

**AMENDMENT TO DISCUSSION DRAFT OF
SEPTEMBER 25, 2009
OFFERED BY MR. DONNELLY OF INDIANA**

Page 75, after line 25, insert the following new subsection:

1 (j) EXCLUSION FOR MANUFACTURED HOME RETAIL-
2 ERS AND MODULAR HOME RETAILERS.—

3 (1) IN GENERAL.—The Director and the Agen-
4 cy may not exercise any rulemaking, supervisory, en-
5 forcement or other authority, including authority to
6 order assessments, over a person to the extent such
7 person—

8 (A) acts as an agent or broker for a buyer
9 or seller of a manufactured home or a modular
10 home;

11 (B) facilitates the purchase by a consumer
12 of a manufactured home or modular home, by
13 negotiating the purchase price or terms of the
14 sales contract (other than providing financing
15 with respect to such transaction); or

16 (C) offers to engage in any activity de-
17 scribed in subparagraphs (A) or (B).

1 (2) DESCRIPTION OF ACTIVITIES.—Paragraph
2 (1) shall not apply to any person described in such
3 paragraph to the extent such person is engaged in
4 any financial activity described in any subparagraph
5 of section 101(18) or is otherwise subject to any of
6 the enumerated consumer laws or the authorities
7 transferred under subtitle F or H.

8 (3) DEFINITIONS.—For purposes of this sub-
9 section:

10 (A) MANUFACTURED HOME.—The term
11 “manufactured home” has the meaning given
12 such term in section 603 of the National Manu-
13 factured Housing Construction and Safety
14 Standards Act of 1974 (42 U.S.C. 5402).

15 (B) MODULAR HOME.—The term “mod-
16 ular home” means a house built in a factory in
17 two or more modules that meet the State or
18 local building codes where the house will be lo-
19 cated and where such modules are transported
20 to the building site, installed on foundations,
21 and completed.

