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CERTIFICATE OF TITLE (HCD OWNERSHIP)

Manufactured Homes, Mobilehomes, Commercial Modulares, Floating Homes and Truck Campers located in the State of California are issued a Certificates of Title by the Department of Housing and Community Development.

Certificates of Title issued from July 1, 1981 through February 28, 1998 are a one sided 8.5 x 11 document and White in color.

Certificates of Title issued March 1, 1998 and later are a two sided 8.5 x 11 document and Tan in color.

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CHANGE OF BUSINESS NAME

A Corporation, Business or Partnership is requesting a Name Change. One of the following documentations would be required, in addition to other required documents:

- 1) A copy of the **Board of Directors Resolution** authorizing the name change.
OR
- 2) A copy of the **Minutes of the Meeting** authorizing the name change.
OR
- 3) A statement on **Company Letterhead** signed by a Corporation, Business or Partnership Officer or a representative of the company, dated and attesting to the name change and that a change of business entity has not occurred.

If the Business is a partnership or owned by an individual, you may use our **Statement of Facts** form (HCD 476.6) to indicate it is not a change in business entity.

OR

- 4) A copy of documents filed with the **Secretary of State's Office**.

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CHANGE OF NAME

A Registered Owner, Legal Owner or Junior Lienholder is requesting a Name Change. Example: Marriage, Divorce. Name Statement form (HCD 475.7) is required, in addition to other required documents.

For a change of business name, see Change of Business Name.

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CHATTEL MANUFACTURED HOME/MOBILEHOME

This is a Manufactured Home/Mobilehome that is placed on a Permanent Foundation on land that the Manufactured Home/Mobilehome Owner(s) may or may not own. The Department of Housing and Community Development will issue a Title for the Manufactured Home/Mobilehome.

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CO-OWNER TERMS

Co-owner- Designates the ownership of multiple but equal owners of a Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper.

Co-owner Term - The words used to indicate the type of ownership of all equal owners of a Manufactured Home, Mobilehome, Commercial Coach, Floating Home or Truck Camper (Designation of Co-Owner Term form, HCD 483.1 is required).

There are **five** types of **Co-Owner Terms**:

Joint Tenants with Rights of Survivorship (JTRS) - This term requires all owners to sign to release ownership interest, or add a Lender to the Title, in addition to other required documents. If one of the owners were deceased, to release the decedent's ownership would require a copy of a Death Certificate, in addition to other required documents.

Tenants in Common Or (TENCOM OR) – This term requires that only one owner sign to release ownership interest, but all owners must sign to add a Lender to the Title, in addition to other required documents. If one of the owners were deceased, only the surviving owner would need to sign to release interest, in addition to other required documents.

Tenants in Common And (TENCOM AND) – This term requires that all owners sign to release interest or add a Lender to the Title, in addition to other required documents. If one of the owners were deceased, the Heir(s) would release on behalf of the decedent and provide a copy of the Death Certificate and complete a Certificate for Transfer Without Probate form HCD 475.2, in addition to other required documents. If the Estate were probated, to release the decedent's ownership would require the Executor or Administrator to submit either Letters Testamentary or Letters of Administrator and a copy of the Death Certificate, in addition to other required documents.

Community Property (COMPRO) – This term allows a husband and wife to title the mobilehome as community property. The husband and wife must both sign to release ownership interest, or to add a Lender to the Title, in addition to other required documents. If one of the owners is deceased, the Heir(s) would release on behalf of the

decedent and provide a copy of the Death Certificate and complete a Certificate for Transfer Without Probate form HCD 483.1, in addition to other required documents. If the Estate were probated, to release the decedent's ownership would require the Executor or Administrator to submit either Letters Testamentary or Letters of Administrator and a copy of the Death Certificate, in addition to other required documents.

