The Secretary of Housing and
7 Urban Development shall establish a grant program under
8 this section and, to the extent amounts are made available
9 pursuant to subsection (j), make grants under such pro-
10 gram to eligible entities under subsection (b) for acquiring
11 and preserving manufactured housing communities.

12 (b) **ELIGIBLE ENTITIES.**—A grant under this section
13 may be made only to entities that meet such requirements
14 as the Secretary shall establish to ensure that any entity
15 receiving a grant has the capacity to acquire and preserve
16 housing affordability in such communities, including—

1 (1) a nonprofit organization having a docu-
2 mented track record in providing affordable housing,
3 including a land trust;

4 (2) a public housing agency or other State or
5 local government agency;

6 (3) an Indian tribe (as such term is defined in
7 section 4 of the Native American Housing Assist-
8 ance and Self-Determination Act of 1996 (25 U.S.C.
9 4103)) or an agency of an Indian tribe;

10 (4) a resident organization in which at least 75
11 percent of the members are owners of the homes
12 that are their primary residences and in which mem-
13 bers have open and equal access to membership; or

14 (5) such other entities as the Secretary deter-
15 mines will maintain housing affordability in manu-
16 factured housing communities.

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

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

21 (2) such acquisition and preservation, together
22 with costs for making improvements to common
23 areas and community property for acquired manu-
24 factured housing communities; or

1 (3) the demolition, removal, and replacement of
2 dilapidated homes from a manufactured housing
3 community, except that such activity shall not re-
4 duce the total number of homes in the manufactured
5 housing community and any homes demolished or
6 removed shall be replaced on a 1-for-1 basis, to the
7 maximum extent allowable under State and local law
8 or regulation, with manufactured homes.

9 (d) PRESERVATION; AFFORDABILITY; OWNERSHIP.—
10 A grant under this section may be made only if the Sec-
11 retary determines that the grantee will enter into such
12 binding agreements as the Secretary considers sufficient
13 to ensure that—

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

16 (A) will be maintained as a manufactured
17 housing community for a period that begins
18 upon the making of such grant and has a dura-
19 tion not shorter than 30 years;

20 (B) will be managed in a manner that ben-
21 efits the residents and maintains their quality
22 of life for a period not shorter than 30 years;

23 (C) will, for a period not shorter than 30
24 years, be subject to limitations on annual in-
25 creases in rents and other required costs for

1 lots for manufactured homes in such commu-
2 nity either through resident control over in-
3 creases or, if owned by a party other than the
4 residents, as the Secretary considers appro-
5 priate to ensure continued affordability and
6 maintenance of the property, but not in any
7 case annually to exceed the percentage that is
8 equal to the percentage increase for the imme-
9 diately preceding year in the Consumer Price
10 Index for All Urban Consumers (CPI-U) plus
11 7 percent, and such rents will comply with any
12 applicable State laws;

13 (D) will be owned by an entity described in
14 subsection (b) for a period not shorter than 30
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) \$2,000,000; 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 15
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) REPORTS.—

21 (1) IN GENERAL.—The Secretary shall submit
22 a report annually regarding the grant program
23 under this section to Committee on Financial Serv-
24 ices of the House of Representatives and the Com-
25 mittee on Banking, Housing, and Urban Affairs of

1 the Senate, and shall make each such report publicly
2 available on the website of the Department of Hous-
3 ing and Urban Development. The first such report
4 shall be made for the first fiscal year in which any
5 grants are made under this section and a report
6 shall be made for each fiscal year in which a grantee
7 is subject to the requirements under subparagraph
8 (d)(1)(A).

9 (2) CONTENTS.—Each such report shall in-
10 clude, for the fiscal year covered by the report—

11 (A) a description of the grants made under
12 the program, including identification of what
13 type of eligible entity under subsection (b) each
14 grantee is;

15 (B) for each manufactured home commu-
16 nity for which a grant under this section is
17 made, identification of—

18 (i) the number of manufactured home
19 units in the community at the time of the
20 grant;

21 (ii) the lot rents in the community at
22 such time; and

23 (iii) if a manufactured home commu-
24 nity was purchased using grant amounts,
25 the purchase price of the community;

1 (C) summary information identifying the
2 total applications received for grants under this
3 section and total grant funding sought,
4 disaggregated by the types of eligible entities
5 under subsection (b) of the applicants; and

6 (D) an analysis of the effectiveness of the
7 program, including identification of changes to
8 the number of units and lot rents in commu-
9 nities for which a grant was made, any signifi-
10 cant upgrades made to the communities, demo-
11 graphic changes in communities, and, if any
12 community is sold during the period covered
13 under subsection (d), the sale price of the com-
14 munity.

15 (i) DEFINITIONS.—For purposes of this section, the
16 following definitions shall apply:

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

20 (A) in the traveling mode, is 8 body feet
21 or more in width and 40 body feet or more in
22 length, or when erected on site is 320 square
23 feet or more;

24 (B) is built on a permanent chassis and
25 designed to be used as a dwelling (with or with-

1 out a permanent foundation when connected to
2 required utilities) and includes plumbing, heat-
3 ing, air conditioning, and electrical systems;
4 and

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

15 Such term shall not include any self-propelled rec-
16 reational vehicle.

17 (2) MANUFACTURED HOUSING COMMUNITY.—
18 The term “manufactured housing community”
19 means a community comprised primarily of manu-
20 factured homes used primarily for residential pur-
21 poses.

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

24 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated for grants under this section

1 \$100,000,000 for each of fiscal years 2022 through 2026,
2 of which not more than 5 percent may be used for admin-
3 istration and oversight.

4 (k) REGULATIONS.—The Secretary shall issue any
5 regulations necessary to carry out this section.

