

§669. Cancellation of certificate of title to manufactured housing and tiny homes

1. Real property transactions. This section governs cancellation of a certificate of title to manufactured housing or a tiny home by the owner of the manufactured housing or tiny home when the manufactured housing or tiny home becomes affixed to real property owned by the owner of the manufactured housing or tiny home.

[PL 2019, c. 650, §8 (AMD).]

2. Cancellation. A certificate of title to manufactured housing or a tiny home may be cancelled by the Secretary of State if the owner of the real property records the following documents in the registry of deeds for the county in which the real property is located:

A. The original certificate of title to the manufactured housing or tiny home; [PL 2019, c. 650, §8 (AMD).]

B. A description of the manufactured housing or tiny home, including model year, make, width, length and identification number, and a statement by any recorded lienholder on the certificate of title that the security interest has been released or that such security interest will be released upon cancellation of the certificate of title as set forth in this section; [PL 2019, c. 650, §8 (AMD).]

C. The legal description of the real property; and [PL 2005, c. 678, §10 (NEW); PL 2005, c. 678, §13 (AFF).]

D. A sworn statement by the owner of the real property, as shown on the real property deed, that the owner of the real property is the owner of the manufactured housing or tiny home and that the manufactured housing or tiny home is permanently affixed to the real property in accordance with state law. [PL 2019, c. 650, §8 (AMD).]

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3. Recording. The register of deeds, upon receipt of the documents set forth in subsection 2, shall record the documents.

[PL 2005, c. 678, §10 (NEW); PL 2005, c. 678, §13 (AFF).]

4. Request for cancellation. An owner of manufactured housing or a tiny home shall file a written request with the Secretary of State for cancellation of the certificate of title to the manufactured housing or tiny home after completion of the requirements in subsections 2 and 3 and by returning the recorded certificate of title. The Secretary of State shall cancel the certificate of title upon receipt of the written request from the owner of the manufactured housing or tiny home requesting cancellation of the certificate of title, accompanied by the certificate of title and documents listed in subsection 2 that have been recorded pursuant to subsection 3. Upon cancellation of the certificate of title, the Secretary of State shall issue a document certifying that the certificate of title has been cancelled.

[PL 2019, c. 650, §8 (AMD).]

5. Liens. For purposes of perfection, realization and foreclosure of security interests, if a certificate of title has been cancelled pursuant to this section, a separate security interest in the manufactured housing or tiny home does not exist, and the manufactured housing or tiny home may be secured only as part of the real property through a mortgage under Title 33.

[PL 2019, c. 650, §8 (AMD).]

6. Applicability. This section applies to manufactured housing or tiny homes required to be titled under section 651 and to any person who voluntarily elects to cancel a certificate of title to manufactured housing or a tiny home pursuant to this section.

[PL 2019, c. 650, §8 (AMD).]

7. Taxation not affected. Nothing in this section may be construed to affect the taxation of manufactured housing or tiny homes.

[PL 2019, c. 650, §8 (AMD).]

8. No change to common law. Nothing in this section may be construed to modify or change existing common law.

[PL 2005, c. 678, §10 (NEW); PL 2005, c. 678, §13 (AFF).]

SECTION HISTORY

PL 2005, c. 678, §10 (NEW). PL 2005, c. 678, §13 (AFF). PL 2019, c. 650, §8 (AMD).

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