Community Property with Right of Survivorship (COMPRORS) – This term allows a husband and wife to title the mobilehome as community property with right of survivorship. The husband and wife must both sign to release ownership interest, or to add a Lender to the Title, in addition to other required documents. At the death of one spouse, the decedent's community property interest passes to the surviving spouse without administration and to release the decedent's ownership would require a copy of the Death Certificate, in addition to other required documents.

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COMMERCIAL MODULAR

A structure, transportable in one or more sections, designed and equipped for human occupancy for industrial, professional, commercial and educational purposes, which is required to be moved under permit and shall include a trailer coach as defined in Section 635 of the Vehicle Code.

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CORRECTION OF NAME

A Registered Owner, Legal Owner or Junior Lienholder is requesting that the spelling of a name be corrected. Name Statement form (HCD 475.7) is required, in addition to other required documents.

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DECAL NUMBER

An Identification Number (effective July 1, 1981) issued, by the Department of Housing and Community Development, to a Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper registered in the State of California.

A Mobilehome with multiple sections (sides) is combined together and **ONE DECAL NUMBER** is issued for the entire Mobilehome.

A Commercial Modular with multiple sections is registered separately with each section being issued a **DECAL NUMBER**.

Mobilehomes and Commercial Modulares that are installed on an approved Permanent Foundation System are **NOT** issued Decal Numbers.

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ENCUMBER A TITLE (TO ADD A LENDER)

If the Registered Owner(s) takes out a loan (i.e., through a Bank, Business, Lending Institution, Mortgage Company or Private Party, etc.), using the Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper as collateral, the loan is referred to as an "Encumbrance". It is a lien against the unit. To add and/or change a Lender's name to the Title is to "Encumber the Title". A Statement to Encumber form (HCD 484.7) is required, in addition to other required documents.

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FLOATING HOME

A floating structure designed and built to be used as a stationary waterborne residential dwelling, which has no mode of power of its own. It is permanently hooked to ashore side sewage, electrical and utility systems.

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HCD INSIGNIA AND HUD LABEL

All Manufactured Homes, Mobilehomes, and Commercial Modulares (hereafter units) manufactured after September 1, 1958 that are sold or offered for sale, rented or leased within California are required to bear a HCD insignia or HUD label, pursuant to Section 18026 of the Health and Safety Code. The insignia or label indicates compliance with the construction standards and regulations in effect at the time the unit was manufactured.

There are substantial civil and criminal penalties relating to the sale, offering for sale, rent, or lease of units not bearing a HCD insignia or HUD label when one is required. When an insignia or label has been lost, a replacement must be obtained before the unit is sold, offered for sale, rented, or leased.

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IN-LIEU TAXATION

The In-Lieu Tax fee (formerly referred to as Vehicle License Fee through the DMV) is part of the Registration Renewal fees charged on Mobilehomes and Commercial Modulares that are subject to annual renewal with the Department of Housing.

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JUNIOR LIENHOLDER

A Junior Lienholder can be a Bank, Business, Lending Institution, Mortgage Company or Private Party, etc., with whom you have secured a secondary loan and have used your Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper as collateral.

The Lender will be recorded on the registration as a Junior Lienholder and will receive a Junior Lienholder Registration Card to be retained until the loan has been paid in full. A Statement of Lien form (HCD 480.7) is required, in addition to other required documents.

In cases of Defaulted Loans, Foreclosures, Abandoned units, etc., the first recorded Lender has initial claim to the proceeds of the sale of the Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper.

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LEGAL OWNER (LENDER)

A Legal Owner can be a Bank, Business, Lending Institution, Mortgage Company, Private Party, etc., with whom you have secured a loan and have used your Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper as collateral.

The Lender will be recorded as Legal Owner and will be issued the Certificate of Title (ownership document) to be retained until the loan has been paid in full.

In cases of Defaulted Loans, Foreclosures, Abandoned units, etc., the Legal Owner has initial claim to the proceeds of the sale of the Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper.

