



# HOUSING NOW

January 2023

## **GOVERNOR VETOES LEGISLATION TO REQUIRE COMMUNITY OWNERS SEEKING TO SELL THEIR COMMUNITIES TO FIRST OFFER TO SELL THE COMMUNITY TO THE RESIDENTS OF THE COMMUNITY**

We are pleased to report our successful lobbying effort to convince Governor Hochul to veto A. 6231 (Thiele) which would have required manufactured home community owners to give their residents a “right of first refusal” before being allowed to sell the community.

Under the proposed legislation, if a community owner reached a deal to sell his/her manufactured home community to a new owner, the community owner would have been required to put the sale on hold to notify the residents of the community of the planned sale, and the residents were then given a 140-day period to buy the community if they were able match the price.

NYHA strongly opposed this legislation and fought to obtain a veto, arguing that the requirement in the bill to delay a sale for at least 140 days would significantly impair the market for communities and also frustrate the sale of communities in need of upgrades. In addition, among other arguments, the Association pointed out that the right of first refusal would even have been given to communities where the current owner(s) sought to transfer the community to their children, or to other members of an existing ownership team.

The Association thanks Governor Hochul for vetoing the bill and for acknowledging in her veto message that manufactured home communities are vital sources of affordable home ownership. We look forward to working with the legislature and the Governor to enact sensible legislation that encourages and enhances manufactured home communities.

**See the Governor’s veto message on page 5.**



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## FROM THE NYHA PRESIDENT



**JOE BUSHEY**

### A NEW YEAR, A FRESH START

I hope all of you had a peaceful and relaxing holiday season and that 2023 is already off to a great start for you. As I hope you are well aware of by now, the industry received a late Christmas present this year when Governor Hochul vetoed A.6231, the Right of First Refusal Bill (see Veto message on Page 5). This was a direct result of a lot of effort by Mark Glaser and Nicola Coleman on our behalf. I want to commend and thank them for a job very well done.

Unfortunately, this does not bring to an end to the push by members of our state Assembly and Senate to this unnecessary legislation. If you have not read the governor's letter vetoing the 2022 legislation, I urge you to. The Governor was very clear that she was not willing to sign it in its current form, but left open the possibility that with some changes she would be willing to sign a revised version of this legislation. NYHA must stay very active in discussions with our legislative leaders and be clear that there is not a need for this legislation and present a better alternative than what the 2022 bill had laid out.

Now more than ever, it is important to support your state association. Please commit to doing a little bit more this year than you did last year. Remember we only grow by embracing change and we always need to be aware of what challenges and opportunities are ahead. I wish all of our members' good health and prosperity in 2023 and look forward to seeing you again at one of our upcoming meetings or events.

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## 2023 ADVERTISING OPPORTUNITIES AVAILABLE!

### Print Advertising\*

Housing Now Newsletter Full Page AD (7.5"x10") - Price: \$500/yr

Housing Now Newsletter Half Page AD (7.5" x 4 7/8" or 3 5/8" x 10") - Price: \$250/yr

Housing Now Newsletter Quarter Page AD (7.5" x 2 3/8" or 3 3/8" x 4 7/8") - Price: \$150/yr

Housing Now Newsletter Business Card Sized AD (3.5" x 2" or 2" x 3.5") - Price: \$100/yr

Newsletter ads should be submitted in .jpeg or .gif format. You can use the same ad for all 12 months, or can switch monthly. Ads are due by the 5<sup>th</sup> of each month.

\*Newsletter advertisers can submit one article about your company for one *Housing Now* issue per year.



### Website- [www.nyhousing.org](http://www.nyhousing.org)

We are continuing our marketing efforts to drive more and more traffic to our new website. The continued development of our comprehensive website offers more value to our members. One of those benefits is the ability to send leads to member websites, and that effort is continuing to gain momentum. By purchasing a web banner ad on our website, [www.NYHousing.org](http://www.NYHousing.org) makes it SUPER EASY for potential customers to contact you!

