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**Texas Department of Housing and Community Affairs**  
**Manufactured Housing Board Meeting**  
**November 7, 2008**

Michael H. Bray, Chair

Devora D. Mitchell, Member

Pablo Schneider, Member

Kimberly A. Shambley, Member

Donnie W. Wisenbaker

**Texas Department of Housing and Community Affairs  
Manufactured Housing Board Meeting**

**November 7, 2008**

**ROLL CALL**

	<u>Present</u>	<u>Absent</u>
Michael H. Bray, Chair	_____	_____
Devora D. Mitchell, Member	_____	_____
Pablo Schneider, Member	_____	_____
Kimberly A. Shambley, Member	_____	_____
Donnie W. Wisenbaker	_____	_____
Number Present	_____	
Number Absent		_____

\_\_\_\_\_, Presiding Officer

**MANUFACTURED HOUSING BOARD MEETING**  
**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**  
**Rusk State Office Building, 208 E. 10th Street, Room 227**  
**Austin, Texas 78701**

**November 7, 2008      10:00 a.m.**

**AGENDA**

**CALL TO ORDER, ROLL CALL** Chair

**CERTIFICATION OF QUORUM** Chair

The Board of the Manufactured Housing Division of the Texas Department of Housing and Community Affairs (TDHCA) will meet to consider and possibly act upon:

**ACTION ITEMS**

- Item 1. Consideration and possible action to approve the minutes of the board meeting on August 22, 2008. Chair
- Item 2. Consideration and possible action to approve the proposed amendments to 10 TAC, Chapter 80, §§80.23, 80.30, and 80.100 for publication as adopted in the Texas Register. Joe Garcia

**REPORT ITEMS**

1. Executive Director's Report Joe Garcia

**PUBLIC COMMENT** Chair

**EXECUTIVE SESSION** Chair

*Note: The Board may go into executive session (close its meeting to the public) on any agenda item if appropriate and authorized by the Open Meetings Act, Texas Government Code, Chapter 551.*

- (a) If necessary, the Board will go into executive session to discuss Personnel Matters pursuant to Sec. 551.074, Texas Government Code.
- (b) If necessary, the Board will go into executive session for Consultation with Attorney pursuant to Sec. 551.071, Texas Government Code.

**RECONVENE** Chair

Reconvene in public session and take action on any matters coming out of Executive Session.

**ADJOURN** Chair

*To access this agenda or request information, please visit our website at [www.tdhca.state.tx.us](http://www.tdhca.state.tx.us) or contact Sharon Choate, TDHCA, 221 E. 11<sup>th</sup> Street, Austin, Texas 78701, 512-475-2206, [sharon.choate@tdhca.state.tx.us](mailto:sharon.choate@tdhca.state.tx.us).*

*Individuals who require auxiliary aids, services or translators for this meeting should contact Gina Esteves, ADA Responsible Employee, at 512-475-3943 or Relay Texas at 1-800-735-2989 at least two days before the meeting so that appropriate arrangements can be made.*

*Agenda Action Item No. 1*

**MINUTES OF THE REGULAR MEETING OF THE  
MANUFACTURED HOUSING BOARD**

On Friday, August 22, 2008, at 10:02 a.m., there was a regular meeting of the Manufactured Housing Board (the "Board") in Room 116 of the State Insurance Annex Building, 221 East 11<sup>th</sup> Street, Austin, Texas. Michael Bray presided. Devora Mitchell, Pablo Schneider and Kimberly Shambley, constituting a quorum, were in attendance. The following Manufactured Housing Division (the "MHD") staff were present: Joe Garcia, Kassu Asfaw, Cindy Bocz, Amy Morehouse, Jim Hicks, Rubie Gamble and Sharon Choate.

Michael Bray called the roll, confirmed the presence of a quorum, and asked for a motion to approve the minutes from the board meeting on June 18, 2008. Upon motion of Pablo Schneider, duly seconded by Kimberly Shambley, the minutes of the previous meeting were unanimously approved.

Michael Bray presented and the action to approve Pablo Schneider as Committee Chair of the Manufactured Housing Finance and Audit Committee. Upon motion of Kimberly Shambley, duly seconded by Devora Mitchell, the motion was unanimously approved.

