

HOUSE BILL No. 5045

July 6, 2005, Introduced by Rep. Schuitmaker and referred to the Committee on Banking and Financial Services.

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
by amending sections 30b and 30c (MCL 125.2330b and 125.2330c).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30b. (1) The department upon receipt of the required
2 application and fees shall issue a certificate of title except as
3 otherwise provided.

4 (2) The certificate of title shall contain upon its face the
5 date issued, the name and address of the owner, a description of
6 the mobile home as determined by the department, a statement of all
7 security interests in the mobile home as set forth in the
8 application, the date on which the application was filed, and other
9 information as the department may require.

10 (3) The certificate of title shall contain ~~upon the reverse~~

1 ~~side~~ forms for assignment of title or interest and warranty of
2 title by the owner with space for notation of security interests in
3 the mobile home at the time of a transfer to be signed in ink, and
4 other forms as the department may consider necessary to facilitate
5 the effective administration of this section. The certificate shall
6 bear the seal of the department.

7 (4) The certificate of title shall be mailed or delivered to
8 the owner or other person as the owner may direct in a separate
9 instrument, in the form as the department shall prescribe.

10 Sec. 30c. (1) If the owner of a mobile home transfers or
11 assigns the owner's title or interest to the mobile home, the owner
12 shall indorse ~~on the back of the certificate of title~~ an
13 assignment of the mobile home with warranty of title with a
14 statement of all security interests in the mobile home, and shall
15 cause the certificate to be mailed or delivered to the department
16 or to the purchaser or transferee at the time of the delivery to
17 the purchaser or transferee of the mobile home.

18 (2) Upon the delivery of a mobile home and the transfer, sale,
19 or assignment of the title or interest in a mobile home, the
20 effective date of the transfer of title or interest shall be the
21 date of execution of either the application for title or the
22 certificate of title.

23 (3) The purchaser or transferee, unless the purchaser or
24 transferee is a licensed dealer, shall cause to be presented to the
25 department the certificate of title accompanied by the applicable
26 fee, as follows:

27 (a) Except as provided in subdivision (b) or (c), \$45.00.

1 (b) Except as provided in subdivision (c), \$15.00, if the
2 sale, assignment, or other transfer will require the addition or
3 deletion from the certificate of title of any of the following:

4 (i) The owner's spouse.

5 (ii) A person related to the owner within the fourth degree of
6 consanguinity as computed by the civil law method.

7 (iii) A person related to the owner's spouse within the fourth
8 degree of consanguinity as computed by the civil law method.

9 (c) Any other lesser amount established pursuant to section
10 9(5).

11 (4) Upon presentation of the certificate of title accompanied
12 by the applicable fee, a new certificate of title shall be issued.
13 A certificate of title issued under subsection (3) and this
14 subsection shall be mailed or delivered to the owner or any other
15 person the owner may direct in a separate instrument in a form as
16 prescribed by the department.

17 (5) If a security interest is reserved or created at the time
18 of the transfer, the parties shall comply with section 30d.

19 (6) If the transferee of a mobile home is a mobile home dealer
20 who holds the mobile home for resale, the dealer shall not be
21 required to forward the certificate of title to the department, but
22 the dealer shall retain possession of the assigned certificate of
23 title. Upon transfer of the dealer's title or interest to another
24 person, the dealer shall execute and acknowledge an assignment and
25 warranty of title upon the certificate of title and deliver it to
26 the person to whom the transfer is made if the person is a licensed
27 dealer; otherwise application for a new title shall be made by the

1 transferor as provided in section 30a(1).