

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**DIVISION OF CODES AND STANDARDS**

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January 14, 1993

INFORMATION BULLETIN MH 93-03

**TO: ESCROW COMPANIES
 INTERESTED PARTIES
 DIVISION STAFF**

**SUBJECT: 1992 LEGISLATIVE AMENDMENT TO HEALTH AND SAFETY CODE
 SECTION 18551.1 AND THE ADDITION OF NEW SECTION 18555**

The purpose of this Information Bulletin is to provide a brief summary of the subject 1992 Legislative amendments and guidance for administering them.

Existing Health and Safety Code, Division 13, Part 2, Section 18551.1, permits mobilehome parks constructed after January 1, 1982, to be constructed in a manner which enables manufactured homes and mobilehomes to be installed on a foundation system, pursuant to Section 18551. Further, Section 18551.1 permits manufactured homes or mobilehomes installed on or after January 1, 1985, in a mobilehome park constructed prior to January 1, 1982 to be placed on a foundation system, pursuant to Section 18551. A newly added subdivision (c), to Section 18551.1, authorizes any manufactured home or mobilehome in a mobilehome park, converted or in the process of being converted to a resident ownership on or after January 1, 1992, to be placed on a foundation system, subject to Section 18551 and the approval of the ownership of the mobilehome park.

Newly adopted Health and Safety Code Section 18555, authorizes the registered owner of a manufactured home or mobilehome in a mobilehome park, converted or proposed to be converted to resident ownership (as long as the manufactured home or mobilehome registered owner is also a participant in the resident ownership), to apply for voluntary conversion of the manufactured home or mobilehome to a fixture and improvement to the underlying real property without compliance with the foundation requirements of Section 18551.

Section 18555 identifies the conversion requirements to be met by the resident ownership, or the proposed resident ownership, of a mobilehome park conversion, or proposed conversion, on behalf of the registered owner of the manufactured home or mobilehome, including establishing an escrow account with an escrow agent. The following forms, documents and other information shall be deposited into an escrow account and disbursed by the escrow officer or agent as follows:

REQUIRED ITEMS FOR OPENING THE ESCROW ACCOUNT

1. A completed Department of Housing and Community Development(HCD) form HCD 433(B), Notice To Assessor and a HCD form 433(C), Notice of Manufactured Home (Mobilehome) Conversion To A Fixture Improvement To Real Property.
2. The manufactured home or mobilehome certificate of title, the current registered owner registration card, junior lienholder registration cards, decals, and other indica of registration.
3. In the absence of a certificate of title for the manufactured home or mobilehome, written evidence from the unit lienholder(s) on record with the Department, consenting to the conversion of the unit to a fixture improvement of the underlying real property upon the discharge of any personal lien, that may be conditioned upon the satisfaction by the registered owner of the obligation secured by the lien.
4. A fee payable to HCD in the amount of \$22.00, for each transportable section of the manufactured home or mobilehome.
5. Escrow instructions describing the terms and conditions of compliance with Section 18555, the requirements of the Department and other applicable terms and conditions.

AFTER THE ESCROW ACCOUNT IS OPEN

If the manufactured home or mobilehome is subject to local property taxation, and subject to Department registration requirements, the escrow officer shall forward to the county tax collector in which the manufactured home or mobilehome is located, a written demand for a tax clearance certificate, if no tax liability exists, or a conditional tax clearance certificate if a tax liability does exist. The conditional tax clearance certificate shall state the amount of the tax liability due, if any, and the final date that amount must be paid out of escrow to avoid further tax liabilities.

In the event the Tax Collector fails to comply with a demand for a tax clearance certificate or conditional tax clearance certificate within 30 days from the date the

demand was mailed by the escrow officer, the escrow officer may close the escrow and submit a Statement of Facts, HCD 476.6, certifying that the written demand was made and the Tax Collector failed to comply within 30 days.


