

Manufactured Housing Task Force

Working Implementation Recommendations Document

I. Overview

About the Manufactured Housing Task Force

Fairfax County has eight existing manufactured housing communities across several magisterial districts throughout the County containing approximately 1,750 units.

- Waples Mobile Home Estates, Braddock District
- Audubon Estates, Lee District
- Harmony Place, Lee District
- Engleside, Mount Vernon District
- Penn Daw Terrace, Mount Vernon District
- Rays, Mount Vernon District
- Woodley Hills Estates, Mount Vernon District
- Meadows of Chantilly, Sully District

In August 2021, the Fairfax County Board of Supervisors (the Board) established the Manufactured Housing Task Force (MHTF) for the purpose of developing a set of strategic recommendations; 1) the preservation of the affordable housing opportunities that exist in the county's eight manufactured communities, and 2) addressing the unique needs of the families that call these communities home. The MHTF purposefully included a diverse array of manufactured housing community residents, community owners, housing advocates, and representatives of the development community, among others.

Task Force Goals

The following are the MHTF's recommended goals:

Goal 1: *Preserve, through a variety of means, the affordability of the approximately 1,750 housing opportunities that exist in the eight manufactured housing communities in Fairfax County, recognizing that each community – and each family - has unique circumstances that will require a tailored approach.*

Goal 2: *Provide manufactured housing community residents the opportunity to fully participate in and benefit from civic life in Fairfax County, most critically but not limited to policy decisions that directly impact their housing sustainability.*

Goal 3: *Provide manufactured housing community residents with the opportunity to learn about their rights and limitations and provide park owners with the*

opportunity to learn about their responsibilities under the Manufactured Home Lot Rental Act of Virginia and other applicable regulations, county policies and resources available to assist them. Furthermore, provide suggested changes to the Manufactured Home Lot Rental Act of Virginia and other applicable regulations to be included in the County's state legislative package.

Guiding Principles; Values

Like the recommendations of the Affordable Housing Preservation Task Force, the MHTF recommendations were informed by the following guiding principles:

- **Best Practices:** Work of the task force was informed by best practices, where applicable.
- **Lessons Learned:** The MHTF incorporated into these recommendations the lessons learned in real time from ongoing situations at multiple manufactured housing communities.
- **One Fairfax Policy and Lens:** The One Fairfax Policy was used in all efforts of the MHTF and in the creation of the proposed strategies contained herein.

In addition to the MHTF's guiding principles, the following values were considered in the recommendations:

- **Preservation comes in many forms:** Affordable housing preservation can be achieved in a variety of ways, including physical preservation of the manufactured housing communities themselves, or the preservation of the affordability, either on-site or off-site, in the event of redevelopment.
- **Focus on the people:** Priority consideration should be given to the needs of residents of manufactured housing communities. It is recognized that the concerns of all key stakeholders (residents, park owners, housing advocates, business and civic leaders) should be included in the development of manufactured housing policies and actionable recommendations.
- **Respect communities:** Sustaining the legacy and viability of communities with shared history and cultural dynamics should be a priority.
- **Realistic and actionable recommendations:** Recommendations by the MHTF should be realistic and actionable, within the context of the existing regulatory environment for manufactured housing communities in Virginia.

Strategic Categories

The MHTF adopted a charter (Appendix 1) which identified a set of duties that can be grouped into six principal strategic areas of focus:

- A. Community Outreach and Engagement:** Residents and owners of manufactured housing communities have a right to be informed of, understand, and participate in policy decisions and opportunities that affect them, in a manner consistent with the

Fairfax County One Fairfax Policy. Per the MHTF charter, when a manufactured community goes through the planning process, a collaborative, intentional, and meaningful community engagement and resident evaluation process must be developed that includes considerations of preservation, rehabilitation, development without displacement, and relocation benefits, among other factors.

- B. Understanding Community Needs, Providing Community Benefits:** Residents and owners of manufactured housing communities have a right to have their needs understood by policymakers in Fairfax County. These communities should be surveyed every three years to help gather information on community conditions, economic success, resident service needs, and resident aspirations. Residents of manufactured housing communities should have access to sufficient resources and opportunities to allow them to be resilient in the face of displacement, to maintain and preserve their existing homes, and to have a pathway to traditional homeownership in Fairfax County.
- C. Code Compliance and Community Quality:** Residents of manufactured housing communities have a right to expect decent and safe facilities. Code compliance recommendations should be aimed at enhancing resident safety and community quality.
- D. Land Use:** Per the recommendations of the Affordable Housing Preservation Task Force, land use policies regarding manufactured housing communities should be reviewed and updated as needed to help ensure that they are responsive to the needs of the residents and owners.
- E. Legislation:** Residents of manufactured housing communities should be protected more forcefully by the state legal frameworks governing their communities. A set of recommendations aimed at ensuring greater protections should be included in the Board's legislative program until adopted by the General Assembly.

The MHTF is the product of a set of recommendations made by the County's Affordable Housing Preservation Task Force, and this document is structured as an implementation plan in response to those specific recommendations. The recommendations of the County's Affordable Housing Preservation Task Force are shown in boxes and are followed by the recommendations of the Manufactured Housing Task Force.