Devora Mitchell volunteered to be a member of the Manufactured Housing Finance and Audit Committee. Upon motion of Pablo Schneider, duly seconded by Kimberly Shambley, the motion was unanimously approved.

Jim Hicks presented and recommended accepting the State Office of Administrative Hearings Proposal for Decision and the Division's final order in the matter of the complaint of TDHCA vs. Bay Area Mobile Homes, LLC, Docket Number: 332-08-1981. Upon motion of Kimberly Shambley, duly seconded by Pablo Schneider, the motion was unanimously approved.

Joe Garcia presented and discussed the approval of the proposed amendments to 10 TAC, Chapter 80, §§80.23 and 80.100 for publication in the Texas Register for public comment. Upon motion of Pablo Schneider, duly seconded by Devora Mitchell, the motion was unanimously approved.

Joe Garcia delivered the Executive Director's Report.

At 11:20 a.m., the Board went into Executive Session to discuss personnel matters relating to the executive director's compensation review pursuant to Sec. 551.074, Texas Government Code.

At 12:00 p.m., the board reconvened in open session with additional items to take up or discuss.

Kimberly Shambley made a motion to increase the executive director's salary to \$100,000 annually and to make it retroactive from his start date as executive director. It was duly seconded by Pablo Schneider and unanimously approved.

The next board meeting was tentatively set for Friday, November 7, 2008.

There being no further business to come before the board, the meeting was adjourned at 12:06 p.m.

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Sharon Choate, Secretary

Approved:

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Michael Bray, Presiding Chair

## *Agenda Action Item No. 2*

### **Adoption of Manufactured Housing Rules** *Administrative Rules of the Texas Department of Housing and Community Affairs* *10 Texas Administrative Code, Chapter 80*

The Manufactured Housing Division of the Texas Department of Housing and Community Affairs (Department) adopts without changes 10 TAC, Chapter 80, §80.23 and §80.30. The text to the adopted rules without changes will not be republished in the *Texas Register*. Section 80.100 is adopted with a non-substantive change and will be republished in the *Texas Register*. The proposed rules were published in the September 5, 2008, issue of the *Texas Register* (33 TexReg 7386).

The rules, Consumer Disclosure Statement form, and Application for Statement of Ownership and Location form are revised for clarification and a new Statement from Tax Assessor-Collector form is adopted to assist the tax assessor-collectors in complying with requirements to provide a tax statement pursuant to §1201.206(g) of the Occupations Code.

The rules relating to **installation standards (§80.23) are effective sixty (60) days** following the date of publication and all other rules are effective thirty (30) days following the date of publication with the *Texas Register* of notice that the rules have been adopted.

There were no comments received during the comment period and no requests were received for a public hearing to take comments on the rules.

Except as noted below, the rules as proposed on September 5, 2008, are adopted as final rules with the following non-substantive changes.

Figure: 10 TAC §80.100(b)(19) – Corrected a typographical error in Block 2(b) in the Application for Statement of Ownership and Location form.

#### **The following is a restatement of the rules' factual basis:**

Section 80.23(j) – **is adopted (without changes)** to reword subsection for clarification.

Section 80.30(i) - **is adopted (without changes)** to reword subsection for clarification.

Section 80.100(a) – **is adopted (without changes)** to add new form number (44) to the list of forms.

Figure: 10 TAC §80.100(b)(8) – **is adopted (without changes)** to revise the disclosure form by removing the notice that the form is also available in Spanish.

Figure: 10 TAC §80.100(b)(19) – **is adopted (with changes)** to revise Blocks 4(d) and 8 in the Application for Statement of Ownership and Location by asking if there are any liens against the home.

Figure: 10 TAC §80.100(b)(44) - **is adopted (without changes)** to add new Statement from Tax Assessor-Collector form to meet requirements of §1201.206(g) of the Standards Act.

The amended rule is adopted under the Texas Manufactured Housing Standards Act, Occupations Code, Chapter 1201, §1201.052, which provides the department with authority to amend, add, and repeal rules governing the Manufactured Housing Division of the Department and under Texas Government Code, Chapter 2306, <\*>2306.6014 and 2306.6020, which authorizes the board to adopt rules as necessary and the director to administer and enforce the manufactured housing program through the Manufactured Housing Division.

