

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) 475-4706
Internet Address: www.tdhca.state.tx.us/mh/index.htm

The Manufactured Homeowners' Recovery Trust Fund

What is the Manufactured Homeowners' Recovery Trust Fund (Recovery Fund)?

- The Manufactured Homeowners' Recovery Trust Fund, or the Recovery Fund, is a special account in the Texas General Revenue Fund used to compensate consumers who sustain actual damages resulting from unsatisfied claims against manufactured housing licensees. The claim must have resulted from a violation of:
 - the Texas Manufactured Housing Standards Act;
 - the Deceptive Trade Practices Consumer Protection Act;
 - other laws or regulations governing manufactured housing.

What do I need to do in order to collect from the Recovery Fund?

- File a verified written consumer complaint with the Manufactured Housing Division of the Texas Department of Housing and Community Affairs (TDHCA).
- File the complaint before:
 - the second anniversary of the date the act or omission causing the damages or
 - the second anniversary of the date the act or omission is or could have been discovered.
- Failure to file a complaint within the required time prevents recovery from the Recovery Fund – don't delay!

What is eligible for compensation under the Recovery Fund?

- Actual reasonable costs and expenses:
 - up to \$35,000 in actual damages;
- No double or treble damages, punitive or exemplary damages are covered.
- Neither the Recovery Fund nor the Manufactured Housing Division's executive director is liable if the Recovery Fund does not have the funds necessary to pay the actual damages.
- When the Recovery Fund does not have sufficient money to pay claimants, claims will be processed in the order in which the verified complaints are received.

What is the time limit to claim recoveries?

- If the cause of action arises directly from the sale, lease-purchase, exchange, brokerage, or installation of a manufactured home before Sept. 1, 1987, the consumer may not recover against the Recovery Fund.

Where do Recovery Fund funds come from?

- The Recovery Fund is appropriated \$300,000 each fiscal year by the Texas Legislature. The Recovery Fund is replenished through the receipt of payments from bond companies and from the investment of Recovery Fund monies.