II. Implementation Plan

A. Community Outreach/Engagement (Preservation Task Force Recommendation MH2)

The manufactured housing task force should engage residents of manufactured housing communities through a robust community outreach strategy that should:

- *Use translators for presentations and meetings and written materials in the primary language to ensure input and communications with residents with the primary language other than English. Interpreters and document translations will be provided for other languages upon request;*
- *Support residents with hearing and visual impairments to participate and receive information for community meetings;*
- *Provide advance notice and consideration to the appropriate time of day to accommodate individuals who serve as caregivers and/or have jobs outside of the hours of 9-5 to attend community meetings;*
- *Develop a basic fact sheet in multiple languages and braille for residents to understand the basics of manufactured housing unit ownership clearly illustrating how it is different from other types of property ownership, including home ownership; and*
- *Analyze data to better understand the specific affordability and access challenges faced by marginalized groups including, but not limited to race, gender, LGBTQIA, age, people with disabilities, ex-offenders etc.*

Overview: Community engagement and public participation are essential aspects of the management and governance of Fairfax County, as expressed in the Countywide Strategic Plan and the One Fairfax Policy. Currently, landowners of manufactured housing communities are legally notified of land development activity that is immediately adjacent to or that includes their property. The County's commitment to community engagement and public participation must also apply to residents of manufactured housing communities. This commitment reflects a core belief that the people who are affected by a decision have a right to be involved in the decision-making process, with the assurance that their participation will increase awareness of the challenges and opportunities, inform decision-making, strengthen the collective voice, advance resident's rights through policy development, and create measurable outcomes.

This commitment to community participation is especially critical for residents of manufactured housing communities, given how vulnerable many residents are with major barriers to economic mobility.

Desired Outcomes and Guiding Principles: While each of the eight manufactured housing communities has its own unique challenges and opportunities, the need for a consistent and effective approach to community outreach and engagement is essential. The goal of the community engagement/communication strategy is to ensure that residents of these communities are able to fully participate in, understand, and help shape policies and decisions that directly affect them.

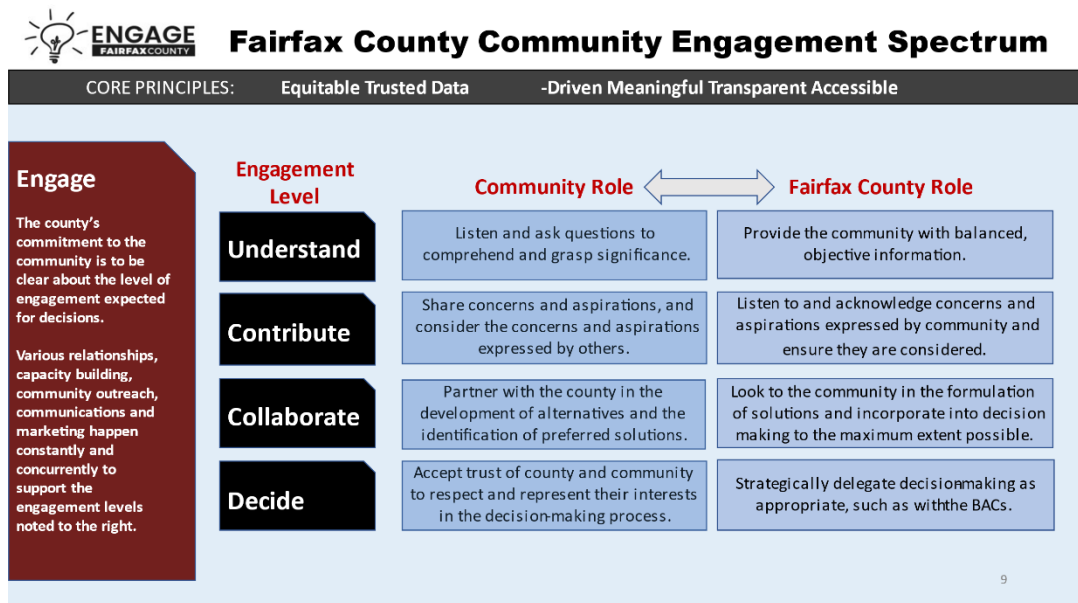
The guiding principles of the community engagement and outreach strategy, consistent with the Fairfax County Framework for Inclusive Community Engagement, is that the strategy must be:

- **Inclusive:** At its core, community engagement means that residents and owners of manufactured housing communities, county residents, key stakeholders, and elected officials, must be included in any policy or decision-making process.
- **Equitable:** Equitable community engagement aims for participation that results in all residents – regardless of age, race, color, sex, sexual orientation, gender identity, religion, national origin, marital status, disability, socio-economic status or neighborhood of residence having the opportunity to fully participate.
- **Authentic:** Authentic community engagement is building trusting relationships based on a collective approach to finding solutions. Shared learning is essential to understand the value of manufactured housing communities as a critical source of affordable housing, and why preservation of their affordability is a County housing priority.

How We Get There: By engaging in an inclusive, equitable, and authentic engagement process, residents of manufactured housing communities and manufactured housing community owners will have full access to, and fully participate in, the decision-making process. This approach requires the disclosure of information in accessible formats to residents and owners that facilitate understanding of the issues. The approach will facilitate improved outcomes for residents, including:

- Improved Health and Safety
- Affordability
- Resilience
- Minimized Displacement
- Clarity for the Future
- Long-Term Investment in Property
- Improved Infrastructure and Maintenance
- Improved responsiveness to community needs and desires
- Reduction of inequities and then greater ownership in community decisions
- A better understanding of why and how services need to change and develop

The chart below shows the Fairfax County Community Engagement Spectrum, as it appears in the county’s inclusive engagement framework. With respect to the needs of the residents of manufactured housing communities, utilization of all levels of the engagement are intended to facilitate successful participation in community decision-making, and the building of new, trusting relationships between the county and residents.



Implementation Recommendations: The community outreach and engagement plan has multiple components to ensure a full understanding of the unique nature of manufactured housing communities and the rights and responsibilities of unit and community owners including: 1) development of a website of current information and resources; 2) annual outreach to the manufactured housing communities; 3) specific development information on projects that may impact the communities; 4) a manufactured housing roundtable consisting of community representatives, owners, partners, and advocates; and 5) residential surveys.