Advertising opportunities for our website are listed below for your consideration:

### Website Advertising

Website Banner Ad - Monthly Subscription

Member Price: \$50/mo

Website Banner Ad - Quarterly Subscription

Member Price: \$125

Website Banner Ad - Yearly Subscription

Member Price: \$500/yr

Website banner ads should be no smaller than 300 x 300 px and should be submitted in .jpeg or .gif format.

**Questions??** Call NYHA at 800-721-HOME or email [Kathy@nyhousing.org](mailto:Kathy@nyhousing.org)

Payment – you can now pay for advertising with a credit card directly from our website, or an invoice can be generated for payment by check/money order. More info for advertising and to pay with a credit card can be found here: <https://www.nyhousing.org/advertising>



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY 12224

VETO # 177

December 28, 2022

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 6231, entitled:

"AN ACT to amend the real property law, in relation to manufactured home parks"

NOT APPROVED

This bill would give homeowners within manufactured home parks a right of first refusal any time the owner of the park seeks to sell the park or receives a bona fide purchase offer that the owner intends to either accept or respond to with a counteroffer. Currently, homeowners in manufactured home parks only have a right of first refusal if potential park purchasers certify their intent to convert the park to another use within 60 months of purchase.

I wholeheartedly agree with the bill sponsors that manufactured homes are critical sources of affordable housing and homeownership across New York State. My administration is committed to protecting manufactured home park residents' rights and communities. However, this bill presents concerns for park owners and residents alike.

In particular, the 140-day right of first refusal period that this bill imposes on all sales could create significant uncertainty that may deter buyers or jeopardize their financing. Park owners would have to wait 140 days even if park residents had no intention of making an offer. The waiting period also could harm residents if new ownership is needed to address financial or operational problems at the park, since there is no way to expedite unopposed and beneficial sales. The bill also does not contain an enforcement mechanism to protect manufactured home park residents' rights if owners fail to comply with their obligations.

I have recently discussed possible changes with the legislature, and I would welcome the opportunity to consider a revised bill that balances manufactured home park owners' and residents' interests while providing a robust tool for protecting manufactured home parks as vital affordable communities in the next Legislative session. Given that the legislation fails to strike the necessary balance, I am constrained to veto this bill.

The bill is disapproved.

*Ruth Hochul*



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**NEW YORK HOUSING ASSOCIATION**  
**2023 CALENDAR OF EVENTS: JANUARY-JUNE**  
*(Tentative – dates & times subject to change)*

Jan 18	CE Course	Remote	9am – 12pm
Jan 19	21B & Mechanics	Remote	9am – 4pm
Jan 25	Board Meeting	Remote	9am - 12pm
Mar 23	Area Meeting	Buffalo - The Woodlands	9am – 12pm
Mar 23	CE Course	Buffalo - The Woodlands	1pm – 4pm
Mar 24	21B & Mechanics	Buffalo - The Woodlands	9am – 4pm
Apr 5	Area Meeting	Rochester – Hilton Garden Inn	9am – 12pm
Apr 5	Networking Lunch	Rochester - Hilton Garden Inn	12pm - 1pm
Apr 5	CE Course	Rochester – Hilton Garden Inn	1pm – 4pm
Apr 6	21B & Mechanics	Rochester – Hilton Garden Inn	9am – 4pm
Apr 25	Board Meeting	NYHA Office	10am – 2pm
Apr 26	Area Meeting	Saratoga	9am – 12pm
Apr 26	CE Course	Saratoga	1pm – 4pm
April 27	21B & Mechanics	Saratoga	9am – 4pm
May 10	Area Meeting	Syracuse	9am – 12pm
May 10	CE Course	Syracuse	1pm – 4pm
May 11	21B & Mechanics	Syracuse	9am – 4pm
May 17	Area Meeting	Long Island	9am – 12pm
Jun 14	Area Meeting	Homewood Suites, Newburgh	9am – 12pm
Jun 14	Networking Lunch	Newburgh	12pm – 1pm
Jun 14	CE Course	Newburgh	1pm – 4pm
Jun 15	21B & Mechanics	Newburgh	9am – 4pm



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## 2023 AREA MEETINGS WILL BE HELD IN PERSON!

