



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

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Multistate Coalition Successfully Challenges Biden Administration Housing Rule that Would Increase Construction Costs

Attorney General Hilgers announced today that a federal court in Texas has vacated a rule implemented by the Biden Administration that would have imposed spiked housing costs by imposing radical energy codes on home construction. The Biden Administration conceded that its standards would have cost up to \$8,345 for each new home covered by the regulation. But estimates by industry professionals showed the actual costs as far higher—up to \$31,000 for each new home.

“This victory will ensure that unelected bureaucrats can’t push the dream of owning a home further out of reach for Nebraskans,” said Attorney General Hilgers. “The Biden Administration’s lawless rule would have increased costs and decreased housing production during an affordability crisis in the housing market. Thankfully, that’s not going to happen because of this ruling.”

The federal court in Texas agreed with the States’ argument that the Biden Administration’s rule would have decreased the availability of affordable housing, all in contradiction of federal law. Federal law requires any codes adopted to “not negatively affect the availability or affordability of new construction of housing.”

Nebraska joined 14 other States in challenging the Biden Administration’s rule: Utah, Texas, Alabama, Arkansas, Idaho, Indiana, Iowa, Kansas, Louisiana, Missouri, Montana, South Carolina, Tennessee, and West Virginia. The National Association of Home Builders also joined the 15-State coalition.

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