Recommendation A1: Website of Current Information and Resources

A Fairfax County website specifically for residents and owners of manufactured housing communities should be developed as a convenient reference. The website should be available in English and Spanish, and include the following at a minimum:

- **Fact Sheet:** Provide information that clearly provides information about the unique ownership and occupant arrangements that are distinct from other housing situations (see Appendix 2):
 - ✓ How to purchase
 - ✓ Advantages and disadvantages
 - ✓ Taxes
 - ✓ Ownership structure

- ✓ Rights of tenants in manufactured housing communities
- ✓ How to get involved – and stay involved – in Fairfax County
- **InfoPages:** Provide information on each of the eight communities in the county, including number of units, ownership, basic demographic information, etc.
- **How to Get Help:** References for resident assistance, including tenant rights, access to legal counsel, home improvements, and other services related to tenancy in and ownership of a Manufactured Housing Community.
- **Facilitating Community Understanding:** Post results of all surveys and studies conducted to understand each of the manufactured housing communities. The goals of this aspect of the proposed website would be to 1) provide hard data about the communities and the needs and aspirations of their residents; 2) create greater understanding of manufactured housing as a homeownership model; and 3) identify opportunities to overcome challenges and create thriving communities with long-term benefits for the residents.
- **Notification Alerts:** Create a sign-up mechanism to receive any notifications on manufactured communities, including links to any relevant land use cases and associated community meetings, and notices concerning the sale of any community.
- **Frequently Asked Questions:** Identify FAQs from residents and owners and share them on the website.
- **County Staff Contact:** Provide a means for community members and owners to ask county staff questions and report concerns.
- **Legislation Updates:** Provide updates on all legislations related to manufactured housing communities.

Responsible parties: The Fairfax County Office of Public Affairs would maintain the website with Fairfax County Housing and Community Development responsible for updating its content.

Recommendation A2: Annual Outreach to Manufactured Housing Communities

The Fairfax County Department of Housing and Community Development with the assistance of the Office of Public Affairs will send annual letters to each residence within a manufactured housing development and to each community owner. These letters will provide the Fact Sheet and the link to the website for further information and resources. The letter will initiate scheduling a County-hosted on-site community meeting, as available, at each manufactured housing community to be held within 45-60 days of the date of the letter. At least one annual community meeting should be held with each community as standard procedure for the first 3-5 years, and then potentially occur more or less frequently, as determined by residents of each community. At the community meeting Fairfax County staff can meet with the residents to review the information, identify support resources, answer any questions, and gain insight into community concerns and explore or implement solutions with the residents and management. The annual letter is intended to ensure that every household and owner are aware of their rights and responsibilities and resources available to them and will provide a means of communication with County staff.

Responsible parties: Department of Housing and Community Development, with the assistance of the Office of Public Affairs.

Recommendation A3: Specific Development that May Impact the Community

The Fairfax County Department of Planning and Development will ensure that notice is provided to both the landowner and each household within the manufactured housing community of all proposed rezoning and Comprehensive Plan amendments that are adjacent to, or include, the manufactured housing community. The processes for each include active engagement with the community to ensure that all who are potentially impacted are clearly informed and their voice can be heard as part of the public participation process if they desire. Meetings will be held with the residents of the manufactured housing community to explain the proposal and answer questions. These meetings will be coordinated with the District Supervisor's office by County Staff for Plan amendments and by the developer/applicant for entitlement applications. Interpreters should be provided, and meeting material should be translated. Notices of public hearings on such developments will be posted on the county's Manufactured Housing website, as described in Recommendation A1.

Responsible parties: Department of Planning and Development, with assistance from the Department of Housing and Community Development and the Office of Public Affairs.

Recommendation A4: Community Representatives, Partners, and Advocates

The Fairfax County Department of Housing and Community Development will have the responsibility to establish and staff a Manufactured Housing Roundtable, consisting of resident leaders from the manufactured housing communities and manufactured housing community owners/managers to help with ongoing information sharing and opportunities for residents. As part of this effort, the county will work with the roundtable to plan and schedule community engagement activities. Some communities may have established homeowner/resident associations with a representative governance structure and routine meeting schedules while others may not. In cases where an established homeowner/resident association exists, the association leadership should be the first point of contact for planning any engagement activity. Where a formal community/resident association does not exist, the county should attempt to identify the informal community leaders to participate in community engagement planning efforts. In addition, the county is committed to an engagement with trusted community partners as identified by the community residents to assist in community engagement planning efforts. There may be representatives from places of worship, non-profit organizations, government agencies or others who are trusted by community residents to serve in this role.

Responsible parties: The Department of Housing and Community Development and The Department of Neighborhood and Community Services, assisted by the Office of Public Affairs and the Chief Equity Officer.

Recommendation A5: Institutional Capacity

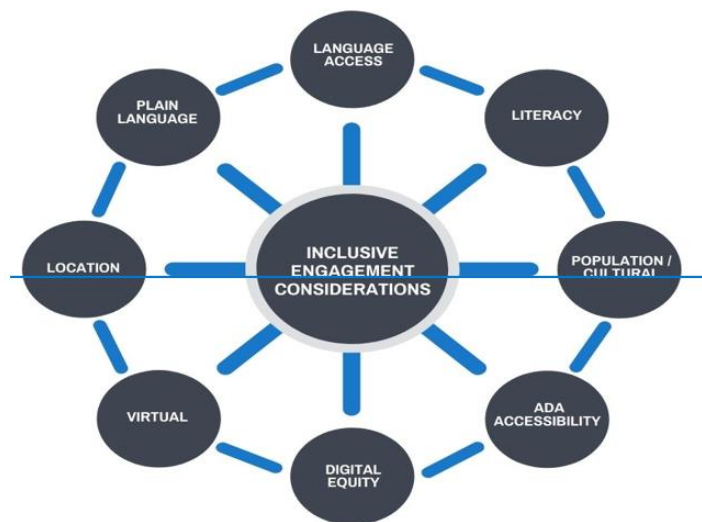
Fairfax County should establish a manufactured housing community coordinator within the Department of Housing and Community Development, to coordinate activities related to manufactured housing, including community outreach and engagement.

