

**MOBILE HOME AFFIXED  
TO REAL PROPERTY**

**Senate Bill 425 (Substitute H-2)  
Sponsor: Sen. Michael D. Bishop**

**Addendum to SFA Analysis (6-4-03)**

**Senate Committee: Banking and  
Financial Institutions  
House Committee: Commerce**

**ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 425 AS PASSED BY  
THE SENATE DATED 5-12-03:**

***HOUSE COMMITTEE ACTION:***

The House Committee on Commerce reported a substitute H-2, which differs only in few respects from the bill as passed by the Senate. The full analysis of the bill by the Senate Fiscal Agency is available on the Michigan Legislature web site. The changes in the House substitute are as follows.

- If a mobile home is affixed to real property, under the bill, the owner can get the certificate of title canceled by the Department of Consumer and Industry Services by delivering certain specified information and documents to the department. As passed by the Senate, the bill would allow the owner to submit the certificate of title for the mobile home or the manufacturer's certificate of origin if a certificate of title had not been issued. The House committee substitute would also allow in lieu of one of those certificates the delivery of "sufficient proof of ownership" as provided in the sections of the Mobile Home Commission Act that establish criteria for the issuing of a certificate of title. The substitute would also require the payment of the same fee required for a certificate of title. The equivalent fee would also be paid under the House substitute if the mobile home was later detached from the real property.

- The affidavit of affixture that an owner must deliver to the CIS would have to be maintained by the department for 10 years under the substitute, rather than 30 years, as under the bill passed by the Senate.

- A mobile home would be considered "affixed" under the Senate-passed version if it was attached to a foundation or other support system and if the wheels, towing hitches, or running gear was permanently removed. The House substitute would change the "or" to an "and", meaning that the wheels, towing hitches, and running gear would all have to be removed for a mobile home to be considered affixed.

- The House substitute also contains an enacting section, which reads: "It is the intent of this legislature that a security interest or lien on a mobile home affixed to real property may be perfected in the manner provided under law for perfecting a lien on real property, and not exclusively by a notation of the security interest or lien on the certificate of title."

MCL 125.2330i

Senate Bill 425 (6-4-03)

***POSITIONS:***

Among those who indicated support for the bill to the House Committee on Commerce were: the Michigan Department of Consumer and Industry Services; the Michigan Bankers Association; the Michigan Manufactured Housing Association; the Michigan Land Title Association; the Michigan Mortgage Lenders Association; and the Michigan Mortgage Brokers Association. (6-3-03)

Analyst: C. Couch

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.