

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 410
PROPOSED COMMITTEE SUBSTITUTE H410-PCS10269-RW-12

Short Title: Cancel Title to Manufactured Home.

(Public)

Sponsors:

Referred to:

March 25, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO CANCEL A
3 CERTIFICATE OF TITLE TO A MANUFACTURED HOME WHEN THE PERSON
4 REQUESTING CANCELLATION DOES NOT HAVE THE CERTIFICATE OF TITLE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 20-109.2 reads as rewritten:

7 "§ 20-109.2. Surrender of title to manufactured home.

8 (a) Surrender of Title. – If a certificate of title has been issued for a manufactured
9 ~~home~~home, the owner listed on the title has the title, and the manufactured home qualifies as
10 real property as defined in G.S. 105-273(13), the owner listed on the title shall submit an
11 affidavit to the Division that the manufactured home meets this definition and surrender the
12 certificate of title to the Division.

13 If a certificate of title has been issued for a manufactured home, no issued title is available,
14 and the manufactured home qualifies as real property as defined in G.S. 105-273(13), the
15 owner listed on the title shall be deemed to have surrendered the title to the Division if the
16 owner of the real property on which the manufactured home is affixed (i) submits an affidavit
17 to the Division that the manufactured home meets this definition and (ii) submits a tax record
18 showing the manufactured home listed for ad valorem taxes as real property pursuant to Article
19 17 of Chapter 105 of the General Statutes in the name of the record owner of the real property
20 on which the manufactured home is affixed.

21 (b) Affidavit. – The affidavit must be in a form approved by the Commissioner and
22 shall include or provide for all of the following information:

- 23 (1) The manufacturer and, if applicable, the model name of the manufactured
24 home.
25 (2) The vehicle identification number and serial number of the manufactured
26 home.
27 (3) The legal description of the real property on which the manufactured home
28 is ~~placed~~affixed, stating that the owner of the manufactured home also owns
29 the real property or that the owner of the manufactured home has entered
30 into a lease with a primary term of at least 20 years for the real property on
31 which the manufactured home is affixed with a copy of the lease or a
32 memorandum thereof pursuant to G.S. 47-18 attached to the affidavit, if not
33 previously recorded.
34 (4) A description of any security interests in the manufactured home.



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- 1 (5) A section for the Division's notation or statement that the procedure in
2 subsection (a) of this section for surrendering the title has been
3 ~~surrendered~~completed and the title has been cancelled by the Division.
- 4 (6) An affirmative statement that the affiant is (i) the record owner of the real
5 property on which the manufactured home is affixed and the lease for the
6 manufactured home does not include a provision allowing the owner listed
7 on the certificate of title to dispose of the manufactured home prior to the
8 end of the primary term of the lease or (ii) is the owner of the manufactured
9 home and owns the real property on which the manufactured home is affixed
10 or has entered into a lease with a primary term of at least 20 years for the
11 real property on which the manufactured home is affixed.

12 "

13 **SECTION 2.** This act becomes effective July 1, 2013.