

Frequently Asked Questions for HCD-Licensed Dealers, Manufacturers, and Salespersons:

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What forms do I need to get an HCD license and what are the fees?

For basic licensing information, including fees and forms, visit the Occupational Licensing (OL) webpage at: <http://www.hcd.ca.gov/codes/ol/>.

Requirements and fees vary for different transactions (e.g., address changes, renewals, exams, etc.) by license type, requested action(s), etc., customers may call the OL telephone number, (916) 323-9803, for assistance. All OL forms are not available online and customers may call the OL telephone number for any forms not found on the website.

Note: OL transactions may be very complicated. To prevent miscommunication or misunderstandings, customers may be required to provide written details of the requested transaction(s).

Where should I look for the required forms?

Licensees and applicants may find many of HCD's OL forms online at: <http://www.hcd.ca.gov/codes/ol/>. Other forms, such as those for registration and titling, mobilehome parks, and other related regulated activity, may be accessed on other areas of HCD's website at: <http://www.hcd.ca.gov/codes>.

Where do I mail my completed application and fees?

Completed forms should be mailed to: HCD, P.O. Box 31, Sacramento, CA 95812-0031.

If I voluntarily cancel/terminate my license, what does HCD require?

Dealers: Title 25, California Code of Regulations (25CCR), Section 5011, Subsections (f) and (g) require the HCD license(s) and all unused Dealer Report of Sale books/forms (ROS) be returned to HCD. Any new manufactured home/commercial modular and used manufactured home/commercial modular ROS books issued to the dealer, including unused ROS forms in partially used ROS books, the dealer's license, and licenses in the possession of the dealer, are required to be returned to HCD upon termination.

Manufacturers: Any unused Manufacturer's Certificate of Origin (MCO) books, including partially used books, and the manufacturer's license need to be returned to HCD.

Salespersons: The salesperson's license needs to be returned to HCD.

How long do I need to keep my books, registration records, etc.?

For dealers and manufacturers, 25CCR Subsection 5011(e) requires a licensee to retain all business records related to licensee transactions for a minimum of three (3) years.

What happens if I lose my ROS books or they are destroyed?

An OL Statement of Facts form (HCD OL 26) must be completed by the licensee to certify under penalty of perjury the loss or destruction of the ROS, license, MCO, or other pertinent licensee business records. HCD may ask for additional evidence to substantiate the loss, especially if the licensee:

- Is or has been under Department investigation;
- Is or has been directly involved in administrative, civil, or criminal action with this Department or other government agencies;
- Is applying for a new license;
- Is under any criminal investigation;
- Is in or lost in a civil case that is substantially related to the duties of a licensee;
- Has pending, or is convicted of, any criminal charges (excluding traffic violations); or
- Is or has been involved or associated with any business irregularity issues.

Note: The OL Statement of Facts form (HCD OL 26) is specific to the OL program and is not the same as any of the Registration and Titling Statement of Facts forms.

Are there time constraints or penalties established if ROS books are lost or destroyed that I need to be aware of?

25CCR Section 5011 typically requires licensees to notify HCD within **10 calendar days** of the event. Health and Safety Code (HSC) Sections 18020.5, 18021.5, and 18021.7 list criminal misdemeanor violations and civil citations. Penalties are handled on a case-by-case basis which may involve additional laws and regulations, and could include administrative action against a license.

Where can I find applicable laws and regulations?

Most of the applicable codes for OL licensees can be found within the **OL Study Guide**, which is available for free online at: <http://www.hcd.ca.gov/codes/ol/>.

All California state laws can be found online at:
<http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

All California state regulations can be found online at:
<http://government.westlaw.com/linkedslice/default.asp?SP=CCR-1000>.

What happens if I merge with another business?

Business mergers can be complicated. The requirements may be very different based on the specific details of the business types involved (dealer, manufacturer, or non-licensee), the ownership structure (corporation, LLC, or partnership), and whether the business owners/officers/managing members/partners will be directly managing/supervising/controlling the operation of the licensee business or if this responsibility will be assigned to a responsible managing employee of the business.

There are too many variables to reply with a general answer. The licensees/businesses are required to provide HCD with the specific details for the merger in writing, including copies of legal documents and, if applicable, copies of California Secretary of State documents to avoid confusion and reduce misunderstandings.

Note: All copies should be certified to verify authenticity.

What happens if another business is buying my business?

Typically if a licensee's business is sold to another HCD licensee, individual HCD licensee, or a non-HCD licensed business, the old license would be cancelled and the buyer would be required to obtain a new license. However, if the parties involved elect to present their position in writing, HCD may review their information for consideration of the license transfer.

Is there a checklist I can follow?

Not at this time. There is a myriad of possible variables that would be difficult to put in a simple checklist.

Who can I call at HCD to receive OL assistance?

Specific OL staff are assigned responsibility for different types of licenses (manufacturer, dealer, salesperson, 90-day certificate). Customers may call the main OL telephone number, (916) 323-9803, and ask for assistance, specifying the type of license involved.