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LICENSE NUMBER

An Identification Number issued by the Department of Motor Vehicles, to a Manufactured Home, Mobilehome or Commercial Modular registered in the State of California, prior to July 10, 1981.

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LOCAL PROPERTY TAX AND TAX CLEARANCE CERTIFICATE

There are two methods of taxing Mobilehomes. One is Local Property Taxation (LPT) the other is In Lieu Taxation (ILT). Mobilehomes subject to Local Property Tax (LPT) are assessed by the Assessor's Office, as personal property, and taxes are collected by the Tax Collector's Office of the county in which the Mobilehomes are located.

When there is any change of registered ownership on a mobilehome subject to Local Property Tax, a **TAX CLEARANCE CERTIFICATE**, issued by the County Tax Collector's office is required, in addition to other required documents.

The following Mobilehomes are subject to Local Property Tax (LPT):

1. All Mobilehomes first sold new on or after July 1, 1980.
2. All Mobilehomes installed on approved permanent foundation systems become real property.
3. Mobilehomes whose owners failed to pay the In Lieu Tax between July 1,1980 through May 31,1984.
4. Mobilehomes whose owners request a voluntary transfer to Local Property Tax.

Once a Mobilehome, which was subject to In Lieu Taxation (ILT), becomes subject to Local Property Taxation (LPT) it cannot revert back to In Lieu Taxation.

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MANUFACTURED HOME (MOBILEHOME)

A structure designed and equipped for human habitation, transportable in one or more sections example single wide, doublewide, triple wide, etc. The mobilehome unit is greater than 40 feet in overall length or 81/2 feet in width including the tow bar, rear bumper spare tire and other permanently mounted equipment.

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PERMANENT FOUNDATION

Mobilehomes or Commercial Modulares (Units) installed on foundation systems (Permanent) are **NOT** subject to registration by the Department of Housing and Community Development (HCD), effective January 1, 1980 for Mobilehomes and January 1, 1984 for Commercial Modulares. At the time of installation, the unit becomes an improvement to the real property to which it is attached and is subject to local property taxation.

Units installed on permanent foundation systems are still subject to inspections by HCD for any alterations. The insignia/label that is affixed to the unit at the time of manufacture will remain on the unit even when placed on the foundation. Local agencies that have jurisdiction over the property on which the unit is located may also require additional inspections.

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PINK SLIP (DMV OWNERSHIP CERTIFICATE)

Mobilehomes and Commercial Modulares located in the State of California and previously registered through the Department of Motor Vehicles were issued an Ownership Certificate (Pink Slip).

Ownership Certificates issued prior to September 1, 1989 are a two sided, 4.25 x 4.5 document, Pink on front side and White or Green on back side.

Certificates of Title issued September 1, 1989 and later are a two sided 7 x 12 document, Multi-colored on the front side and White on the back side.

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REGISTERED OWNER

"Registered Owner(s)" means a Person(s) registered by the Department as Owner(s) of a Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper.

For multiple Owners see Co-Owner Terms for explanation of ownership rights.

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REGISTRATION CARD (HCD DOCUMENT)

Manufactured Homes, Mobilehomes, Commercial Modulares, Floating Homes and Truck Campers that are registered in the State of California through the Department of Housing are issued Registration Cards.

Registration Cards issued from July 1, 1981 and later are a one sided 8.5 x 11 document and White in color.

Senate Bill 1716, Chapter 686 of the 1992 statues, states that the Department of Housing and Community Development is no longer required to issued Mobilehome Park Manager's duplicate copy of the Registration Card, effective January 1, 1995.

Legal Owner and Junior Lienholder duplicate copy of Registration Cards are still issued.

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SITUS (PHYSICAL LOCATION)

The physical location of a unit. This address could be a residential address or a site accurately describing the location of the unit. A P. O. Box or P.O. Drawer may not be shown as a situs address.