The agency hereby certifies that the amended rules have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

No other statutes, codes, or articles are affected by the adopted rule.

**§80.23. Generic Standards for Footers and Piers.**

(a) – (i) (No change.)

(j) Temporary support is required to insure the structural continuity of homes placed at the retail location. Thirty (30) days after the arrival of multi-section and sixty (60) days after the arrival of single-section manufactured dwellings to the retail location, homes must be temporarily lot set. If the manufacturer has instructions for temporary blocking, home should be blocked according to the manufacturer specifications. In absence of any manufacturer instructions, State Generic requirement, either paragraph (1) or (2) of this subsection, shall be used: [For temporary blocking at a retail location. If manufacturer has instructions for temporary blocking, home should be blocked according to the manufacturer specifications. In absence of any manufacturer instructions, the State Generic should be use. Manufactured dwellings supported on their wheels and at the draw bar (hitch) shall be adequately supported under the perimeter of each floor section at 10 feet on center and under the marriage line at each column support post locations. Marriage line support post locations will be clearly marked by the manufacturer. Piers shall not be located under any window or door opening, except under jambs for openings 4 feet or greater.]

(1) Manufacturer dwellings supported by its running gear (left on their wheels and draw bar/hitch) shall be adequately supported under the main beam (I-beam) of within 5 feet of each end of the beam, within 5 feet of a supporting wheel and 10 feet on-center of each floor section. Any required marriage line and perimeter pier locations that are clearly marked by the manufacturer are also to be installed. Sidewall openings less than 4 feet in length do not have to be supported. Multi-section homes shall be sealed at the centerline and at all other openings to prevent exposure to the elements. [Manufactured dwellings not supported on their wheels and at the draw bar shall be adequately supported under each main frame (I-beam) and under the marriage line at each column support post location. Mainframe support post shall start not more than 5 feet from the end of the home and shall not be located under any window or door opening, except under jambs for openings 4 feet or greater.]

- (2) Manufactured dwellings not supported on their running gear shall be adequately supported under each main frame (I-beam) within 5 feet of each end of the home and 10 feet on-center along the length of the main beam. Any required marriage line and perimeter pier locations that are clearly marked by the manufacturer are also to be installed. Sidewall openings less than 4 feet in length do not have to be supported. Multi-section homes shall be sealed at the centerline and at all other openings to prevent exposure to the elements. [Manufactured dwellings shall be sealed at the centerlines and at all other openings to prevent exposure to the elements.]

**§80.30. All Licensees' Responsibilities.**

- (a) – (h) (No change.)
- (i) Any licensee's website shall provide a conspicuously placed link [~~on the website's home page~~] to the Department's website.

**§80.100. List of Forms.**

- (a) The following list is in numerical order with the forms located in subsection (b) of this section.
- (1) Application for Manufacturer's License.
  - (2) Application for Retailer, Broker, Installer and/or Rebuilder's License.
  - (3) Application for Retailer with Branch Locations License.
  - (4) Application for Salesperson's License.
  - (5) Licensing Surety Bond.
  - (6) Licensing Security Agreement.
  - (7) Manufacturer's Certificate of Origin (MCO).
  - (8) Consumer Disclosure Statement.
  - (9) Warranty and Disclosure for a Used Manufactured Home.
  - (10) Retail Monitoring Checklist.
  - (11) Consumer Notice of Licensed and Bonded Location.
  - (12) Notice and Informed Consent to Installation on an Improperly Prepared Site.
  - (13) Formaldehyde Notice.
  - (14) Texas Inventory Finance Security Form.
  - (15) Broker Disclosure Form.
  - (16) Notice of Installation (Form T).
  - (17) Installation Checklist.
  - (18) Estimate for Reassigned Warranty Work.
  - (19) Application for Statement of Ownership and Location.
  - (20) Affidavit of Fact for Real Property.
  - (21) Affidavit of Fact.
  - (22) Affidavit of Error.
  - (23) Affidavit of Fact for Right of Survivorship.
  - (24) Addendum to Application for SOL.
  - (25) Release or Foreclosure of Lien (Form B).
  - (26) Statement of Inheritance (Form C).



