



July 20, 2022

GENERAL NEWS

HUD Proposes Updates to Manufactured Home Construction and Safety Standards

Yesterday in the *Federal Register*, the Department of Housing and Urban Development ([HUD](#)) published a [proposed rule](#) that would update the Manufactured Home Construction and Safety Standards, commonly referred to as the "HUD Code." According to a [press release](#) issued yesterday, the proposed updates are the largest set of changes to the HUD Code in over two decades and will expand the use of manufactured homes to address affordable housing supply.

Containing new and updated standards, including 88 standards incorporated by reference, the proposed rule will bring the HUD Code in line with more recent manufactured housing industry standards and further improve the quality and safety of manufactured home construction. Proposed changes in the rule will facilitate innovation and greater production of manufactured homes with features that are sought-after by consumers and that are common consumer needs for modern living, including: multi-unit dwellings; ridge-roof designs; open floor plans, truss designs, specifications for attics, and accessibility improvements, among others.

The announcement states that when final, the updates contained in the proposed rule will enact a significant number of recommendations made by the federally mandated Manufactured Housing Consensus Committee. Further, the updates will eliminate the need for manufacturers to obtain alternative construction approvals for frequently requested features and materials that already meet or exceed HUD standards.

The due date for comments is **September 19, 2022**. You can find more information in the [proposed rule](#) and a fact sheet at the bottom of the [press release](#).

HUD Charges Wyoming Homeowners Association with Disability Discrimination

In a [press release](#) yesterday, HUD announced that it is [charging](#) a homeowners association (HOA) in Wyoming with discrimination on the basis of disability. HUD's charge alleges that the HOA discriminated against two homeowners by imposing restrictions on their assistance animals and retaliating against them for filing a Fair Housing Act complaint.

The [Fair Housing Act](#) prohibits discrimination because of disability. This includes refusing to allow reasonable accommodations that would otherwise permit homeowners with disabilities an equal opportunity to use and enjoy their housing. A reasonable accommodation includes a waiver of rules restricting pets. The Act also prohibits retaliating against individuals because they have filed a fair housing complaint with HUD.

The charge alleges that the HOA employed rules limiting the rights of residents with assistance animals, including requiring documentation typically provided to certain airlines, and permitting assistance dogs to be walked only outside the property and to relieve themselves on property only in the early morning or late evening. After the homeowners challenged these policies and filed a complaint with HUD, the HOA sent a letter to all residents in the community admonishing the homeowners for attempting to circumvent the HOA's arbitration provisions and publicly questioning the homeowners' need for their assistance dogs.

HUD's charge will be heard by a United States administrative law judge unless any party elects to have the case heard in federal district court. If the administrative law judge finds after a hearing that discrimination has occurred, the judge may award damages to the homeowners for their losses caused by the discrimination. The judge may also order injunctive relief and other equitable relief, to deter further discrimination, as well as payment of attorney fees. In addition, the judge may impose civil penalties to vindicate the public interest. If the case is heard in federal court, the judge may also award punitive damages to the complainants.



For help with your PIH Alert subscription, email [Laurie Durrett](#). For questions and comments on content, email [Olga Vélez](#). To view or post job announcements at our website, click [here](#). To view our seminar calendar, click [here](#). To read the NMA blog, click [here](#).



Nan McKay & Associates, 1810 Gillespie Way, Suite 202, El Cajon, CA 92020, USA, 1-800-783-3100  
[Unsubscribe](#) [Manage preferences](#)