CLOSING OF THE ESCROW ACCOUNT

1. On the same day the escrow is scheduled to close, the escrow agent shall record or cause to be recorded with the County Recorder in which the manufactured home or mobilehome is located the HCD 433(C) and the HCD 433(B).
2. A copy of the HCD 433(C), the \$22.00 fee per transportable section of the manufactured home or mobilehome and all registration and titling documents shall be forwarded to:

Department of Housing and Community Development
Division of Codes and Standards
Manufactured Housing Section
Post Office Box 31
Sacramento, CA 95812-0031

Note: Preprinted HCD 433(C) No Carbon Required Forms will be available approximately March 1, 1993. Until these forms are available, photocopies may be substituted and distributed as necessary.

Copies of the above mentioned HCD 433(C) and HCD 433(B) forms are attached for your information. If you have any questions regarding this Information Bulletin, please contact our Manufactured Housing staff at (916) 445-3338.



Travis Pitts
Deputy Director

Attachments

**NOTICE TO ASSESSOR
HCD 433(B) 1/93**

THIS FORM MUST BE COMPLETED BY THE OWNER OF A MANUFACTURED HOME MOBILEHOME OR COMMERCIAL COACH AND FORWARDED TO THE COUNTY ASSESSOR UPON COMPLETION OF THE INSTALLATION OF THE UNIT ON A FOUNDATION SYSTEM PURSUANT TO SECTION 18551 HEALTH AND SAFETY CODE OR THE CONVERSION OF A MANUFACTURED HOME OR MOBILEHOME AS A FIXTURE IMPROVEMENT TO REAL PROPERTY PURSUANT TO SECTION 18555 HEALTH AND SAFETY CODE.

ORIGINAL PURCHASE PRICE FOR:

- 1. The Basic Unit \$ _____
- 2. Optional Equipment & Upgrades \$ _____
- 3. Subtotal \$ _____
- 4. Accessories & Accessory Structures \$ _____
- 5. Other (Specify) _____ \$ _____
- 6. Delivery & Installation \$ _____
- 7. TOTAL SALES PRICE \$ _____

DOES THE BASIC PRICE INCLUDE:

- The Towbar(s) YES NO
- Tires & Wheels YES NO
- Wheelhubs & Axles YES NO

LIST NUMBER OF ROOMS:

- | | |
|-------------------|--------------------|
| Bedrooms _____ | Dining Room _____ |
| Baths _____ | Family Room _____ |
| Kitchen _____ | Utility Room _____ |
| Living Room _____ | Other Rooms _____ |

Type of Exterior Wall Covering: _____
(Metal, Wood, etc.)

Type of Roof Covering _____
(Metal, Wood, Composition, etc.)

Heating Type: Forced Air Floor or Wall

Air Conditioning: YES NO Tons _____

Evaporative Cooler: YES NO

Built-in Cooktop: YES NO

Built-in Oven: YES NO

Built-in Dishwasher: YES NO

Built-in Wet Bar: YES NO

Refrigerator: YES NO

Roof Overhang (Eaves): YES NO _____ inches

Furniture Included: YES NO Value \$ _____
(LENGTH X WIDTH)

Carport: YES NO _____ X _____

Awning: YES NO _____ X _____

Porch: YES NO _____ X _____

Garage: YES NO _____ X _____

Storage Shed: YES NO _____ X _____

Skirting: YES NO _____ LINEAL FEET

The sales price as shown does not include any amount for any in-place location.

The Assessor's Parcel Number of the installation site is _____

(Signature)

Address

Telephone

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

NAME
STREET
ADDRESS
CITY,
STATE
and ZIP

SPACE ABOVE THIS LINE FOR RECORDER USE ONLY

NOTICE OF MANUFACTURED HOME (MOBILEHOME) CONVERSION TO A FIXTURE IMPROVEMENT TO REAL PROPERTY

Recording of this document at the request of the escrow agent indicated is in accordance with the California Health and Safety Code, Section 18555. This document is evidence that such escrow agent has complied with the provisions of Section 18555 for conversion of the manufactured home (mobilehome) to a fixture improvement to the real property described with certainty below, as of the date of recording. When recorded, this document shall be indexed by the county recorder to the named owner of the real property and shall be deemed to give constructive notice as to its contents to all persons thereafter dealing with the real property.