- (27) Taxing Entity Application for Texas Seal (Form S).
- (28) Multiple Application Log (Form M).
- (29) Instructions to Third Party Closer.
- (30) Notice of Lien for Tax Lien/Release Form.
- (31) Notice of Lien to Perfect a Lien (Other than Tax Lien) Form.
- (32) Notification of filing status as a Central Tax Collector.
- (33) Site Preparation Notice Form.
- (34) Sample of Statement of Ownership and Location.
- (35) Application for License Renewal (other than a salesperson).
- (36) Right of Rescission Waiver Form.
- (37) List of Unlicensed Installers Form.
- (38) Probationary Notice of Installation (Form T).
- (39) Notice of Intent to Acquire Ownership of an Abandoned Home.
- (40) Affidavit of Fact for Abandonment.
- (41) Disclosure to Consumer (Possible Need to Vacate Home if Financing does not Close.
- (42) Application for Salesperson's License Renewal.
- (43) Application for License Instruction Provider.
- (44) Statement from Tax Assessor-Collector.**

(b) Forms.

- (1) – (7) (No change.)
- (8) Consumer Disclosure Statement.

Texas Department of Housing and Community Affairs  
MANUFACTURED HOUSING DIVISION  
P. O. BOX 12489 Austin, Texas 78711-2489  
(800) 500-7074, (512) 475-2200 FAX (512) 475-1109  
Internet Address: [www.tdhca.state.tx.us/mh/index.htm](http://www.tdhca.state.tx.us/mh/index.htm)

## **MAKING AN INFORMED DECISION ABOUT BUYING A MANUFACTURED HOME**

**[\\*Esta forma está disponible en Español a petición del vendedor  
o al llamar al 1-800-500-7074\\*](#)**

**IF YOU HAVE QUESTIONS CALL 1-800-500-7074**

**WWW.TDHCA.STATE.TX.US/MH**

Ownership of ANY home brings many responsibilities. Buying a manufactured home involves many important and unique considerations. This disclosure is to assist you in recognizing and understanding many of those factors. Please read it carefully.

**CHOOSING A MANUFACTURED HOME AS YOUR HOME:** Manufactured homes come in a variety of sizes, styles, design features, amenities, and price ranges. All manufactured homes are built to federal standards established by the federal Department of Housing and Urban Development (HUD). Also, the federal government and the state of Texas requires manufacturers, retailers and installers to give certain warranties on manufactured homes. The type of warranties you receive will depend on whether you are purchasing a new or used manufactured home. You have the right to see the manufacturer's warranty and the retailer's warranty before entering into a binding agreement to purchase a manufactured home.

\_\_\_\_\_  
*initials*

**CHOOSING A MANUFACTURED HOME RETAILER:** The State of Texas licenses and oversees manufacturers, retailers, brokers, salespersons, rebuilders, and installers of manufactured homes. The agency responsible for this licensing and oversight is the Texas Department of Housing and Community Affairs, Manufactured Housing Division (the "Department"). Your properly licensed manufactured home retailer should display, or be willing to show you, its license in its sales office. **Dealing with licensed parties can provide important consumer protections.**

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*initials*

**DEPOSITS:** You may be required by a manufactured home retailer to place a deposit on a home, regardless of whether the home is on the retailer's sales lot, is being sold at another location, or will be ordered from a factory. The amount of the deposit is determined between you and your retailer. The deposit becomes a down payment upon execution of a binding written purchase agreement. You have the right to demand a refund of the deposit or down payment, and receive that refund within 15 days thereafter, if you timely and properly rescind the purchase agreement.

\_\_\_\_\_  
*initials*

**FINANCING OPTIONS:** A manufactured home in Texas has tremendous flexibility when it comes to financing because it can be financed as personal property (typically a consumer loan secured by the home only) or, if you own the land the home is on (or have a qualifying long term lease on the land) as real property (typically a mortgage loan secured by the home and the land). You should talk to possible lenders about the terms they can offer. If you think one lender is offering too high a rate, talk to another lender.

Consumer lenders must generally be registered with the Office of the Consumer Credit Commissioner. Mortgage loans are usually originated by mortgage brokers (licensed with the Savings and Mortgage Lending Department), mortgage bankers (registered with the Savings and Mortgage Lending Department), or financial institutions (regulated by state and/or federal regulators, depending on the type of financial institution).

