

119TH CONGRESS  
1ST SESSION

# S. 1194

To ensure that federally backed financing for the construction, rehabilitation, or purchase of manufactured home communities is available only for communities whose owner has implemented minimum consumer protections in the lease agreements with residents of all manufactured home communities owned by such owner, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 27, 2025

Mrs. SHAHEEN (for herself, Mr. BLUMENTHAL, and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To ensure that federally backed financing for the construction, rehabilitation, or purchase of manufactured home communities is available only for communities whose owner has implemented minimum consumer protections in the lease agreements with residents of all manufactured home communities owned by such owner, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Manufactured Housing  
3 Tenant’s Bill of Rights Act of 2025”.

4 **SEC. 2. DEFINITIONS.**

5       For purposes of this Act, the following definitions  
6 shall apply:

7           (1) **AFFILIATE.**—Except as provided by the  
8 Secretary or the Director, as applicable, the term  
9 “affiliate” means, with respect to a borrower re-  
10 ferred to in section 3(a), any entity that controls, is  
11 controlled by, or is under common control with, the  
12 borrower.

13           (2) **COVERED LOAN PROGRAM.**—The term “cov-  
14 ered loan program” means any of the following pro-  
15 grams:

16                   (A) The program under section 207 of the  
17 National Housing Act (12 U.S.C. 1713) for in-  
18 surance of loans for financing for the construc-  
19 tion or substantial rehabilitation of manufac-  
20 tured home parks.

21                   (B) The program of the Federal National  
22 Mortgage Association for multifamily loans for  
23 manufactured home communities.

24                   (C) The program of the Federal Home  
25 Loan Mortgage Corporation for loans for manu-  
26 factured home communities.

1           (3) COVERED PRICING INCENTIVE.—The term  
2           “covered pricing incentive” means any pricing dis-  
3           count available to borrowers under any of the cov-  
4           ered loan programs that rewards the borrower’s im-  
5           plementation of 1 or more specific resident protec-  
6           tions and is designed to ensure that the benefits of  
7           a covered loan program are provided at a lower cost  
8           for manufactured home communities based on the  
9           extent to which residents of a manufactured home  
10          community are better protected from predatory rent  
11          increases and management practices.

12          (4) DIRECTOR.—The term “Director” means  
13          the Director of the Federal Housing Finance Agen-  
14          cy.

15          (5) ENTERPRISE.—The term “enterprise” has  
16          the meaning given the term in section 1303 of the  
17          Federal Housing Enterprises Financial Safety and  
18          Soundness Act of 1992 (12 U.S.C. 4502).

19          (6) MANUFACTURED HOME.—The term “manu-  
20          factured home”—

21                 (A) has the meaning given the term in sec-  
22                 tion 603 of the National Manufactured Housing  
23                 Construction Safety and Standards Act of 1976  
24                 (42 U.S.C. 5402); and

1 (B) includes any structure described in  
 2 such section 603 without regard to—

3 (i) whether the structure complies  
 4 with any standards under such Act; and  
 5 (ii) the date of the manufacture of the  
 6 structure.

7 (7) MANUFACTURED HOME COMMUNITY.—The  
 8 term “manufactured home community” means any  
 9 community, court, or park equipped to accommodate  
 10 manufactured homes for which pad sites or pad sites  
 11 and the manufactured homes, or both, are leased to  
 12 residents to be used primarily for residential pur-  
 13 poses, including any manufactured home community,  
 14 as the term is used for purposes of a program de-  
 15 scribed in subparagraph (B) or (C) of paragraph  
 16 (2).

17 (8) SECRETARY.—The term “Secretary” means  
 18 the Secretary of Housing and Urban Development.