MANUFACTURED HOME (MOBILEHOME) OWNER(S) (Applicant or Applicants for conversion of the manufactured home to a fixture improvement to the real property described with certainty below.)

MANUFACTURED HOME (MOBILEHOME) DESCRIPTION AND LENDER INFORMATION

MAILING ADDRESS

MANUFACTURER'S NAME of the manufactured home proposed to be converted.

CITY COUNTY STATE ZIP

DATE OF MANUFACTURE MODEL NAME/NUMBER

INSTALLATION ADDRESS (IF DIFFERENT FROM MAILING ADDRESS)

SERIAL NUMBER(S) INSIGNIA/LABEL NUMBER(S)

CITY COUNTY STATE ZIP

LEGAL OWNER OF RECORD (if none, please indicate "NONE")

SIGNATURE(S) OF MANUFACTURED HOME (MOBILEHOME) OWNERS MAKING APPLICATION

JUNIOR LIENHOLDER OF RECORD (if none, please indicate "NONE")

NAME OF RESIDENT OWNED
(Please check one:) Subdivision Cooperative Condominium Nonprofit Corp.

ESCROW COMPANY NAME

ESCROW AGENT'S NAME

LOCATION ADDRESS

MAILING ADDRESS

MAILING ADDRESS (IF DIFFERENT FROM THE LOCATION ADDRESS)

CITY STATE ZIP

CITY COUNTY STATE ZIP

DATE:

DATE:
AUTHORIZED SIGNATURE OF THE AGENT OR REPRESENTATIVE OF THE RESIDENT OWNERSHIP, CERTIFYING THAT THE APPLICANT FOR CONVERSION IS A PARTICIPANT IN THE RESIDENT OWNERSHIP.

AUTHORIZED SIGNATURE OF THE ESCROW AGENT/AGENCY, CERTIFYING UNDER PENALTY OF PERJURY THAT THE PROVISIONS OF HEALTH AND SAFETY CODE SECTION 18555 HAVE BEEN COMPLIED WITH.

REAL PROPERTY LEGAL DESCRIPTION

ASSESSOR'S PARCEL NUMBER

**MANUFACTURED HOME (MOBILEHOME) CONVERSION TO A
FIXTURE IMPROVEMENT TO REAL PROPERTY
HCD Form 433 (C) New 1/93**

The original and three (3) copies of this form are to be completed with all available information at the time the registered owner(s) of a manufactured home applies for conversion of the home to a fixture improvement to the underlying real property in a mobilehome park converted or proposed to be converted to a resident owned subdivision, cooperative, condominium or nonprofit corporation. The form is required to be signed by an authorized representative of the resident ownership organization certifying that the applicant(s) is a participant in the resident ownership of the park.

This form, bearing the signatures required above, is required to be deposited into an escrow account with other information and indicia required by Health and Safety Code Section 18555. On the same day, or following business day, that escrow closes, the escrow agent shall record, or cause to be recorded, with the County Recorder of the county where the mobilehome park is located, this completed form.

Upon recording, the escrow agent shall transmit a completed copy of this form, fees in amount of \$22 per each transportable section of the manufactured home, and all applicable titles, certificates, license plates and registration decals to:

Department of Housing and Community Development
Division of Codes and Standards
Manufactured Housing Section
Post Office Box 31
Sacramento, CA 95812-0031
(916) 445-3338

Applicants, resident ownership organizations and escrow agents who may have questions or need additional information, instructional materials, or forms, regarding the conversion of manufactured homes to fixture improvements to the underlying real property as provided for in Health and Safety Code Section 18555, should contact the Manufactured Housing Section at the address or telephone number indicated above.

Applicants should be aware that recording of this application will cause any right, title or interest held in their manufactured home to be transferred to the resident ownership organization holding title to the underlying real property. Applicants with questions or concerns about giving up their security interest in the manufactured home by executing this form should consult with private legal counsel.