

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 8988

To amend the Internal Revenue Code of 1986 to allow a business credit for gain from the sale of real property for use as a manufactured home community, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2026

Ms. OMAR (for herself, Mr. PAPPAS, Ms. BONAMICI, Ms. TLAIB, and Mr. KHANNA) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to allow a business credit for gain from the sale of real property for use as a manufactured home community, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Frank Adelman Man-  
5 ufactured Housing Community Sustainability Act of  
6 2026”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

1           (1) more than 22,000,000 people live in HUD-  
2           code manufactured homes;

3           (2) there are approximately 6,700,000 occupied  
4           manufactured homes in the United States, rep-  
5           resenting about 6 percent of the Nation’s housing  
6           stock, 9 percent of the single-family housing stock,  
7           and more than 12 percent of all new single-family  
8           homes sold in 2021;

9           (3) owners of manufactured homes are dis-  
10          proportionately low-income households, and in 2020,  
11          the median annual household income for living in  
12          manufactured housing was \$35,000;

13          (4) over one-quarter of manufactured home-  
14          owners earn less than \$20,000 annually, and two-  
15          thirds earn less than \$50,000 annually;

16          (5) more than half of all manufactured homes  
17          are located in rural areas around the country, and  
18          manufactured homes make up 13 percent of all oc-  
19          cupied homes in rural and small-town communities;

20          (6) the average sales price of a new manufac-  
21          tured home (excluding land) in 2019 was \$81,700,  
22          and as of December 2023, that average sales price  
23          had increased to \$121,300, an increase of 48.5 per-  
24          cent over the preceding 5 years;

1           (7) despite this sharp increase, the average  
2           manufactured home costs roughly half the price per  
3           square foot of the average site-built home;

4           (8) manufactured home communities provide  
5           critical affordable housing, but receive very little  
6           Federal, State, or local funds to subsidize the cost  
7           of manufactured homes;

8           (9) an estimated 43,000 manufactured home  
9           communities, also referred to as “mobile home  
10          parks”, exist throughout the United States;

11          (10) owners of manufactured homes in such  
12          communities may own the home, but they do not  
13          own the land under the home, which leaves the  
14          homeowners vulnerable to rent increases, dis-invest-  
15          ment, changes in land use, and community closure;

16          (11) an eviction or closure of a manufactured  
17          home community is very disruptive and can be finan-  
18          cially devastating to a homeowner who may be un-  
19          able to pay the thousands of dollars it takes to move  
20          the manufactured home or find a new location for  
21          the manufactured home;

22          (12) manufactured housing where the consumer  
23          does not own the land generally does not promote  
24          wealth-building via homeownership;

1           (13) for more than a decade, in an effort to  
2           preserve a crucial source of affordable housing and  
3           aid low-income homeowners, a national network of  
4           housing providers has helped residents purchase and  
5           own the land under the manufactured home commu-  
6           nity, and manage the manufactured home commu-  
7           nity as limited equity cooperatives;

8           (14) nationwide, there are more than 1,000 co-  
9           operative manufactured home communities, of which  
10          more than 360, located in more than 20 States, are  
11          permanently preserved as affordable communities  
12          through limited equity cooperative or nonprofit own-  
13          ership;

14          (15) members of manufactured home commu-  
15          nity cooperatives continue to own such homes indi-  
16          vidually, own an equal share of the land beneath the  
17          entire manufactured home community, participate in  
18          the governing of the community, and elect a board  
19          of directors who make major decisions within the  
20          manufactured home community by a democratic  
21          vote;

22          (16) site fee increases in limited equity resi-  
23          dent-owned communities average just 0.9 percent  
24          per year, compared to 5.9 percent per year in com-  
25          mercially-owned communities;

1           (17) in New Hampshire, more than 40 percent  
2 of manufactured home communities are owned by  
3 residents;

4           (18) resident-owned cooperatives and nonprofit  
5 owned communities have also flourished in Colorado,  
6 Vermont, Massachusetts, Montana, Rhode Island,  
7 Washington, Oregon, and Minnesota;

8           (19) nationwide, only 2.4 percent of all manu-  
9 factured home communities are resident or non-  
10 profit-owned;

11           (20) 19 States have adopted some protection  
12 when a community is sold, and 8 States have strong  
13 notification and resident purchase opportunities,  
14 which provide homeowners in those States an oppor-  
15 tunity to purchase the manufactured home commu-  
16 nity when it is put up for sale; and

17           (21) in order to preserve manufactured home  
18 communities and help low-income homeowners live  
19 securely, safely, and build wealth through homeown-  
20 ership in the future, a Federal tax benefit should be  
21 established to induce manufactured home community  
22 owners to sell such properties to the residents when  
23 those residents or a nonprofit commits to preserving  
24 the community long-term.

