

# Energy Conservation Standards for Manufactured Housing: U.S. Department of Energy Proposed Rulemaking



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The United States Department of Energy (“DOE”) is publishing a Supplemental Notice of Proposed Rulemaking (“SNOPR”) that would establish energy conservation standards for manufactured housing.

DOE describes the SNOPR as an updated proposal based on the 2021 version of the International Energy Conservation Code (“IECC”).

The energy conservation components of the manufactured housing regulations have not been revised since 1994 according to the American Council for an Energy-Efficient Economy. Addressing energy efficiency in the context of manufactured housing is arguably important since there are estimated to be approximately seven million manufactured houses in the United States (approximately 100,000 manufactured houses are constructed each year). As a result, there has been significant interest in considering the appropriate efficiency standards for manufactured housing relating to items such as:

- Building thermal envelope
- Air sealing
- Installation of insulation
- Duct sealing
- Heating, ventilation and air conditioning
- Service hot water systems
- Mechanical ventilation fan efficacy
- Heating and cooling equipment sizing

DOE is required to establish standards for energy efficiency in manufactured housing pursuant to 42 U.S.C. 17071(a)(1). Energy efficiency standards are required to be based upon the most recent version of the IECC except where it finds that the IECC is not cost effective, or a more stringent standard would be more cost effective based on the impact of the IECC on the purchase price of manufactured housing and on total life-cycle construction and operating costs.

DOE’s proposal presents two potential approaches:

1. Provide a set of tiered standards based on the manufacturer’s retail list price for the manufactured home that would apply the 2021 IECC-based standards to manufactured homes (except that manufactured homes of the manufacturer’s retail list price of \$55,000 or below

would be subject to less stringent building thermal envelope requirements based on manufacturer's retail-list price)

2. Apply standards based on the 2021 IECC to all manufactured homes, with no exceptions for building thermal envelope requirements based on manufacturer's retail list price

Note the importance of this federal rule because manufactured houses are constructed in factories that may ship to multiple states. As a result, they are not regulated by state building codes. Instead, they are for the most part regulated by a federal standard which, to a great extent, preempts state regulation. The United States Department of Housing and Urban Development develops the HUD code on the advice of the Manufactured Housing Consensus Committee. Nevertheless, the United States Congress in 2007 directed the United States Department of Energy to set a separate energy standard for manufactured housing pursuant to the Energy Independence and Security Act of 2007. As noted, this standard is required to be based on the IECC.

A link to the SNOPR can be found [here](#).