19 **SEC. 3. REQUIREMENTS FOR COVERED LOAN PROGRAMS.**

20 (a) REQUIREMENTS.—On and after the date that is  
 21 180 days after the date of enactment of this Act, no loan  
 22 shall be eligible for insurance by the Secretary or purchase  
 23 by an enterprise, as applicable, under a covered loan pro-  
 24 gram unless—

1           (1) the borrower under the loan certifies to the  
2       Secretary or the applicable enterprise that the bor-  
3       rower will include, in any lease agreement for a pad  
4       site, or a pad site and manufactured home, located  
5       in any manufactured home community that the bor-  
6       rower or an affiliate of the borrower owns, the min-  
7       imum consumer protections described in subsection  
8       (b); and

9           (2) the borrower complies with regulations  
10      issued by the Secretary or the Director, as applica-  
11      ble, that require the borrower to submit documenta-  
12      tion to the Secretary, or to the applicable enterprise  
13      and the Director, that is sufficient, as determined by  
14      the Secretary or the Director, to ensure that the  
15      borrower is complying with the certification de-  
16      scribed in paragraph (1), which shall include a copy  
17      of the standard lease agreement used by the bor-  
18      rower that includes the minimum protections de-  
19      scribed in subsection (b).

20      (b) MINIMUM CONSUMER PROTECTIONS.—

21           (1) IN GENERAL.—The minimum consumer  
22      protections described in this subsection are as fol-  
23      lows:

1 (A) 1-year lease terms that are renewable  
2 for additional 1-year terms unless there is good  
3 cause for non-renewal.

4 (B)(i) A right to receive written notice of  
5 any newly required charges (including water  
6 and other utilities) or increase in the rents for  
7 pad sites, or pad sites and manufactured  
8 homes, located in the community, including a  
9 written justification of the increase with infor-  
10 mation on increases in the costs of operating,  
11 maintaining, or improving the community.

12 (ii) A written notice described in clause (i)  
13 shall—

14 (I) be provided to the tenant not less  
15 than 60 days before the effective date of  
16 any newly required charge or increase in  
17 the rents, except that, in the case of any  
18 increase exceeding 5 percent of the pre-  
19 vious monthly rent, an additional 30-days  
20 notice shall be provided for each additional  
21 2.5-percent increase in the rent; and

22 (II) include identification of the  
23 amount of, and a description of, any newly  
24 required charges (including water and  
25 other utilities) that the tenant is not cur-

1                   rently responsible for but will be respon-  
 2                   sible for upon the rent increase and, if  
 3                   available, an estimate of the monthly  
 4                   amount of those charges.

5                   (iii) For purposes of the calculation in  
 6                   clause (i)(I)—

7                               (I) the amount of any increase in the  
 8                               monthly rent for a dwelling unit shall be  
 9                               considered to include any newly required  
 10                              charges described in clause (i)(II); and

11                             (II) any newly required charges with-  
 12                             out an estimate of the monthly amount  
 13                             shall be estimated at 5 percent of the pre-  
 14                             vious monthly rent.

15                   (C) A 5-day grace period for rent pay-  
 16                   ments.

17                   (D) A right to cure defaults on rent pay-  
 18                   ments within 15 days of the due date.

19                   (E) A right for a tenant who owns a man-  
 20                   ufactured home to sell a manufactured home  
 21                   owned by the tenant without having to first re-  
 22                   locate the manufactured home out of the com-  
 23                   munity.

24                   (F) A right for a tenant who owns a man-  
 25                   ufactured home to sell a manufactured home

1 owned by the tenant in place within a reason-  
2 able time period, but not earlier than 45 days,  
3 after eviction by the owner of the manufactured  
4 home community.

5 (G) A right for a tenant who owns a man-  
6 ufactured home—

7 (i) to sublease or assign the pad site  
8 lease for the unexpired term to a new  
9 buyer of the manufactured home unless the  
10 prospective tenant fails to meet the reason-  
11 able and uniformly applied application cri-  
12 teria of the manufactured home commu-  
13 nity; and

14 (ii) in such a case of denial, a right to  
15 written notice provided by the owner of the  
16 manufactured home community informing  
17 the tenant of the denial and the prospec-  
18 tive tenant of the denial and the specific  
19 reason or reasons for denial.