**WHEN YOU MAKE A DECISION ABOUT BUYING A  
MANUFACTURED HOME, PLAN FOR FLEXIBILITY AND CHANGE.**

YOUR LOAN WILL BE A **MAJOR** FACTOR IN DETERMINING YOUR PAYMENTS, BUT THERE ARE OTHER IMPORTANT FACTORS YOU SHOULD ALSO THINK ABOUT, SUCH AS:

- Adjustable rate loans – If rates go up, your loan payments will go up.
- Property taxes – Changes in property valuation and changes in tax rate can result in changes in your payments.
- Insurance – If premiums increase, your payments will go up.
- Lot rent – If you are renting the lot your home is on, your rent may be subject to increase.

\_\_\_\_\_  
*initials*

**LOCAL RESTRICTIONS AND REQUIREMENTS (ZONING):** Depending on where a home is to be located it may be subject to special local requirements, including zoning and deed restrictions. These local requirements may affect where the home can be placed and may also involve other related requirements (and expenses) such as size requirements, construction requirements, Contact the local municipality, county, and subdivision manager to find out what, if

any, requirements of this sort may apply to any site where you are going to place a manufactured home.

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*initials*

**SITE PREPARATION:** A consumer is responsible for proper preparation of the site. If you do not think you can prepare your site properly, consider hiring someone else with the right experience and equipment to do it for you. Proper site preparation includes a site for placement of the home that has good drainage so that water will not collect or run under or around the home; and firm compacted soil with no stumps, debris, or other matter. The site that is selected and prepared also needs to meet any setback or other placement requirements and have access to any required water, septic system, and utilities.

**PROPER SITE PREPARATION IS ESSENTIAL!**

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*initials*

**INSTALLATION:** If you are purchasing a NEW manufactured home. Installation must be included. If you are purchasing a USED manufactured home, installation may or may not be included. If installation is not included and you arrange for it yourself, remember, ONLY A LICENSED INSTALLER may install a manufactured home. The installer who actually installs the home must also provide a warranty.

**PROPER INSTALLATION BY A LICENSED INSTALLER IS  
REQUIRED BY LAW IN ORDER FOR A HOME TO BE OCCUPIED.**

If you are buying a home that has already been installed, you should ask the selling retailer if they will check the leveling, check for the presence (if required) and condition of any vapor retarder, check anything else regarding the foundation/stabilization system, or provide any other installation-related services.

If you acquire a used manufactured home that is already installed in a Wind Zone II county but the home is a Wind Zone I home, which means that home was not designed or constructed to withstand a hurricane force wind occurring in a Wind Zone II or III area, the home cannot be installed in a Wind Zone II area unless it was constructed before September 1, 1997.

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*initials*

**UPKEEP AND MAINTENANCE:** ANY home requires regular upkeep and maintenance – things like periodic checking of and repairs to the roof, keeping vents and filters clear, maintaining septic systems and wells in safe and sanitary working order, caulking to prevent leaks, and periodic

painting. Also, depending on the foundation system you choose, a manufactured home may require periodic checking to be sure that it is still level and that the anchors and straps are secure.

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*initials*

**FOUNDATION MAINTENANCE:** You must accept all responsibility for maintenance of the site upon closing. These responsibilities include: maintaining good drainage around the home, preventing soil erosion, periodic inspections of foundation supports and anchorage, and any leveling or adjustment that may be required unless contractually agreed otherwise. Homes located in areas that have soils with high clay content that expands and contracts must maintain consistent moisture levels. This may include watering around the foundation during dry summer months and managing the size and proximity of the vegetation near the foundation.

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*initials*

**LOT RENT:** If you rent the lot your home is on, in addition to the possibility of rent increases, it is possible that the property owner could decide to change the use of the land and not renew your lease. Although you would be given advance notice, this would mean that you would have to move your home and have it installed somewhere else.

