

**Donald L. Duffy**

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July 25, 2010

Mr. Alfred M. Pollard  
General Counsel  
Federal Housing Finance Agency  
Fourth Floor  
1700 G Street, NW  
Washington, DC 20552

**Subject: COMMENTS/RIN 2590-AA27**

Dear Mr. Pollard,

I have reviewed the Notice of Proposed Rulemaking that has been published by your agency intended to fulfill the Congressional mandate as outlined in the Housing and Economic Recovery Act of 2008. I appreciate your initial intention to serve homeowners of resident-owned manufactured housing communities but considering the market as a whole, your proposal fails to adequately comply with Congress's legislative intent for serving the most "underserved" markets.

As a homeowner in California, I've seen the value of local rent stabilization ordinances in providing security of tenure and other homeowner protections. I encourage the FHFA to give DTS credit to Fannie Mae and Freddie Mac for promoting loans in rent regulated areas that provide home equity protection for homeowners and lenders. Maintaining reasonable lot rents is the primary means of preserving home equity and avoiding defaults. Rate reduction and rebates should be offered to those homeowners who prove they are of low risk by faithfully making their payments on time.

I urge the FHFA to avoid any reference of manufactured housing being "chattel." By definition, chattel is personal property that can be readily moved, such as in the case of a motor home. My mobile/manufactured home is by no means mobile and I never intend to move it. If I have to move, I intend to sell my home in place. Associating manufactured housing with moveable personal property does a great dis-service to homeowners. Fannie Mae worked with the Manufactured Housing Institute (MHI) to create a "MH Select" category of lending and it's time a new DTS category of loan product be created that recognizes the unique and vulnerable situation of

mobile/manufactured home owners in investor-owned communities. Millions of homeowners desperately need these regulatory protections!

As the proliferation of opportunistic robber baron community owners expands, our underserved market will become even more oppressed. I understand that in some areas of California without rent regulation, MH lot rent now exceeds rent for a three-bedroom apartment! In other cases, when homes are sold in investor-owned communities, lot rents are more than doubled and in the case of De Anza MHC in Santa Cruz, California, owned by Equity Lifestyle Properties, lot rent can be increased to as high as \$4000-\$5000 per month upon sale of the home! Imagine what that does to home values! Community owners have a three-pronged motivation to raise lot rents; not only is their income immediately increased, the value of the business is enhanced and at some point, homeowners might well be economically evicted or unable to sell, allowing the community landowner to seize the home and all its value. Unless community owners sign regulatory agreements protecting homeowner interests, they should no longer qualify for any government-backed loans or enjoy income tax breaks/deductions.

I ask that the FHFA use every means at its disposal to help promote greater homeowner protections, including a Federal "MH Owner Bill of Rights" for manufactured home owners in investor-owned communities. Basic safety-net protections are sorely needed and if implemented, would provide security for both homeowners and lenders. Such protections would also help stimulate the economy by creating more demand for new manufactured homes and related jobs to build those homes. If necessary protections are not adopted, we will lose manufactured housing communities as a viable source of affordable housing. With 40 million baby boomers reaching retirement age over the next 20 years, the need for affordable senior housing has never been greater. Giving seniors viable options to downsize from a conventional home to an affordable manufactured home will, in turn, free-up more conventional housing for families in need.

The recently signed **Dodd-Frank Wall Street Reform and Consumer Protection Act** and the promise of a Consumer Financial Protection Bureau is a reminder that without proper consumer protections, those in a position of power and influence often take advantage of consumers. Are there ANY consumer groups more vulnerable or who have more at risk than MH owners?

If the FHFA and GSAs do not have full authority to implement regulatory consumer protections, they should make it their mission, under their duty to serve, to work cooperatively with other Federal Agencies to achieve that necessary goal.

Sincerely,

  
Don Duffy

**Carole Fleming**

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