20 (H) A right for a tenant who owns a man-  
21 ufactured home to post “For Sale” signs.

22 (I) A right to receive 60-day advance writ-  
23 ten notice of the planned sale or closure of the  
24 manufactured home community, which shall—

1 (i) include the price, terms and condi-  
2 tions for the sale of the manufactured  
3 home community; and

4 (ii) provide that—

5 (I) no final acceptance of an  
6 offer to sell the manufactured home  
7 community may be made for 60 days;  
8 and

9 (II) the owner shall negotiate in  
10 good faith with the tenants if they  
11 wish to purchase the manufactured  
12 home community during that 60-day  
13 period;

14 (J)(i) A right against termination of ten-  
15 ancy except in cases in which a tenant engages  
16 in a material noncompliance with the rental  
17 agreement, a tenant commits a material viola-  
18 tion of the manufactured home community rea-  
19 sonable rules or regulations, or the community  
20 has a material, legitimate, and uniformly ap-  
21 plied business reason for termination that was  
22 included in the lease agreement as grounds for  
23 termination.

24 (ii) In the case of a termination described  
25 in clause (i), a right to written notice provided

1 by the owner of the community informing the  
2 tenant of the termination and the specific rea-  
3 son or reasons for termination.

4 (2) RULE OF CONSTRUCTION.—Nothing in this  
5 subsection may be construed to annul, alter, or af-  
6 fect any State or local law providing greater protec-  
7 tions to tenants of manufactured home communities  
8 than the protections afforded under this subsection.

9 (c) PRICING INCENTIVES.—

10 (1) IN GENERAL.—Any covered pricing incen-  
11 tive offered for loans purchased under a covered loan  
12 program on or after the date that is 180 days after  
13 the date of enactment of this Act shall reward imple-  
14 mentation of resident protections that are more pro-  
15 tective than those specified in subsection (b).

16 (2) PROHIBITION.—Any covered pricing incen-  
17 tive described in paragraph (1) that does not comply  
18 with the requirement described in that paragraph  
19 may not be offered for any loan purchased under a  
20 covered loan program on or after the date that is  
21 180 days after the date of enactment of this Act.

22 (d) PUBLICATION.—

23 (1) IN GENERAL.—The Secretary and the Di-  
24 rector shall make the list of properties covered by

1 the protections described in subsection (b) publicly  
2 available on a single website.

3 (2) OTHER COVERED PROPERTIES.—Properties  
4 that are covered as of the date of enactment of this  
5 Act by the Federal National Mortgage Association’s  
6 Tenant Site Lease Protections or the Federal Home  
7 Loan Mortgage Corporation’s MHC Tenant Protec-  
8 tions shall—

9 (A) be made publicly available; and

10 (B) include an explanation of the dif-  
11 ferences between those protections and the min-  
12 imum consumer protections described in sub-  
13 section (b).

14 (e) PENALTIES.—

15 (1) IN GENERAL.—The Secretary and the Di-  
16 rector shall—

17 (A) prohibit a borrower or an affiliate of  
18 the borrower from securing future federally  
19 backed financing or other housing-related Fed-  
20 eral assistance for a period of not less than 2  
21 years beginning on the date of the violation or  
22 failure if the borrower or affiliate, as applicable,  
23 willfully and materially—

24 (i) violates a consumer protection de-  
25 scribed in subsection (b); or

1 (ii) fails to include the consumer pro-  
 2 tectations described in subsection (b) in any  
 3 lease agreement; and

4 (B) determine appropriate penalties for  
 5 any borrower who fails to—

6 (i) include the consumer protections  
 7 described in subsection (b) in any lease  
 8 agreement; or

9 (ii) comply with a lease agreement in-  
 10 cluding the protections described in sub-  
 11 section (b).

12 (2) NATURE OF PENALTIES.—The penalties de-  
 13 termined under paragraph (1)(B) shall be in addi-  
 14 tion to minimum payments to the injured tenant as  
 15 follows:

16 (A) For a material violation of subpara-  
 17 graph (A) or (J) of subsection (b)(1), 6 months  
 18 of the current monthly rent.