Responsible parties: The Department of Housing and Community Development and The Department of Management and Budget

Recommendation A6: Meeting the Engagement Needs of Residents

It is imperative that the particular needs of residents be recognized and addressed to ensure a truly inclusive community engagement process.

- Provide interpreters for presentations and meetings and written material translations in English, Spanish and any other primary spoken language to ensure the ability for full participation by all residents. Provide interpreters and document translations for other languages, as needed.
- Support residents with hearing and visual impairments to participate and receive information.
- Identify and mitigate barriers to resident participation. Lack of transportation, childcare, and language access are common barriers to resident participation in community engagement.
- Provide advance notice and consider the appropriate time of day to accommodate non-“traditional” work schedules and caregiver responsibilities when scheduling engagement.
- Employ meeting formats that are interactive and that encourage attendees to fully engage in the decision-making process.
- Offer attendees multiple ways to provide input (verbal, written, during and after the meeting).
- Provide sufficient introductory level information and time for participants to achieve a common understanding of topics that may be new or complex and to build capacity and promote full resident participation in decision-making.



Source: Inclusive Community Engagement presentation

Responsible parties: All relevant county agencies

**B. Understanding Community Needs, Providing Community Benefits
(Preservation Task Force Recommendation MH3; MH5)**

MH3: The manufactured housing task force should obtain an understanding of existing manufactured home communities, desires of manufactured homeowners and occupants and their reasons for choosing to live in the manufactured home communities to drive further research and recommendations to County policies, plans, and ordinances by:

- *Conducting a survey of the residents who live in the manufactured home communities to include households that rent homes from an owner versus residents who occupy homes they personally own to evaluate demographics and desires of owners and occupants;*
- *Evaluating of the condition of the manufactured homes and the communities to understand ways to potentially assist in improving conditions as desired by the owners/occupants;*
- *Researching opportunities to upgrade/replace manufactured homes; and*
- *Exploring long-term opportunities to convert manufactured home ownership to conventional homeownership of a housing unit where possible, including the potential for tenant-managed or tenant-ownership of manufactured housing communities through constructs like community land trusts, if and when desired by manufactured homeowners.*

MH5: Develop a policy regarding one-for-one replacement and/or no net loss in the context of manufactured home occupancy and ownership. The policy should recognize that preservation of these important affordable housing opportunities may take many forms: preservation of the physical asset, redevelopment or replacement of units with conventional, affordable homeownership options in the existing communities, and facilitated paths to other conventional, affordable homeownership and rental housing opportunities. Further, the task force should establish criteria for replacement that takes into account levels of affordability, type and tenure of units. This should consider the following:

- *The right of displaced residents to access replacement affordable housing opportunities, at the same income levels;*
- *The relocation benefits for residents, as provided for under Virginia and federal law, and any gaps that may exist relative to the needs of displaced residents;*
- *The opportunity for meaningful, conventional homeownership and wealth building potential, where possible; and*
- *The development of resident displacement policies and amendments to the voluntary relocation guidelines to address potential lost value of the manufactured home if immovable or if there is no reasonable relocation option for manufactured homeowners.*

Overview: People become manufactured homeowners and live in manufactured housing communities for a variety of reasons. For some, manufactured home ownership is an affordable step toward traditional homeownership. Others purchase a manufactured home intending to remain in that community throughout their lives. A third category of manufactured housing

community residents, commonly found in other localities, is retirees seeking to downsize, reduce maintenance, and live within a limited retirement income. A final category of manufactured housing residents are households who purchase a manufactured home as a form of affordable housing, whether due to limited income, lack of access to credit, immigration status, or other reasons. It should also be noted that there are many renters in manufactured housing communities whose needs must also be understood.

The challenges faced by people living in manufactured housing communities – the fear of displacement, the condition of their homes, access to credit and traditional homeownership – require a new approach grounded in the principles of One Fairfax. This new approach should be characterized by encouraging residents to have more control over their housing and their economic future. Proposed below is a set of recommendations aimed at providing a range of services to assist manufactured housing community residents in stabilizing their housing situations and becoming more economically empowered.

In Fairfax County, our manufactured housing communities are critical sources of affordable housing, largely for working families. Understanding *and responding to* the diverse needs, goals and aspirations of residents is imperative to preserve the affordable housing opportunities that exist in manufactured housing communities.

Desired Outcomes and Guiding Principles: Fairfax County must gain an in-depth understanding of the needs of the residents of manufactured housing communities to effectively assist them with displacement challenges and community improvement needs. The process to understanding community needs will be centered around the principle that the residents' voice in partnership with the community owner is critically important.

How We Get There: Developing a plan for preservation of these affordable housing opportunities requires an understanding that preservation may take many forms: preservation of the physical asset, redevelopment, or replacement of units with conventional, affordable homeownership options in the existing communities, and facilitated paths to other attainable homeownership and rental housing opportunities

Implementation Recommendations: The key to understanding the needs of residents of manufactured housing communities will include periodic surveys that uplift and amplify their voices. Following on the model provided by the Harmony Place survey (Appendix 3), it is anticipated that areas of focus in surveys will include issues surrounding displacement, housing costs, community conditions, and community values. The county should also develop various approaches/strategies, including land use policy changes, new legislation, funding, education and discussion sessions with residents and trusted community partners.