\_\_\_\_\_  
*initials*

**WATER AND UTILITIES:** Be sure that your lot has access to water. If you must drill a well, consider contacting several drillers for bids. If water is available through a municipality, utility district, water district, or cooperative, you should inquire about the rates you will have to pay and the costs necessary to join the water system. Be sure that any utilities you will need are available at your site and, if they are not, find out what will be involved in getting them delivered and connected.

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*initials*

**SEWER CONNECTIONS OR SEPTIC SYSTEMS:** If your lot is not serviced by a municipal sewer system or utility district, you will have to install an on-site sewer facility (commonly known as a septic system). There are a number of concerns or restrictions that will determine if your lot is adequate to support a septic system. Check with the local county or a licensed private installer to determine the requirements that apply to your lot and the cost to install such a system.

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*initials*

**HOMEOWNERS ASSOCIATIONS AND FEES:** Many subdivisions have mandatory assessments and fees that lot owners must pay. Check with the manager of the subdivision in which your lot is located to determine if any fees apply to your lot.

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*initials*

**PROPERTY TAXES:** Manufactured homes are appraised and subject to property taxes. Depending on the type of loan you have, your lender may escrow for these taxes, and this will increase your monthly payments. Whether you select personal property or real property status for your home may impact any homestead exemption that you may obtain to reduce your tax liability. Talk with the county tax office if you have any questions. Failing to pay your taxes or make arrangements with the tax assessor-collector may place you at risk of having tax liens recorded on your home and, possibly, having the home foreclosed for non-payment of taxes. If you do not have a lender that escrows for the taxes, the tax assessor-collector will work out an escrow arrangement with you if requested.

\_\_\_\_\_  
*initials*

**INSURANCE:** Your lender will almost certainly require you to obtain insurance. You should request quotes from the agent of your choice to obtain the insurance. Even if you do not have a lender, it is a good idea to obtain insurance to protect your home and yourself.

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*initials*

**THE TEXAS MANUFACTURED HOMEOWNERS' RECOVERY TRUST FUND (the "FUND"):** The Fund is established by law to protect consumers who incur certain actual damages arising from specified violations of law involving acts or omissions of licensees. To learn more about the Fund you can check the Department's website at: [www.tdhca.state.tx.us/mh](http://www.tdhca.state.tx.us/mh) or call the Department for a printed description of the Fund and how it works. Claims on the Fund must be verified and must be made within two years from the date of the act or omission or when it was discovered or reasonably should have been discovered.

\_\_\_\_\_  
*initials*

**RIGHT OF RESCISSION:** Once you enter into a contract with a selling retailer to acquire a manufactured home, you have a right to rescind the contract. You may, not later than the third day after the applicable contract is signed, rescind the contract without penalty or charge. The right to rescind may be modified or waived only if

you have a *bona fide* emergency. The Department has rules about the detailed requirements for waivers and modifications. If you grant someone other than the retailer a lien on the home you are buying, the right of rescission automatically goes away when the lien is recorded with the TDHCA.

\_\_\_\_\_  
*initials*

This **Six Page Disclosure** was provided to me/us by the retailer and/or lender shown below on this date. It was provided to me/us before I/we completed a credit application (if a financed transaction), or before I/we signed a contract to purchase, exchange, or lease-purchase a manufactured home.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
RETAILER or LENDER

\_\_\_\_\_  
LICENSE NUMBER (if a retailer)

\_\_\_\_\_  
CUSTOMER signature

\_\_\_\_\_  
CUSTOMER signature

\_\_\_\_\_  
Customer printed name

\_\_\_\_\_  
Customer printed name

Date: \_\_\_\_\_

Date: \_\_\_\_\_

(9) - (18) (No change.)

(19) Application for Statement of Ownership and Location.



**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**

**MANUFACTURED HOUSING DIVISION**

P. O. BOX 12489 Austin, Texas 78711-2489  
 (800) 500-7074, (512) 475-2200 FAX (512) 475-1109  
 Internet Address: [www.tdhca.state.tx.us/mh/index.htm](http://www.tdhca.state.tx.us/mh/index.htm)

**APPLICATION FOR STATEMENT OF OWNERSHIP AND LOCATION**

**The filing of an application for the issuance of a Statement of Ownership and Location, later than sixty (60) days after the date of a sale to a consumer for residential use, may result in a fee of up to one hundred dollars (\$100). Any such application that is submitted late may be delayed until the fee is paid in full.**