19 (B) For a material violation of subsection  
 20 (b)(1)(B), any increased rent must be paid back  
 21 to the tenant with interest, plus 25 percent.

22 (C) For a material violation of subsection  
 23 (b)(1)(C), any penalties or late fees must be  
 24 paid back to the tenant with interest, plus 25  
 25 percent.

(D) For a material violation of subparagraph (D), (E), or (F) of subsection (b)(1), the greater of—

(i) the sale price of the manufactured home, if the borrower or an affiliate sells it within 12 months of the violation; or

(ii) 12 months of the prior monthly rent.

(E) For a material violation of subparagraph (G) or (H) of subsection (b)(1), the total remaining monthly rent owed on the tenant's lease.

(F) For a material violation of subsection (b)(1)(I), the greater of 2 months rent or 10 percent of the sale price of the community divided by the number of tenants in the manufactured home community.

**SEC. 4. MANUFACTURED HOME COMMUNITY LENDING STANDARDS COMMISSION.**

(a) ESTABLISHMENT.—There is established a commission to be known as the Manufactured Home Community Lending Standards Commission.

(b) DUTIES.—

(1) PROPOSED STANDARDS.—Not later than 1 year after the date of enactment of this Act, the

Commission shall submit to Congress, the Secretary, and the Director a report that sets forth proposed consumer protection standards for covered loan programs that—

(A) are in addition to and provide greater protection than the requirements described in section 3(b); and

(B) could be used as a basis for establishing covered pricing incentives under the covered loan programs that comply with section 3(c).

(2) STANDARD FOR DETERMINATIONS.—Any determination by the Commission to approve a consumer protection in the proposed standards required under paragraph (1) shall be made by a vote of a simple majority of the members of the Commission.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 16 members, as follows:

(A) The Secretary (or the Secretary's designee).

(B) The Director (or the Director's designee).

(C) 1 representative from each enterprise.

1 (D) 3 each shall be appointed by the  
2 Speaker of the House of Representatives, the  
3 minority leader of the House of Representa-  
4 tives, the majority leader of the Senate, and the  
5 minority leader of the Senate. Of the 3 mem-  
6 bers appointed by each such officer—

7 (i) 1 shall be employed at the time of  
8 appointment as a professor or academic re-  
9 searcher with demonstrated background in  
10 housing and consumer protection issues,  
11 especially as they relate to manufactured  
12 homes;

13 (ii) 1 shall be a current or former  
14 member of Congress; and

15 (iii) 1 shall be a current resident and  
16 homeowner at a manufactured home com-  
17 munity.

18 (2) CHAIRPERSON AND CO-CHAIRPERSON.—

19 (A) CHAIRPERSON.—The chairperson of  
20 the Commission shall be designated by the  
21 President from among the members of the  
22 Commission.

23 (B) CO-CHAIRPERSON.—The co-chair-  
24 person of the Commission shall be selected as  
25 follows:

1 (i) DESIGNATION BY SPEAKER OF  
2 THE HOUSE.—If, on the date of appoint-  
3 ment, the Speaker of the House of Rep-  
4 resentatives is of a different political party  
5 than the President, the Speaker of the  
6 House of Representatives shall designate  
7 the co-chairperson from among the mem-  
8 bers of the Commission.

9 (ii) DESIGNATION BY MINORITY LEAD-  
10 ER OF THE HOUSE.—If, on the date of ap-  
11 pointment, the Speaker of the House of  
12 Representatives is of the same political  
13 party as the President, the minority leader  
14 of the House of Representatives shall des-  
15 ignate the co-chairperson from among the  
16 members of the Commission.

17 (3) TIMING OF APPOINTMENTS.—Appointments  
18 to the Commission shall be made not later than 45  
19 days after the date of enactment of this Act.

