

HB 924 -- Manufactured Homes

Sponsor: Sutherland

This bill changes the laws regarding manufactured homes. In its main provisions, the bill:

(1) Authorizes the Missouri Public Service Commission to suspend, revoke, or place on probation the license of a manufactured home dealer for failure to obtain a written notice signed and dated by the purchaser of a used manufactured home or modular unit which states that the commission does not regulate the setup of used manufactured homes and modular units;

(2) Allows owners of manufactured homes who own the home as joint tenants with the right of survivorship or as tenants by the entirety to receive, upon application and payment of a fee, a certificate of ownership in beneficiary form from the Department of Revenue to transfer ownership upon death to the beneficiaries with the right of survivorship or as tenants by the entirety;

(3) Allows the owner to revoke the certificate of ownership or change beneficiaries. The certificate may be revoked by the sale of the home or by filing an application to reissue the certificate with no designation or a different designation of a beneficiary;

(4) Requires the department director to issue a new certificate of ownership to the surviving owners or beneficiaries upon proof of the owner's death, surrender of the outstanding certificate, and payment of a fee;

(5) Requires lienholders to notify the department director within 10 business days of any release of a lien if an electronic certificate of ownership is being held by the department director;

(6) Requires the holder of any security interest in a manufactured home to verify that he or she has paid all past due rent which the holder is obligated to pay to the landowner if the home was repossessed;

(7) Specifies what determines an abandoned manufactured home that is located on another person's property;

(8) Changes the process for enforcing liens for unpaid rent against a manufactured home. Landowners must provide the homeowner notice prior to enforcing the lien and give him or her the opportunity to pay any rent owed. The notice must advise the owner of his or her legal rights to contest the lien; and if the

owner does not redeem the home within 30 days from the date of mailing the notice and no petition has been filed to contest the lien within 10 days of the receipt of the notice, the real property owner may apply for a lien title;

(9) Authorizes the real property owner to begin proceedings to sell the home within 30 days of receipt of the lien title;

(10) Requires the homeowner to be given at least 20 days' notice of the sale of the home;

(11) Specifies how the proceeds of the sale are to be distributed;

(12) Allows homeowners to contest liens brought by the real property owners by filing a petition in the appropriate associate circuit court; and

(13) Prohibits perfected lienholders or homeowners of abandoned manufactured homes located on property which is being leased from removing the home until the landlord is paid any rent owed.