Recommendation B1: Resident Survey and Investing in Lived Experience

A key element of inclusive community engagement is to ask those who are most impacted in manufactured housing communities to provide feedback about their experiences. Fairfax County and the FCRHA should identify funding to support surveys of each of the eight manufactured housing communities, staggered in a three-year cycle so that surveys are being conducted each calendar year to gain information and to ensure that those who are most affected have a voice in future policy and actions taken in their communities. Surveys should be conducted in a manner similar to the Harmony Place survey, using the talents of trusted community partners and driven by community residents. The surveys should include a core set of questions for each site along with additional questions based on the local needs of the specific site. The survey methodology and process should be continuously evaluated and improved including investigating alternate means of conducting the survey such as using an electronic format and maintaining confidentiality of the responses especially for financial information which residents may not want to share. The resulting data should be analyzed to gain an understanding of the needs and desires of the residents, challenges and opportunities of living in each manufactured housing community and determining areas where improvements can be implemented in policies, plans, and procedures and shared with the community, community owners, and policymakers, including the Board of Supervisors.

Responsible parties: Department of Housing and Community Development, Office of Public Affairs, Department of Neighborhood and Community Services, Chief Equity Officer

Recommendation B2: Support for Manufactured Housing Community Owners

The FCRHA will explore providing financial support to owners of manufactured housing communities wishing to make infrastructure and other critical improvements to their properties. Such support would be in the form of a loan from the FCRHA, in a manner similar to the FCRHA's work with affordable housing developers. It should also be dependent on the owner providing affordability guarantees and a right of first refusal for the residents or the FCRHA to purchase the property in the event it is sold. Fairfax County should also maintain a comprehensive list of financial support from all sources, including from the state and local government. The FCRHA will also provide educational and technical support in the form of understanding code requirements and regulations for manufactured housing as addressed in Section C – Code Compliance and Community Quality.

Responsible parties: Department of Housing and Community Development

Recommendation B3: Management Practices

The quality of practices varies among the manufactured housing communities. Some communities continue to face challenges, such as fear of retaliatory actions against residents who raise concerns. Fairfax County, in consultation with all stakeholders, should create guidelines that state standards for conduct based on best practices for manufactured housing community management and provide a single point of contact to assist residents in addressing concerns about management. Fairfax County should also seek legislative changes at the state

level to strengthen resident rights; especially in the event of a sale of a manufactured housing community (See Section E, “Legislation”).

Responsible parties: Department of Housing and Community Development, Legislative Affairs, Office of the County Attorney

Recommendation B4: Support Community Residents in Purchasing Their Communities; Community Land Trusts

When a manufactured housing community is faced with redevelopment, residents lose their manufactured homes, when the home cannot be relocated, and their communities. Current laws provide limited compensation for relocation expenses. Losing their community has a high social and economic impact. The circumstances of every manufactured housing community will be different over time. One strategy to be considered is for residents to form a group at the earliest opportunity, with help from the county, to purchase the land under their homes and participate in management of the park.

As an example, although the coordinated effort to purchase the Harmony Place property ultimately did not have the desired outcome, the work done by the residents of Harmony Place, Tenants and Workers United, Catholics for Housing, the FCRHA and Fairfax County during the fall of 2021 provides a template for assisting residents of manufactured housing communities in purchasing the land under their homes. The purchasing model used for Harmony Place, could be used in future situations where a property is for sale and the residents would like to organize and make an offer to purchase. The county encourages nonprofit organizations to engage and collaborate with residents of manufactured home communities. Other creative models to be considered include the use of Community Land Trusts for the preservation of manufactured housing communities, and the creation of affordable homeownership opportunities.

Responsible parties: Department of Housing and Community Development, Department of Neighborhood and Community Services, Chief Equity Officer

Recommendation B5: Supporting the Preservation of Affordability Through Various Housing Options

Manufactured housing communities provide a unique housing option through its homeownership of the unit while leasing the land. They also provide an affordable housing rental option for those who want to be within a manufactured home community. As such, the preservation of the affordability and other benefits of manufactured housing communities should be valued. Fairfax County and the FCRHA should prioritize funding for the manufactured housing communities in conjunction with other housing options with the stated goal of no net loss of affordable housing. Various funding sources and tools should be used for preservation, redevelopment, and new production to provide a range of housing options to add to the county’s affordable housing stock. Such developments should provide affordable opportunities for more traditional homeownership to residents of manufactured homes, if desired.

Responsible parties: Department of Housing and Community Development, in partnership with the Department of Planning and Development

Recommendation B6: Pilot Grant Program for Home Improvements

The FCRHA should initiate, on a pilot basis, a grant program for owners of manufactured homes wishing to address critical maintenance issues in their homes. Modeled on the grant component of the former Home Improvement Loan Program (HILP), grant funding could be used for electrical and plumbing upgrades and repairs, addressing code violations, and for safety improvements. It is recommended that the program be operated by a nonprofit organization with experience in providing single-family repair services.

Responsible parties: Department of Housing and Community Development, assisted by the Department of Neighborhood and Community Services

Recommendation B7: Homebuyer Education for Manufactured Homeowners

Fairfax County staff should research and prepare an information session on the ownership, buying and selling of a manufactured home, including how it is considered by lenders, insurance firms, taxing authorities and additional information as applicable. Other challenges such as the lack of relocation opportunities and the reality that the housing asset may depreciate over time should also be identified. Staff should research and determine if there are any programs that recognize these challenges and provide any assistance with rehabilitation. This information should be included on the Manufactured Housing website as a resource for both current and potential new owners to ensure a full understanding of manufactured home ownership. Fairfax County should also provide customized training and referrals to homebuyer education for residents of manufactured housing communities who want to participate in the county's first-time homebuyers' programs, to include building awareness that condominium and townhouse units offered for sale under the Affordable Dwelling Unit (ADU) and Workforce Dwelling Unit (WDU) programs are priced well below- market rate. This training should include a particular emphasis on understanding how to build and use credit.