1 **SEC. 3. TAX CREDIT FOR MANUFACTURED HOME COMMU-**  
2 **NITY SALE TO RESIDENTS OR NONPROFIT**  
3 **ENTITY.**

4 (a) IN GENERAL.—Subpart D of part IV of sub-  
5 chapter A of chapter 1 of the Internal Revenue Code of  
6 1986 (relating to business related credits) is amended by  
7 adding at the end the following new section:

8 **“SEC. 45BB. MANUFACTURED HOME COMMUNITY SALE TO**  
9 **RESIDENTS OR NONPROFIT ENTITY.**

10 “(a) ALLOWANCE OF CREDIT.—For purposes of sec-  
11 tion 38, the manufactured home community sale credit de-  
12 termined under this section for any taxable year is an  
13 amount equal to 75 percent of the qualified gain received  
14 by the taxpayer during the taxable year.

15 “(b) DEFINITIONS.—For purposes of this section—

16 “(1) QUALIFIED GAIN.—The term ‘qualified  
17 gain’ means gain from the sale or exchange of real  
18 property to a qualified manufactured home commu-  
19 nity cooperative or corporation if—

20 “(A) the real property is acquired for use  
21 as a manufactured home community,

22 “(B) the seller (or any related person)  
23 owned the property for the entire 2-year period  
24 ending on the day before the sale or exchange,  
25 and

1           “(C) the property is transferred subject to  
2           a binding covenant that the property will be  
3           used as a manufactured home community for  
4           not less than 50 years (or, in the case of a  
5           manufactured home community located in a  
6           State the laws of which restrict such covenant  
7           to a lesser term, the maximum permissible term  
8           allowed under such State laws).

9           “(2) MANUFACTURED HOME COMMUNITY.—The  
10          term ‘manufactured home community’ means a com-  
11          munity comprised primarily of manufactured homes  
12          used solely for residential purposes and owned by a  
13          manufactured home community cooperative or cor-  
14          poration.

15          “(3) QUALIFIED MANUFACTURED HOME COM-  
16          MUNITY COOPERATIVE OR CORPORATION.—

17                 “(A) IN GENERAL.—The term ‘qualified  
18                 manufactured home community cooperative or  
19                 corporation’ means a cooperative or a nonprofit  
20                 corporation established pursuant to the laws of  
21                 the State in which the property used as a man-  
22                 ufactured home community is located, and  
23                 which—

24                         “(i) in the case of a community owned  
25                         by a nonprofit corporation whose member-

1           ship interests are sold on a nonappre-  
2           ciating basis, has only 1 class of member-  
3           ship and such class consists solely of resi-  
4           dents, and

5           “(ii) in the case of a community  
6           owned by a cooperative, has not more than  
7           2 classes of membership, and such classes  
8           consist solely of residents and a tax-exempt  
9           organization.

10          “(B) GOVERNANCE.—An entity shall not  
11          be treated as a qualified manufactured home  
12          community cooperative or corporation unless  
13          governance of the entity is carried out by mem-  
14          bers elected to a board of directors with voting  
15          structured equitably among all members.

16          “(C) MEMBER.—The term ‘member’  
17          means—

18               “(i) an individual who—

19                       “(I) has attained the age of 18,

20                       “(II) is entitled to be a member

21               by reason of—

22                       “(aa) the membership inter-  
23                       est of the individual to execute  
24                       an occupancy agreement with the  
25                       manufactured home community

1 cooperative nonprofit with re-  
2 spect to a site in the manufac-  
3 tured home community in order  
4 to establish a manufactured  
5 home which is owned by the indi-  
6 vidual, or

7 “(bb) permission from the  
8 manufactured community cooper-  
9 ative or corporation, the mem-  
10 ber’s trust, or other entity, and

11 “(III) is a resident of the manu-  
12 factured home community, and

13 “(ii) a tax exempt organization.