We plan to host the  
Area Meetings  
in person in 2023:

Buffalo - March 23  
Rochester - April 5  
Albany - April 26  
Syracuse - May 10  
Long Island - May 17  
Newburgh - June 14



2023 AREA MEETINGS  
will be **FREE** for all  
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**WHAT TOPICS WOULD YOU LIKE TO HAVE COVERED?  
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## ATTORNEY RECOMMENDATIONS

The NYHA office gets many requests from members throughout New York looking for names of Attorney's with knowledge and experience on Manufactured Housing issues. Sometimes our Attorney members are too far away or are too busy to take on new clients.

If you have an Attorney to recommend, suggest they contact the Association office via phone (800-721-HOME) or email ([info@nyhousing.org](mailto:info@nyhousing.org)) to be added to our list.

The current list can be found at: <https://www.nyhousing.org/news/attorney-recommendations>



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## NEED ASSISTANCE?

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**E-mail:**

[bob@nyhousing.org](mailto:bob@nyhousing.org)

[kathy@nyhousing.org](mailto:kathy@nyhousing.org)

**Website:**

[www.nyhousing.org](http://www.nyhousing.org)

**The NYHA Office will be closed on Friday and Monday, December 23 & 26, 2022 for the Christmas Holiday.**

## PROGRAM REQUIREMENTS FOR ZERO ENERGY READY HOME TAX CREDIT RELEASED

The Department of Energy released its Zero Energy Ready Home (ZERH) program requirements necessary for manufacturers to receive a \$5,000 tax credit under the Inflation Reduction Act of 2022's amendments to Internal Revenue Code Section 45L. To manufacture homes recognized as meeting ZERH requirements, a manufacturer must register as a ZERH Manufactured Home Plant Partner and complete a certification process through a Quality Assurance Provider recognized by the Department of Energy or Environmental Protection Agency. To meet the ZERH requirements, a new manufactured home must meet Energy Star Version 3 requirements and some additional requirements.

The additional requirements are broken into three categories:

Mandatory Efficiency Requirements – prescriptive- or performance-based requisite features for envelope and glazing (based on Climate Zone), thermostat and ductwork, and marriage line seal and duct installation.

Additional Efficiency Requirements – a series of optional features with point values that must combine to meet total values that are increased from the values in Energy Star Version 3.

Mandatory Technical Requirements – prescriptive factory construction methods that must be documented and verified through DAPIAs and IPIAs.

The ZERH program is a pilot program, so the requirements were issued without the opportunity for review or public comment. The Department of Energy states that it will devote substantial resources to studying manufactured home methods, innovations, and techniques and will engage in a public comment process beginning in 2023 for future versions of the ZERH program. The ZERH program is in addition to the current 45L New Energy Efficient Home Tax Credit for manufactured homes which is still available for manufacturers. For homes completed by December 31, 2022, the existing 45L tax credit is retroactively extended in its current form (a \$2,000 credit). For homes completed after December 31, 2022, but before December 31, 2032, the 45L tax credit has been modified and will apply to manufactured homes that meet the qualifications of Energy Star Version 3 (a \$2,500 credit).

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## TREASURY ISSUES FAQs TO CONSUMERS ABOUT ENERGY EFFICIENCY HOME IMPROVEMENT TAX CREDITS

The Department of Treasury and the Internal Revenue Service (IRS), in coordination with the Department of Energy, have released FAQs to help families, homeowners, and renters lower energy costs by using new and expanded tax credits, secured under the Inflation Reduction Act, to invest in energy efficiency upgrades to homes. The FAQs provide detailed information on how families can access several tax credits for making energy efficiency upgrades to their homes over the next ten years. These FAQs are part of the Administration's ongoing efforts to educate the public about how they can benefit from the investments in the Inflation Reduction Act.