**BLOCK 1: Transaction Identification**

This application is for: <input type="checkbox"/> New home application <input type="checkbox"/> Used home application <input type="checkbox"/> Other _____	(For Department Use Only) Coding:  Lien on file: Y / N      Lienholder Code County Code:              Right of Surv.: Y / N Retailer #:                  Manufacturer #:
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**BLOCK 2(a): Home Information (required)**

Manufacturer Name: _____ Address: _____ City, State, Zip: _____ License Number: _____	Model: _____ Date of Manufacture: _____ Total Square Feet: _____ Wind Zone: _____
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	Label/Seal Number	Complete Serial Number	Weight	Size*	
Section 1:				X	*NOTE: Size must be reported as the outside dimensions (length and width) of the home as measured to the nearest 1/2 foot at the base of the home, exclusive of the tongue or other towing device.
Section 2:				X	
Section 3:				X	
Section 4:				X	

**2(b)** Is home being sold?  No  Yes  
 If yes, and **if there is/are no HUD Label(s) or Texas Seal(s)** on your home, a Texas Seal will **be** need to be purchased and will be issued to each section of your home at an **additional cost** of \$35.00 per section.  
*Single - \$35 Double - \$70 Triple - \$105*

**BLOCK 3: Home Location (required)**

Physical Location of Home: <i>(or 911 address)</i>	Physical Address (cannot be a Rt. or P. O. Box)	City	State	ZIP	County
Was home moved for this sale? <input type="checkbox"/> No <input type="checkbox"/> Yes					
Was Home Installed for this sale? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, provide installer information below, if known					
Installer Name, address and phone: _____					

**BLOCK 4: Ownership Information (required)**

4(a) Seller(s) or Transferor(s)	4(b) Purchaser(s), Transferee(s), or Owner(s)
Name _____ License # if Retailer: _____	Name _____ License # if Retailer: _____
Name _____	Name _____
Mailing Address _____	Mailing Address _____
City/State/Zip _____	City/State/Zip _____
Daytime Phone Number ( ) - _____	Daytime Phone Number ( ) - _____

**4(c)** Date of sale, transfer or ownership change: \_\_\_\_\_

**4(d)** Did the buyer trade-in a home to purchase this home?  No  Yes If yes, **the application transferring the ownership to the Retailer must be attached to this application. Provide** the following **information on the home traded in:**  
 HUD Label \_\_\_\_\_, Serial No. \_\_\_\_\_

<b>HUD Label #:</b>	<b>Serial #:</b>	<b>GF# (for title co.):</b>
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**BLOCK 5: Right of Survivorship (if no box is checked, joint owners will NOT have right of survivorship)**

*If joint owners desire right of survivorship, check the applicable box below:*

Husband and wife will be the only owners and agree that the ownership of the above described manufactured home shall, from this day forward, be held jointly and in the event of death, shall pass to the surviving owner.

Joint owners are other than husband and wife, desire right of survivorship, **and** have attached a completed Affidavit of Fact for Right of Survivorship or other affidavits as necessary to meet the requirements of §1201.213 of the Standards Act.

**BLOCK 6: Personal/Real Property Election - Purchaser(s)/Transferee(s)/Owner(s) check one election type:**

Personal Property – Applicant elects to treat this home as personal property. All documents affecting title to the home will be filed in the records of the Department.

Real Property – I (we) elect to treat this home as real property and certify that I am (we are) entitled to make this election in accordance with Section 1201.2055 of the Occupations Code because (**one box must be checked**):

I (we) own the real property that the home is attached to.     I (we) have a qualifying long-term lease for the land that the home is attached to.

I (We) understand that the home will not be considered to be real property until a certified copy of the SOL has been filed in the real property records of the county in which the home is located AND a copy stamped “Filed” has been submitted to the Department.