Responsible parties: Department of Housing and Community Development

Recommendation B8: Develop a Resident Displacement Plan

The goal is to preserve the affordability of housing for people displaced from manufactured housing communities within Fairfax County. There are circumstances in which a manufactured housing community and/or units within the community are required to be vacated due to eminent domain, natural disaster, hazardous conditions or redevelopment. When this occurs, it is important to recognize and address financial loss and other impacts to the residents. Every effort should be made to preserve onsite a one for one replacement of manufactured homes with affordable units of comparable size. If relocation of residents is unavoidable, consideration of the financial loss and other impacts to the residents should be part of the calculation for relocation assistance. Fairfax County should determine the current regulations under local, Virginia, and Federal laws for displacement of manufactured homeowners and renters and

create recommendations aimed at minimizing disruption and maximizing opportunity and choice for residents impacted. These recommendations will identify the benefits of manufactured housing communities and address notice requirements, the manner of such notice, and time periods for displacement, among others including if due to eminent domain. Once completed, the recommendations should be posted on the Manufactured Housing website, and information sessions should be held for residents of manufactured housing communities.

Responsible parties: Department of Housing and Community Development, Office of the County Attorney, Department of Neighborhood and Community Services.

C. Code Compliance and Community Quality (Preservation Task Force Recommendation MH6; MH8)

MH6: Review/strengthen manufactured housing community oversight. by the Department of Code Compliance in a way that protects residents and ensures that Manufactured Housing Community Owner responsibilities for maintenance, health and safety onsite, and resident rights are upheld. Connect residents with the Manufactured Home Community Coalition of Virginia (MHCCV) for resident education and governance, technical assistance for unit improvements and maintenance.

MH8: Develop a reserve fund for qualified manufactured homeowners in cases where renovation or maintenance is needed in order to respond to and remediate a notice from the county code violation regarding health and safety.

Overview: Everyone who lives in Fairfax County is entitled to a safe and healthy homes, including residents of manufactured housing communities. There are federal, state, and local codes/regulations in place to define what is safe and the mechanism to enforce requirements if a home is not safe.

Manufactured housing sites are unique in that the underlying land is owned by park owners and the individual housing units are the responsibility of the individual housing unit owner. The site or community owner has the responsibility to maintain the community infrastructure, items such as the community roads, sidewalks, open space, public water, and sewer lines. Manufactured housing communities are further unique in that the construction specifications of the units themselves are governed by federal code and not local building codes.

Due to these many unique aspects, a clear understanding of the all the governing codes and regulations is required to truly understand the applicability of each.

While manufactured housing communities provide a means of affordable home ownership, such ownership comes with the responsibility of maintaining the home in a safe and healthy manner in addition to paying off loans and making monthly pad rental payments. These obligations can create hardships if owners have limited funds and need to balance competing demands for other necessities such as food, childcare, or healthcare. Often home maintenance becomes a lower priority, which can lead to regulatory/code non-compliance or safety issues that need to be addressed. To keep these families in their homes, a reserve fund should be made available to help with expenses as needed.

Desired Outcome: Research and compile the local, state, and federal codes that apply to manufactured housing communities, both the units and the sites; provide recommendations for new and/or modifications to existing regulations to provide safe and healthy living conditions for the residents; and develop mechanisms for enforcement of the regulations and to assist unit

owners in complying. Provide sources of potential funding for qualified manufactured housing unit owners to address health and safety concerns on the homes and the clear process for accessing and utilizing those funds.

How We Get There: By engaging experts and county staff in a review of code requirements and assisting both manufactured homeowners and community owners in understanding their joint responsibilities to ensure safe quality housing in a healthy community environment.

Implementation Recommendations: The following are recommended steps to create a greater understanding of the codes and requirements governing manufactured housing communities:

Recommendation C1: Review of the Code Requirements and Regulations for Manufactured Housing Communities

Conduct a comprehensive review of the applicable codes and regulations at the local, state, and federal level to understand the code requirements, enforcement mechanisms, responsible parties, and complaint processes for both manufactured homes and manufactured housing communities. The applicable codes and regulations for manufactured housing communities are to be included on the website.

Responsible parties: Department of Housing and Community Development, Department of Code Compliance, Office of the County Attorney

Recommendation C2: Resources for Manufactured Housing Communities

Create a comprehensive list of codes and resources at the local, state, and federal levels available to manufactured homeowners, tenants, and community owners. This list should be provided on the Manufactured Housing website.

Responsible parties: Department of Housing and Community Development, Department of Code Compliance, Office of the County Attorney

Recommendation C3: Best Practices of Other Jurisdictions

Review initiatives and best practices by other local communities on code and enforcement regarding the construction, location, installation, use and maintenance of manufactured homes.

Responsible parties: Department of Housing and Community Development

Recommendation C4: Recommendations for New Regulations and Enforcements

Stakeholders should be engaged annually to offer input and provide recommendations to strengthen existing regulations or provide for new codes and enforcement regulations, including applicable grandfathering provisions or polices promoting safe and healthy manufactured housing units and communities.

Responsible parties: Department of Housing and Community Development, Department of Code Compliance, Office of the County Attorney; County Legislative Office.

Recommendation C5: Informational/Educational Material

Develop Informational and educational materials on regulatory policy and procedures for manufactured home property/site owners, unit owners, and renters to include outreach and education at community meetings and events.

Responsible parties: Department of Housing and Community Development and Department of Code Compliance.