## 7,998 NEW HUD CODE HOMES SHIPPED IN NOVEMBER 2022

In November 2022, 7,998 new manufactured homes were shipped, a decrease of 687 homes or 7.9 percent compared to October 2022, and a decrease of 1,062 homes or 11.7 percent compared to November 2021. Compared with the same month last year, shipments of both single-section and multi-section homes were down, by 6.0 percent and 16.3 percent, respectively. The seasonally adjusted annual rate (SAAR) of shipments was 93,201 in November 2022, down 5.8 percent compared to the adjusted rate of 98,907 in October 2022. The SAAR corrects for normal seasonal variations and projects annual shipments based on the current monthly total.

## READY TO SELL MORE HOMES IN 2023?

Awesome. Here's an easy way to make that happen:

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Now hold on! Don't delete this email and block me. There's a reason I'm saying this, and I promise that reason isn't that I don't understand the manufactured housing sales business.

Just hear me out...**the housing market is at a point at which it has never been before.** Housing affordability is at an all time low, inventory is at an all time low, prices are near an all time high, and home buyers are frustrated and looking for an alternative.

Don't believe me? Here's the affordability index below. We're at a record low, which means everyone is stretching to afford a place to live.

Exhibit 2: US housing affordability has reached the lowest level on record (since 1996)

GS Housing Affordability Index



And even if you can afford a new home, there's not many out there. That's not good either.

Unfortunately, most of those potential home buyers are wholly unaware of manufactured housing. They don't know anything about the homes or sales process, nor do they know what a great value the product is. They have no idea that our industry builds a great home for less than \$100 per square foot.

We can talk about affordable housing, great deals, year end sales, Tax season promos, etc. until we're all blue in the face, but that doesn't show a customer what a great value a manufactured home is. It doesn't show them that even though they may be freshly priced out of the site built market, **they**

**can still afford a nice new manufactured home for their family.**

**The only way to show value and affordability is to show the product, and to show the price.** That's it. Let the potential home buyer see that "yes, this is a nice home", and "yes, it's a great price."

Think about it this way: modern consumers are used to a VERY simple and stress free purchase process. They hate and avoid stressful purchase experiences. Amazon, CarMax, Netflix, Uber, and many other successful firms have excelled because they took stress out of the customer experience. They made buying their product easy and simple.

Can you imagine anything more stressful and uncomfortable than looking at a MH retailer's website, finding the home you love, going to take a tour of it, then finding out that it's too expensive for your budget? Even if there were a house on the lot that was in your price range, you'd be so deflated that nothing looks good anymore.

So what do new home buyers do if there's no price? **Most will avoid the possibility of disappointment all together, and go buy something else.** Something that's NOT a manufactured home.

The only constant is change, and the home buying environment is changing. If you're not posting your pricing, it is time to change as well. I promise that the work will be worth it in the long run.

Need some help marketing and advertising your new or used manufactured homes? Sales not where you want them to be? Bild Media can help. Contact David Finney to schedule a FREE consult today to figure out how to help you sell more homes in 2023. **Have a great New Year!**



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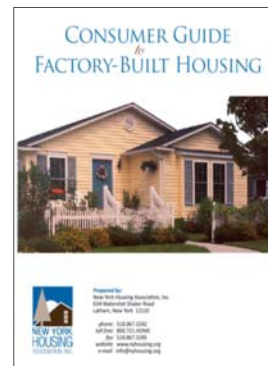


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Help your tenants make smart and well-informed buying decisions by offering them a copy of this Guide. NYHA Members can purchase the Guide from the Association office for \$1 each.

You must make a minimum purchase of 25 Guides.

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