

## **HR 5369 Introduced "Manufactured Housing Licensing Clarification Act of 2010;" MHI Holds Important Meeting on Capitol Hill Regarding SAFE Act**

On May 26, MHI announced in an exclusive member only Housing Alert, that earlier this week, Representative Joe Donnelly (D-IN) and Representative Bill Posey (R-FL), who sit on the House Financial Services Committee, introduced HR 5369 the "Manufactured Housing Licensing Clarification Act of 2010."

MHI has been working very closely with both members of Congress over the past few months to have legislation introduced, the purpose of which is to clarify and exempt certain activities conducted by manufactured home salespersons and retailers from the requirements of mortgage loan originator licensing. The proposed language closely mirrors existing statutory language for real estate brokers. The amending bill also directs states to come up with appropriate education and testing requirements for personal property lenders who are financing homes, and for states to ensure that individual mortgage loan originators should be able to directly affiliate themselves with personal property lenders operating under their current licenses. The bill in no way seeks an outright exemption for the manufactured and modular housing industries.

MHI and the industry owe a great deal of thanks to Rep. Donnelly and Rep. Posey and their respective staffs for their continued support of the industry.

**Click here** to View the Text of H.R. 5369 (PDF).

With the upcoming Congressional recess next week and members back in the Districts, now is a great opportunity to contact your Representative and urge them to support HR 5369.

A complete list of Congressional e-mail addresses and fax numbers is available at:  
**[www.manufacturedhousing.org/government\\_affairs/find\\_congress.asp](http://www.manufacturedhousing.org/government_affairs/find_congress.asp)**.

**Click here** for a sample letter to Congress or if you have Microsoft Word **click here**.

**click here** for more detailed talking points.

In addition, as a result of the legislation introduced, an important meeting was held this past Monday on Capitol Hill between MHI, the Conference of State Banking Supervisors (CSBS), HUD, and senior Housing Financial Services Committee leadership staff (both Democrat and Republican). The purpose of the meeting was to explore a non-legislative solution to address the issues that the manufactured and modular housing industries are facing with the SAFE Act.

From the meeting, there appears to be a willingness from both House Financial Services Committee Chairman Barney Frank and Ranking Member Spencer Bachus to help our industry obtain clarification for retailers and salespersons on what are permissible activities that do not require mortgage loan origination licensing, as well as issuing guidance and direction that states should take to alleviate unfair and burdensome requirements in place for lenders.

The meeting was an important step in bringing the influence of Congressional leadership into the process and facilitating action. HUD was also encouraged to consider a delayed effective date of the SAFE Act on our industry. Congress clearly indicated that the July 2010 enforcement deadline which is looming is not statutorily required, and HUD has latitude in delaying enforcement.

Further action is expected soon as a result of the meeting. MHI will keep you apprised of any further developments.

Special thanks to Deborah Robertson, McGlinchey Stafford PLLC, and Michael Silverman, Origen Financial, for attending the meeting with Congress, and special thanks to Jim Ayotte, Florida MHA, and Ken Cashin, MHI Chairman, for working with MHI to secure bipartisan support of H.R. 5369.