20 (4) TERMS; VACANCIES.—

21 (A) TERMS.—Each member shall be ap-  
22 pointed for the life of the Commission.

23 (B) VACANCIES.—Any vacancy in the  
24 Commission shall—

1 (i) not affect the powers of the Com-  
 2 mission; and

3 (ii) be filled within 45 days of the va-  
 4 cancy in the manner in which the original  
 5 appointment was made.

6 (5) HEARINGS.—

7 (A) IN GENERAL.—In carrying out the du-  
 8 ties of the Commission under this section, the  
 9 Commission is authorized to hold such hearings  
 10 and take testimony with respect to matters to  
 11 which it has a responsibility under this section.

12 (B) OATHS.—The chairperson of the Com-  
 13 mission, or any member of the Commission au-  
 14 thorized by the chairperson, may administer  
 15 oaths or affirmations to witnesses appearing be-  
 16 fore the Commission.

17 (6) PROHIBITION OF COMPENSATION.—Mem-  
 18 bers of the Commission shall serve without pay.

19 (d) OPERATION AND POWERS.—

20 (1) MEETINGS.—The Commission shall meet  
 21 not later than 30 days after the date upon which a  
 22 majority of the members of the Commission have  
 23 been appointed and at such times thereafter as the  
 24 chairperson or co-chairperson shall determine. De-  
 25 tailed minutes of each meeting of the Commission,

1       except for any closed session, shall be kept and shall  
2       include a record of the persons present and a com-  
3       plete and accurate description of matters discussed.

4           (2) RULES OF PROCEDURE.—The chairperson  
5       and co-chairperson of the Commission shall, with the  
6       approval of a majority of the members of the Com-  
7       mission, establish written rules of procedure for the  
8       Commission, which shall include a quorum require-  
9       ment to conduct the business of the Commission.

10          (3) HEARINGS.—

11           (A) FREQUENCY.—The Commission shall  
12       hold no fewer than 2 hearings on matters to  
13       carry out the duties of the Commission under  
14       subsection (b).

15           (B) TESTIMONY.—The Commission may  
16       take testimony and receive evidence as the  
17       Commission considers appropriate.

18           (C) NOTICE.—

19           (i) HEARINGS.—Timely public notice  
20       of each hearing of the Commission, includ-  
21       ing the time, place, and agenda of the  
22       meeting, shall be provided by any means  
23       determined by the Commission to provide  
24       for wide publicity.

1 (ii) MEETINGS.—Timely notice of  
2 each regular meeting of the Commission  
3 shall be published in the Federal Register.

4 (iii) COMMENTS.—Interested persons  
5 shall be permitted to submit written state-  
6 ments regarding the matters on the agenda  
7 of the hearings of the Commission.

8 (e) TERMINATION.—The Commission shall terminate  
9 upon the submission of the report required under sub-  
10 section (b)(1).

11 **SEC. 5. FUNDING.**

12 (a) PROHIBITION.—No additional funds are author-  
13 ized to be appropriated to carry out this Act.

14 (b) USE OF EXISTING FUNDS.—Any expenses re-  
15 quired to carry out this Act shall be funded using amounts  
16 otherwise available to the Department of Housing and  
17 Urban Development or to the Federal Housing Finance  
18 Agency.

19 **SEC. 6. STANDARD LEASE.**

20 (a) IN GENERAL.—The Director shall, in consulta-  
21 tion with the enterprises, develop a standard site-lease  
22 agreement that the enterprises will certify provides suffi-  
23 cient certainty to ensure that the mortgage loans secured  
24 by homes in manufactured home communities utilizing the

1 standard lease will be eligible for purchase under the sin-  
2 gle-family mortgage programs of the enterprises.

3 (b) SUBMISSION TO CONGRESS.—Not later than 1  
4 year after the date of enactment of this Act, the Director  
5 shall submit to the Committee on Banking, Housing, and  
6 Urban Affairs and the Committee on Financial Services  
7 of the House of Representatives a copy of the standard  
8 site-lease agreement developed under subsection (a).

○