14 “(4) MEMBERSHIP INTEREST.—The term  
15 ‘membership interest’ means—

16 “(A) an ownership interest in a manufac-  
17 tured home community cooperative or corpora-  
18 tion, or

19 “(B) a membership interest in a manufac-  
20 tured home community nonprofit corporation.

21 “(5) MANUFACTURED HOME.—The term ‘man-  
22 ufactured home’ means a structure which is trans-  
23 portable in one or more sections, which—

24 “(A) in traveling mode, is 8 body feet or  
25 more in width and 40 body feet or more in

1 length, or, when erected on site, is 320 square  
2 feet or more,

3 “(B) is built on a permanent chassis and  
4 designed to be used as a dwelling (with or with-  
5 out a permanent foundation when connected to  
6 required utilities) and includes plumbing, heat-  
7 ing, and electrical heating systems, and

8 “(C) in the case of a structure manufac-  
9 tured after June 15, 1976, is certified as meet-  
10 ing the Manufactured Home Construction and  
11 Safety Standards issued under the National  
12 Manufactured Housing Construction and Safety  
13 Standards Act of 1974 (42 U.S.C. 5401 et  
14 seq.) by the Department of Housing and Urban  
15 Development and displays a label of such cer-  
16 tification on the exterior of each transportable  
17 section.

18 “(c) SPECIAL RULES.—

19 “(1) RELATED PERSON.—For purposes of sub-  
20 section (b)(1)(B), a person is related to the seller  
21 if—

22 “(A) such person bears a relationship to  
23 the seller as specified in section 267(b) or  
24 707(b)(1), or

1           “(B) such person and the seller are en-  
2           gaged in trades or businesses under common  
3           control within the meanings of subsections (a)  
4           and (b) of section 52.

5           “(2) ELECTION BY BOTH SELLER AND  
6           BUYER.—The credit is allowable under this section  
7           only if—

8           “(A) both the seller and the purchaser of  
9           the real property execute an affidavit rep-  
10          resenting that the sale meets the requirements  
11          of subsection (b)(1), and the purchaser ac-  
12          knowledges liability for the recapture of the  
13          credit under subsection (d) in case of any viola-  
14          tion described in such subsection,

15          “(B) the purchaser of the real property  
16          records the affidavit, and

17          “(C) the affidavit is referenced in the deed  
18          to the real property.

19          “(3) REQUIREMENT.—The seller shall include a  
20          copy of the affidavit representing the sale with the  
21          return of tax.

22          “(d) TAX UPON VIOLATION OF COVENANT.—There  
23          is imposed a tax on the buyer for a violation of the cov-  
24          enant specified in subsection (b)(1)(C). The amount of  
25          such tax shall be 20 percent of the net proceeds after set-

1 tlement for the sale or exchange of the real property re-  
2 ferred to in subsection (b)(1). For purposes of section  
3 501(a), the tax imposed by this subsection shall not be  
4 treated as a tax imposed by this subtitle.

5 “(e) REGULATIONS.—The Secretary shall issue such  
6 regulations or other guidance as may be necessary to carry  
7 out this section, including the recapture under subsection  
8 (d).”.

9 (b) CREDIT ALLOWED AS PART OF GENERAL BUSI-  
10 NESS CREDIT.—Section 38(b) of the Internal Revenue  
11 Code of 1986 is amended—

12 (1) by striking “plus” at the end of paragraph  
13 (40);

14 (2) by striking the period at the end of para-  
15 graph (41) and inserting “, plus”; and

16 (3) by adding at the end the following new  
17 paragraph:

18 “(42) the manufactured home community sale  
19 credit determined under section 45BB(a).”.

20 (c) CONFORMING AMENDMENTS.—

21 (1) Subsection (c) of section 196 of the Internal  
22 Revenue Code of 1986 is amended—

23 (A) by striking “and” at the end of para-  
24 graph (13);

1 (B) by striking the period at the end of  
2 paragraph (14) and inserting “, and”; and

3 (C) by adding at the end the following new  
4 paragraph:

5 “(15) the manufactured home community sale  
6 credit determined under section 45BB(a).”.

7 (2) The table of sections for subpart D of part  
8 IV of subchapter A of chapter 1 of such the Internal  
9 Revenue Code of 1986 is amended by adding at the  
10 end the following new item:

“Sec. 45BB. Manufactured home community sale to residents or nonprofit enti-  
ty.”.

11 (d) EFFECTIVE DATE.—The amendments made by  
12 this section shall apply to taxable years beginning after  
13 December 31, 2026.

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