

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 854

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H.P. 605

House of Representatives, March 5, 2013

### **An Act To Clarify When a Manufactured Home Becomes Residential Real Property**

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PRIEST of Brunswick.  
Cosponsored by Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, GUERIN of  
Glenburn, MONAGHAN-DERRIG of Cape Elizabeth, Senator: GERZOFKY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA §9001, sub-§1, ¶E**, as enacted by PL 2005, c. 678, §3 and  
3 affected by §13, is amended to read:

4 E. As a valued and important component of the housing industry in this State,  
5 manufactured housing is recognized as residential property, whether it is real  
6 property or personal property, notwithstanding the requirements of Title 29-A, and  
7 manufactured housing for which no certificate of title has been issued is considered  
8 real property when it has been permanently affixed to real property that is owned by  
9 the owner of the manufactured housing.

10 **Sec. 2. 29-A MRSA §602, sub-§9-A** is enacted to read:

11 **9-A. Permanently affixed.** "Permanently affixed" means, with respect to  
12 manufactured housing, placed on a foundation or slab or other form of permanent  
13 attachment to the site and connected to conventional and necessary utility systems.

14 **Sec. 3. 29-A MRSA §652, sub-§9, ¶E**, as enacted by PL 2005, c. 678, §7 and  
15 affected by §13, is amended to read:

16 E. Permanently affixed to real property that is owned by the owner of the  
17 manufactured housing within 30 days of the date of sale.

18 **Sec. 4. 29-A MRSA §708**, as enacted by PL 2005, c. 678, §12 and affected by  
19 §13, is amended to read:

20 **§708. Manufactured housing**

21 This subchapter applies to perfection of security interests in manufactured housing  
22 that is not permanently affixed to real property that is owned by the owner of the  
23 manufactured housing.

24 **SUMMARY**

25 This bill amends the laws governing manufactured housing.

26 1. It adds language to the declaration of purpose in the manufactured housing law to  
27 state that manufactured housing for which no certificate of title has been issued is  
28 considered real property when it has been permanently affixed to real property that is  
29 owned by the owner of the manufactured housing.

30 2. Current law governing title to vehicles specifies that a certificate of title or salvage  
31 is not required for manufactured housing that is permanently affixed to real property  
32 within 30 days of the date of sale. This bill specifies that a certificate is not required if  
33 the real property is owned by the owner of the manufactured housing.

34 3. Current law governing the perfection of security interests in vehicles specifies that  
35 it does not apply to manufactured housing that is permanently affixed to real property;

1 this bill specifies that the real property must be owned by the owner of the manufactured  
2 housing.