

## **IC 9-17-6**

### **Chapter 6. Manufactured Homes**

#### **IC 9-17-6-1**

##### **Certificate of title; requirement**

Sec. 1. A person who owns a manufactured home that is:

- (1) personal property not held for resale; or
- (2) not attached to real estate by a permanent foundation;

shall obtain a certificate of title for the manufactured home under this chapter.

*As added by P.L.2-1991, SEC.5. Amended by P.L.106-2007, SEC.1.*

#### **IC 9-17-6-2**

##### **Application; contents**

Sec. 2. A person applying for a certificate of title under this chapter must submit an application on a form furnished by the bureau that contains the following information:

- (1) A full description of the manufactured home.
- (2) A statement of the person's title and of any lien or encumbrance upon the manufactured home.
- (3) The following printed statement:

"I swear or affirm that the information that I have entered on this form is correct. I understand that making a false statement on this form may constitute the crime of perjury."

- (4) The signature of the person applying for the certificate of title directly under the statement set forth in subdivision (3).

- (5) The following numbers, if the numbers are available:

(A) A unique serial number assigned by the manufacturer to the manufactured home.

(B) The certification label number required by the United States Department of Housing and Urban Development for the manufactured home.

If neither the number described in clause (A) nor the number described in clause (B) is available, the bureau may issue a special identification number for the manufactured home.

- (6) Any other information required under rules adopted under IC 4-22-2 by the bureau.

*As added by P.L.2-1991, SEC.5. Amended by P.L.106-2007, SEC.2.*

#### **IC 9-17-6-3**

##### **Repealed**

*(Repealed by P.L.106-2007, SEC.7.)*

#### **IC 9-17-6-4**

##### **Certificate of title previously issued; manufacturer's certificate of origin; documents accompanying application**

Sec. 4. If a certificate of title:

- (1) has been previously issued for a manufactured home in Indiana, an application for a certificate of title must be accompanied by the certificate of title; or

(2) has not previously been issued for a manufactured home in Indiana, the application must be accompanied by a manufacturer's certificate of origin as provided in IC 9-17-8.  
*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-5**

##### **Out-of-state homes brought into Indiana; documents accompanying application**

Sec. 5. If the application for a certificate of title is for a manufactured home brought into Indiana from another state, the application must be accompanied by:

- (1) the certificate of title issued for the manufactured home by the other state if the other state has a certificate of title law; or
- (2) a sworn bill of sale or dealer's invoice fully describing the manufactured home and the most recent registration receipt if the other state does not have a certificate of title law.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-6**

##### **Security interests; application of U.C.C. provisions**

Sec. 6. Except as otherwise provided, IC 26-1-9.1 applies to a security interest in a manufactured home.

*As added by P.L.2-1991, SEC.5. Amended by P.L.57-2000, SEC.4.*

#### **IC 9-17-6-7**

##### **Perfection of security interests**

Sec. 7. A security agreement covering a security interest in a manufactured home that is not inventory held for sale may only be perfected by indicating the security interest on the certificate of title or duplicate certificate of title for the manufactured home issued by the bureau.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-8**

##### **Secured parties; application for certificate of title; notation of security interest**

Sec. 8. (a) A secured party that:

- (1) submits a properly completed application for a manufactured home certificate of title to the bureau; and
  - (2) pays the fee required by IC 9-29 for a certificate of title;
- may have a notation of a security interest in the manufactured home made on the face of the certificate of title issued by the bureau.

