

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1595

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Authors: Murdock and others

Subject: Unaffixing manufactured homes from real estate

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Overview

This bill involves manufactured homes that have been "affixed" to real estate. This means the manufactured home's legal status has been changed from personal property as a motor vehicle to real estate by being linked ("affixed") legally to a specific piece of real estate and becoming a house. This bill creates a process for legally unaffixing a manufactured home from the real estate so that it returns to being treated like a motor vehicle. Section 8 is the key substantive part of this bill; the other sections simply make conforming changes. All sections are effective August 1, 2012.

- 1** **Manufactured home.** Specifies what the term means.
- 2** **Title certificate for manufactured home.** Provides that a manufactured home must have a certificate of title, like a motor vehicle, unless it is affixed to real estate.
- 3** **Contents.** Adds manufactured homes to an existing law that requires a motor vehicle to have a certificate of title.
- 4** **Filing of application; issuance of certificate.** Conforming change consistent with section 3.
- 5** **Manufactured home; statement of property tax payment.** Eliminates a definition of manufactured home inconsistent with this bill.
- 6** **Manufactured homes; exemptions.** Adds an exemption consistent with section 8 of this bill.
- 7** **Certificates surrendered for cancellation.** Provides an exemption for the new law created in section 8 of this bill.
- 8** **Manufactured home unaffixed from realty.** Creates a detailed process for unaffixing a manufactured home from real estate, thereby converting it back to being treated like a motor vehicle and having a certificate of title. Primarily, this involves the applicant providing proof to the state registrar of motor vehicles that it is not affixed to real estate on which there is a mortgage or other lien, because unaffixing the manufactured home from the real estate could in that situation reduce the value of the remaining real estate to the detriment of the holder of the mortgage or other lien on the

remaining real estate. Protects the state registrar of motor vehicles from liability for incorrect documents submitted by the applicant.