Recommendation C6: Create a Reserve Fund for Code/Utility Compliance Support

Determine funding sources that may be available for Manufactured Housing Community owners and owners of the individual units. A recommendation from Section B of this report is to determine the condition of the manufactured housing communities and develop a menu of the common most code violations, needed repairs and associated costs. The goal is to develop an informed reserve fund based upon the current stock of manufactured homes in the county. Staff should develop a process and procedure for allocating funds including communications on funding available and their appropriate uses and method for obtaining and using the funds. Information should be included on the Manufactured Housing Communities websites and within the communication plans with the communities.

Responsible parties: Department of Housing and Community Development, Department of Code Compliance, Office of the County Attorney

Recommendation C7: Community Infrastructure Conditions Assessment

Underinvestment in infrastructure is a critical threat to some manufactured housing communities, including some of those in Fairfax County. The infrastructure systems in many manufactured housing communities date back decades, and sewer, water and electrical systems are often beyond their anticipated useful life. In addition, some of the existing manufactured housing communities are partially located within a mapped floodplain. There is a recognized need to provide long term investment in community infrastructure to ensure health and safety of the residents. Fairfax County and the FCRHA, in cooperative working relationships with property owners, should contract with a qualified firm with expertise in review of site, floodplain and utility conditions to provide an overall infrastructure assessment of the eight identified manufactured housing communities and the common area improvements needed for each community to promote health, safety, and welfare for residents in each community with a focus on livability and accessibility. Many of these utilities are in easements and may have public rights to access. The condition assessments should also provide an estimated cost for the types of repairs needed to help gauge the potential financial resources that may be required.

Inspections may also include a general assessment of the exterior condition of units within the community as a way to assess overall financial viability. The community surveys referenced in Recommendation B1 should include resident concerns with the maintenance provided by the site owner and the condition of the units within the site. The survey may also be an opportunity for residents to voluntarily indicate areas of improvement for individual units and the community at large.

Responsible parties: Department of Housing and Community Development, with assistance from the Department of Code Compliance

D. Land Use (Preservation Task Force Recommendations MH4; MH7; MH9)

MH4: The manufactured housing task force should identify any existing policy discrepancies related to manufactured housing communities, and, to the extent such inconsistencies exist in the Comprehensive Plan and if appropriate, recommend that the Board amend the Comprehensive Plan to create a Manufactured Housing Community land use designation and related policies. The overarching goal of the Plan Amendment would be to preserve, through a variety of means, the housing affordability provided to existing residents by manufactured housing communities, and to rectify any existing discrepancies. It should be noted that the Land Use Element of the Policy Plan of the Comprehensive Plan indicates that manufactured housing communities should be retained as an important source of affordable housing if the underlying commercially zoned land is to be redeveloped, however, in some instances site-specific Plan recommendations are not consistent with this goal.

MH7: Consider zoning strategies to incentivize preservation of existing manufactured home communities both as nonconforming uses in the commercial and industrial zoning districts and within the Residential Manufactured Home Park Zoning District (R-MHP), including, a review of use standards and bulk regulations.

MH9: For any manufactured housing communities that go through the entitlement process, implement an analysis of the housing affordability needs of and opportunities for residents.

Overview: Manufactured Housing Communities offer some of the limited homeownership opportunities available to low- and moderate-income households underserved by the traditional homeownership market. They also can serve as critical sources of housing for a workforce that may not otherwise be able to afford to live near work and can be pockets of diversity in communities. The many land use pressures facing these communities include the fact that many do not meet current ordinances and regulation such as floodplain regulations and the fact that growth and increased land values make the sites targets for redevelopment.

Providing clear, up to date guidance in the Fairfax County Comprehensive Plan related to the importance of maintaining this affordable option should be addressed. Similarly, updating the Residential Manufactured Housing (M-RHP) District in the Zoning Ordinance should be considered as a means to assist in maintaining the viability of such communities.

Desired Outcome: Clarify Comprehensive Plan language and update the Zoning Ordinance to help facilitate the preservation manufactured housing communities.

Recommendation D1: Show Manufactured Housing Communities on the Comprehensive Plan Map

Currently, manufactured housing communities are shown on the Comprehensive Plan Map with a “MH” symbol at the location. A description of the MH land use category and symbol locations

should be added to the Comprehensive Plan Map legend and map in recognition of the fact that MH communities are an important source of affordable housing. The goal of the clarification is to strengthen the importance of manufactured homes in the Comprehensive Plan by clearly identifying their locations throughout the county as a means of focus for any potential impacts of redevelopment on those site or adjacent sites.

Responsible parties: Department of Planning and Development, assisted by the Department of Housing and Community Development

Recommendation D2: Review and Clarify Comprehensive Plan (Area Plan) Recommendations for Manufactured Housing Communities

Include the boundary of each manufactured housing community on the appropriate planning sector and special area land unit map in the Comprehensive Pan. Review the existing Comprehensive Plan guidance to clarify and correct any inconsistencies related to manufactured housing communities. Update as necessary a description of each manufactured housing community in the appropriate Area Plan guidance, along with a specific recommendation regarding preservation, as appropriate. Certain manufactured housing communities have options for redevelopment in the Comprehensive Plan as a means to achieve other planning objectives. In those instances, add Plan text that strengthens the need to incorporate replacement units as part of redevelopment on a one for one basis, considering the housing affordability needs of and opportunities for the residents. This Plan text provides the opportunity to state the goal of preservation explicitly or, if redevelopment is planned, a strategy for achieving the goal of no net loss through replacement options and County incentives (Refer to *Recommendation B5: Supporting the Preservation of Affordability Through Various Housing Options* and *Recommendation B4: Support Community Residents in Purchasing Their Communities; Community Land Trusts*). County incentives may also include more than capital subsidy for financing the development of affordable housing; the County should explore options for rental assistance to ensure the preservation of affordability due to a redevelopment.