(b) The bureau shall do the following:

- (1) Enter the notation and the date of the notation on the certificate of title.
- (2) Make a corresponding entry in the bureau's records.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-9**

##### **Discharge of security interests; note of discharge on certificate**

Sec. 9. When a security interest indicated on a certificate of title to a manufactured home is discharged, the person who holds the security interest shall note the discharge of the security interest over the person's signature on the certificate of title.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-10**

##### **Evidence of title; retention by bureau**

Sec. 10. The bureau shall retain the evidence of title presented by an applicant upon which the Indiana certificate of title is issued.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-11**

##### **Review of application by bureau; reasonable diligence**

Sec. 11. The bureau shall use reasonable diligence in determining if the facts stated in an application for a certificate of title are true.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-12**

##### **Issuance of certificate of title**

Sec. 12. If the bureau is satisfied that the person applying for the certificate of title is the owner of the manufactured home or is otherwise entitled to have the manufactured home titled in the person's name, the bureau shall issue an appropriate certificate of title over the signature of the bureau and sealed with the seal of the bureau.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-13**

##### **Delivery of certificate of title to owner**

Sec. 13. (a) If a lien or an encumbrance does not appear on the certificate of title, the bureau shall deliver a certificate of title to the person who owns the manufactured home.

(b) If a lien or an encumbrance appears on the certificate of title, the bureau shall deliver the certificate of title to the person named to receive the certificate of title in the application for the certificate of title.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-14**

##### **Validity of certificate; term**

Sec. 14. A certificate of title is valid for the life of the manufactured home as long as the manufactured home is owned or held by the original holder of the certificate of title.

*As added by P.L.2-1991, SEC.5.*

#### **IC 9-17-6-15**

##### **Renewal of certificate**

Sec. 15. A certificate of title described under this chapter does not have to be renewed except as otherwise provided.

*As added by P.L.2-1991, SEC.5.*

### **IC 9-17-6-15.1**

#### **Affidavit of transfer to real estate; application; rules**

Sec. 15.1. (a) A person who:

- (1) holds a certificate of title for;
- (2) holds a certificate of origin for; or
- (3) otherwise owns as an improvement;

a manufactured home that is attached to real estate by a permanent foundation may apply for an affidavit of transfer to real estate with the bureau. However, a person described in this subsection is not required to apply for an affidavit of transfer to real estate to convert a manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located.

(b) An application for an affidavit of transfer to real estate must contain the following:

- (1) A full description of the manufactured home, including:

- (A) a description; and
- (B) the parcel number;

of the real estate to which the manufactured home is attached.

- (2) One (1) or more of the following numbers:

- (A) A unique serial number assigned by the manufacturer to the manufactured home.
- (B) The certification label number required by the United States Department of Housing and Urban Development for the manufactured home.
- (C) A special identification number issued by the bureau for the manufactured home.

- (3) An attestation by the owner of the manufactured home that the manufactured home has been permanently attached to the real estate upon which it is located.

(c) The bureau shall adopt rules under IC 4-22-2 to implement this section.

(d) A certificate of title or a certificate of origin is not required for a person who applies for an affidavit of transfer to real estate under this section.

*As added by P.L.106-2003, SEC.2. Amended by P.L.106-2007, SEC.3.*

### **IC 9-17-6-15.3**

#### **Affidavit of transfer to real estate; recording**

Sec. 15.3. Upon receipt from the person filing the affidavit of transfer to real estate, with the accompanying retired certificate of title, if available, the recorder of the county in which the manufactured home is located shall record the affidavit in the manner required by IC 36-2-11-8, provided that the auditor of the county has performed the endorsement required by IC 36-2-9-18.

*As added by P.L.106-2003, SEC.3. Amended by P.L.106-2007, SEC.4.*

**IC 9-17-6-15.5****Application of transfer to real estate; conversion of manufactured home to real estate**

Sec. 15.5. The filing in the appropriate county recorder's office of the affidavit of transfer to real estate with the retired certificate of title, if available, is deemed a conversion of the manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located. However, a filing under this section is not required for a person who converts a manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located.

*As added by P.L.106-2003, SEC.4. Amended by P.L.106-2007, SEC.5.*

**IC 9-17-6-16****Violation of chapter; Class C infraction**

Sec. 16. A person who violates this chapter commits a Class C infraction.

*As added by P.L.2-1991, SEC.5.*