

**TITLE TO MANUFACTURED HOUSING OR
MOBILE HOMES**

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Thomas V. Hatch

House Sponsor: Michael E. Noel

LONG TITLE

General Description:

This bill modifies the Motor Vehicle Act by amending title provisions related to manufactured housing or mobile homes.

Highlighted Provisions:

This bill:

- ▶ requires an owner of a manufactured home or mobile home to apply to the Motor Vehicle Division for a certificate of title unless the manufactured home or mobile home is previously registered as real property;
- ▶ provides that a manufactured home or mobile home that has been converted to real property is not subject to titling in this state if:
 - the home is permanently affixed to real property;
 - the home is not registered with the Motor Vehicle Division;
 - the home is taxed as an improvement to real estate by the county assessor; and
 - the manufacturer's identification number or numbers are included in the deed or loan document recorded with the county recorder; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

30 AMENDS:

31 **41-1a-503**, as renumbered and amended by Chapter 1, Laws of Utah 1992

32 **41-1a-506**, as last amended by Chapter 47, Laws of Utah 2005

33

34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **41-1a-503** is amended to read:

36 **41-1a-503. Certificate of title or Affidavit of Mobile Home Affixture required --**

37 **Application by owner.**

38 (1) The owner of a manufactured home or mobile home shall apply to the division for a
39 certificate of title [~~or an Affidavit of Mobile Home Affixture~~] unless the manufactured home or
40 mobile home is previously registered as real property under Subsection 41-1a-506(1).

41 (2) (a) An owner of a manufactured home or mobile home previously issued a
42 certificate of title who attaches that home to real property shall apply for an Affidavit of Mobile
43 Home Affixture within 30 days of attaching to the property.

44 (b) Upon application, the division shall issue an Affidavit of Mobile Home Affixture in
45 lieu of a certificate of title.

46 (c) However, manufactured homes and mobile homes are not exempt from the other
47 requirements of this part.

48 (3) (a) The owner of a manufactured home or mobile home previously issued an
49 Affidavit of Mobile Home Affixture who separates that home from the real property shall apply
50 for a certificate of title within 30 days of the separation, prior to any transfer of ownership of
51 that home.

52 (b) Upon application, the division shall issue a certificate of title in lieu of an Affidavit
53 of Mobile Home Affixture.

54 Section 2. Section **41-1a-506** is amended to read:

55 **41-1a-506. Exceptions to title requirements for manufactured homes or mobile**

56 **homes.**

57 (1) Each manufactured home or mobile home in this state is subject to the titling

58 provisions of this part except:

59 (a) manufactured homes and mobile homes owned and operated by the federal
60 government; and

61 (b) manufactured homes and mobile homes that have been converted to real property
62 under Section 70D-1-20 if:

63 (i) (A) an Affidavit of Mobile Home Affixture has been issued by the division for that
64 home; and

65 [(ii)] (B) the home is permanently affixed to real property[-]; or

66 (ii) (A) the home is permanently affixed to real property;

67 (B) the home is not registered with the division;

68 (C) the home is taxed as an improvement to real estate by the county assessor as
69 permitted under Section 59-2-1503; and

70 (D) the manufacturer's identification number or numbers are included in the deed or
71 loan document recorded with the county recorder.

72 (2) A manufactured home or mobile home previously converted to real property but
73 that has been separated from the real property is subject to the titling provisions of this part
74 upon separation.