Responsible parties: Department of Planning and Development, assisted by the Department of Housing and Community Development

Recommendation D3: Strengthen Comprehensive Plan (Policy Plan) Language for Manufactured Housing Communities

Existing manufactured housing communities should be referenced in the Plan as stable residential communities with the same protections as any other single family residential community. [Appendix 10 of the Land Use Element \(Guidelines for Mobile Home Retention\) of the Policy Plan](#) should be revised related to noting the County’s support for manufactured housing communities and its commitment to maintaining and improving the quality of manufactured housing communities as sources of a valuable affordable housing opportunity.

Responsible parties: Department of Planning and Development, assisted by the Department of Housing and Community Development

Recommendation D4: Consider Amendments to the R-MHP Zoning District to Address Nonconforming Status of Existing Manufactured Housing Communities

The R-MHP Zoning District (Residential, Manufactured Home Park District) provides for manufactured home parks and allows other uses that are compatible with the residential character of the district. The provisions of the R-MHP District have not materially changed since 1978 when the R-MHP District was created with the adoption of the 1978 Zoning Ordinance. The current Zoning Ordinance, referred to as zMOD, with an effective date of July 1, 2021, carried forward the existing R-MHP District regulations and renamed the district from Residential, Mobile Home Park to Residential, Manufactured Home Park. The R-MHP district was designed more for the establishment of new manufactured housing communities. The existing manufactured housing communities in the County were established under prior Zoning Ordinances and are nonconforming either because they are zoned to a commercial or industrial district, where manufactured home parks are not permitted, or, if zoned to the R-MHP District, do not meet the R-MHP minimum district size (15 acres), open space (20 percent of the gross area), setbacks between units or because they exceed the maximum density (6 du/ac). In addition, some of the existing manufactured housing communities are located partially within mapped floodplains. The Zoning Administrator by interpretation has permitted the replacement of a single wide manufactured home with a double wide manufactured home within these nonconforming manufactured home parks if the setbacks of the R-MHP District cannot be met. In addition, decks, porches and accessory structures have been permitted subject to meeting setbacks on the R-MHP District. Over time, many owners of manufactured dwelling units have constructed porches, decks and other additions that have not been aligned with the setbacks within the R-MHP District or other building code requirements. Consider amendments to the current R-MHP Zoning District to review setback requirements and to address the nonconforming status of these “legacy” communities to include providing opportunities to permit the construction of porches, decks and other accessory structures and to address floodplain issues. The goal of the amendments is to better accommodate and address the needs of the manufactured housing communities.

Responsible parties: Department of Planning and Development, assisted by the Department of Housing and Community Development

Recommendation D5: Consider Potential Rezoning of Manufactured Housing Communities Consistent with the Comprehensive Plan

Work with the property owners of the manufactured housing communities currently zoned to commercial and industrial zoning districts to consider rezoning to the R-MHP district or possible

special exception process to address the regulatory issues discussed in Recommendation D4, above:

Responsible parties: Department of Planning and Development, assisted by the Department of Housing and Community Development

Recommendation D6: Affordability Analysis

When a site is being considered for redevelopment an “affordability analysis” should be conducted by the Department of Housing and Community Development as part of the entitlement process to determine if the manufactured housing community or units within the community are providing housing to low- and moderate-income households (household with incomes at 60% AMI and below). The goal of the analysis is to identify communities/households that may be adversely impacted by the redevelopment and consider possible means to mitigate those impacts. Manufactured housing communities are recognized as an important source of affordable housing, which should be preserved. The recommendation for an “affordability analysis” for manufactured housing communities is similar to the recommendations made by the Preservation Task Force for existing multi-family rental properties as stated in Preservation Task Force Recommendation C4 (noted for reference below). In addition, the manufactured housing communities should be recognized within the bi-annual survey that identifies preservation opportunities in the county as stated in Preservation Task Force Recommendation A2. The survey uses data analysis and an equity lens to proactively and intentionally identify and prioritize specific target communities to preserve.

Responsible parties: Department of Housing and Community Development, assisted by the Department of Planning and Development

E. Legislation

Overview: Residents of manufactured housing communities should be protected more forcefully by the state legal frameworks governing their communities. A set of recommendations was developed aimed at ensuring greater protections (Appendix 2). These recommendations should be included in the Board's annual legislative program until adopted by the General Assembly.

These recommendations for state legislation include strengthening notice to local governments of property sales and providing better opportunities for local government and tenant group to make an offer to purchase the property.

Desired Outcome: The goal is to advocate for the manufactured housing communities by introducing and working toward adoption, legislation that provides protection for the residents. Any such advocacy must include the full participation and input from those living within the manufactured housing communities. Further, the status of any such legislative efforts should be communicated back to the communities.

Recommendation E1: Coordination with Board's Legislative Program

Ensure that the Board's Legislative Committee has the Manufactured Tasks Force's recommendations.

Responsible parties: Department of Housing and Community Development, Office of the County Attorney

Recommendation E2: Tracking/Communication of Legislation Recommendations

- Provide a section on the Manufactured Housing Communities website to communicate the legislative recommendations, status of the recommendation, as well as other legislation that impacts manufactured housing communities.
- If new legislation is adopted by the General Assembly that impacts residents of manufactured housing communities, individual letters are to be sent to each individual resident, unit owner, and manufactured housing community owner.

Responsible parties: Department of Housing and Community Development, Office of the County Attorney

Appendices:

- Appendix 1 – Manufactured Housing Task Force Charter ([English / Spanish](#))
- Appendix 2 – Legislative Recommendations ([English / Spanish](#))
- Appendix 3 - Harmony Place Survey ([English / Spanish](#))
- Appendix 4 - Preservation Task Force Recommendations ([English / Spanish](#))

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