**Legal description must be provided for real property:** \_\_\_\_\_

\_\_\_\_\_

If a title company, list your file or GF #: \_\_\_\_\_

**Inventory – (FOR RETAILER USE ONLY)** Retailer number must be provided in Block 4b if this election is checked.

**BLOCK 7: Designated Use - to be designated by purchaser(s), transferee(s), or owner(s)**

Residential Use (as a dwelling) OR

Non-Residential - Check **one** of the following:     *Business Use*     *Salvage*

**BLOCK 8: Liens – Will there be any liens on the home?**     No     Yes **If yes, the Notice of Lien form MUST be completed and attached. To specify any liens on the SOL the NOTICE OF LIEN FORM must be completed and submitted with the application. To prevent an SOL from being issued without a lien, in the event the Notice of Lien is detached, indicate name and phone number of lienholder's contact person and phone number.**

**Lienholder's Representative:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**BLOCK 9: Special Mailing Instructions.**

<b>IF</b> a copy of an SOL is to be mailed to anyone other than the owner or lienholder of record (such as a closing agent), please provide that mailing address here and enclose the additional fee.	Name:	
	Company:	
	Street Address:	
	City, State, Zip:	
	Area Code/Phone	

**BLOCK 10: Certification and Notarization - The statements set forth herein are made under oath and are true and correct.**

Seller certifies that any required habitability warranty has been delivered (consumer to consumer sales are exempt).

Seller certifies that the purchaser has been given a written disclosure on a form prescribed by the Department describing the condition of the home and of any appliances that are included in the home.

10(a) Notarized signature of each seller/transferor	10(b) Notarized signature of each purchaser/transferee or owner
_____ <i>Signature of owner or authorized seller</i>  Sworn and subscribed before me this ____ day of _____, 20__  _____ <i>Signature of Notary</i>  SEAL	_____ <i>Signature of purchaser/transferee or owner</i>  Sworn and subscribed before me this ____ day of _____, 20__  _____ <i>Signature of Notary</i>  SEAL
_____ <i>Signature of owner or authorized seller</i>  Sworn and subscribed before me this ____ day of _____, 20__  _____ <i>Signature of Notary</i>  SEAL	_____ <i>Signature of purchaser/transferee or owner</i>  Sworn and subscribed before me this ____ day of _____, 20__  _____ <i>Signature of Notary</i>  SEAL

(20) - (43) (No change.)

**(44) Statement from Tax Assessor-Collector.**

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**

**MANUFACTURED HOUSING DIVISION**

P. O. BOX 12489 Austin, Texas 78711-2489  
(800) 500-7074, (512) 475-2200 FAX (512) 475-1109  
Internet Address: [www.tdhca.state.tx.us/mh/index.htm](http://www.tdhca.state.tx.us/mh/index.htm)

**STATEMENT FROM TAX ASSESSOR-COLLECTOR**  
*To meet the requirements of Texas Occupations Code 1201.206(g)*

**BLOCK 1: Home Information**

Manufacturer: \_\_\_\_\_ Model: \_\_\_\_\_  
Serial Number: \_\_\_\_\_ Label # and/or Seal #: \_\_\_\_\_  
Tax Roll Account No.: \_\_\_\_\_ Physical Address: \_\_\_\_\_

**BLOCK 2: Statement of Facts**

**Used to confirm that taxes have been paid and/or escrowed enabling the transfer of ownership of a used manufactured home (providing all other requirements are met).**

Check either A, B, or C:

**Date of Sale:** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

**A. Not on the tax roll**

This home is not on the tax roll for this county.

**B. The present tax year has been billed:**

▪ The present and previous year's taxes have been billed and paid. There are NO PERSONAL PROPERTY TAXES DUE.

**C. The present tax year has NOT BEEN billed:**

▪ The previous tax year has been billed and paid in full. No taxes are due.

▪ The current tax year has not been billed (levied), but taxes have been estimated, paid and placed in escrow and any difference owed will be due when taxes are billed.

**BLOCK 3: Signature (Notarization is optional)**

\_\_\_\_\_  
(Signature of tax assessor-collector's authorized representative)

\_\_\_\_\_  
(Name of County making this statement)

\_\_\_\_\_  
(Printed name and title of authorized representative)

Before me personally appeared the person (s) whose signature (s) appear above, who by being sworn, upon oath, say that the statements set forth hereinabove are true and correct. Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
(Name of Notary)

\_\_\_\_\_  
(Notary Public)

\_\_\_\_\_  
(Commission Expires)

Notary Public State of Texas

**SEAL**