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TRANSFER OF A UNIT INTO THE NAME OF A TRUST

The Registered Owner, Legal Owner or Junior Lienholder of a Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper may have the ownership of the unit registered in the Name of a Trust (Health and Safety Code 18080.1 effective Jan. 1, 2001). A Designation of Trust Form HCD 476.6B is required, in addition to other required documents.

From February 1, 1986 to December 31, 2000 the name of a "Trustee(s)" was acceptable.

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TRANSFER ON DEATH (TOD) BENEFICIARY

The Health and Safety code section that addresses this subsection is 18080.2, 18102.2, and 18102.3 and became effective January 1, 1994. This allows a registered owner to add the name of a beneficiary to succeed to the ownership of a Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper upon death of the registered owner. A Transfer on Death Beneficiary Form (TOD) HCD 488.4. is required, in addition to other required documents.

1. During the lifetime of the Registered Owner, the signature or consent of the TOD beneficiary is not required or allowed on any Title or Registration application submitted by the Registered Owner.
2. Upon the death of the Registered Owner, the TOD beneficiary may transfer ownership into his or her name, or may transfer ownership to another person without securing a transfer of ownership into his or her name first.
3. Registration in TOD Beneficiary form is limited to the following requirements (Health and Safety Code 18080.2(a)
 - A. Only **ONE REGISTERED OWNER** can be named on the Title record.
TOD beneficiary ownership cannot be allowed for two or more Co-Owners.
If registration is currently held between two or more Co-Owners, then one or more Co-Owners must be deleted from the Title record.
 - B. Only **ONE TOD BENEFICIARY** can be designated.

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TRANSFERS

Any time the Registered Owner's name(s) or co-owner term are changed, added to or deleted, a title "transfer" occurs. Some examples of title transfers are:

1. The Registered Owners are a married couple. One spouse dies. The remaining spouse wishes the title to be in her/his name only.
2. The Registered Owner(s) wishes to add the name of a family member or friend (over 18) as a co-owner.
3. The Registered Owner(s) establishes a Trust and wishes to register the mobilehome in the Name of the Trust.
4. The mobilehome is sold.
5. The mobilehome is gifted to another person, persons, or company.

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TRUCK CAMPER

Truck Camper (Slide-in camper) means a portable unit consisting of a roof, floor and sides designed to be loaded onto and unloaded from a truck and designed for human habitation for recreational or emergency occupancy.

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UNIT

Refers to any Manufactured Home, Mobilehome, Commercial Modular, Floating Home or Truck Camper.

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USE TAX

Use tax is the tax imposed upon the consumer of a Manufactured Home, Mobilehome, or Commercial Modular as specified in the Sales and Use Tax Law, Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code.

Use tax and sales tax are basically identical. They are collected at the same tax rate. This rate is dependent upon the county and city location of the manufactured home, mobilehome or commercial modular. If you buy a used manufactured home or mobilehome subject to annual registration, use tax will be calculated upon the retail value, determined by either the Kelley Blue Book, National Automobile Dealers Association Manufactured Housing Appraisal Guide (N.A.D.A.) or the Purchase Price (actual sale price) which ever is less. Use tax is due at the time of transfer, and is considered late if paid more than 20 days after the date of sale. A 10% penalty is assessed on the amount of tax due.

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VOLUNTARY CONVERSION

A Voluntary Conversion is when a Mobilehome Owner(s) voluntarily request that the Mobilehome, currently on the yearly registration renewal, be placed on Local Property Taxation (County Tax Rolls). All parties currently on the Title must sign the Request for Voluntary Transfer of a Mobilehome to Local Property Taxation form (HCD 495.0), regardless of co-owner term, including all current Registered Owners, Legal Owner(s) and Junior Lienholder(s) on record and all new Registered Owners, Legal Owner(s) and Junior Lienholder(s) coming on record. If the conversion is in conjunction with a sale, the current owners of record must request the conversion prior to the date of sale or Use tax fees will be due from the new buyer(s). Renewal fees must be paid current, prior to converting the unit to the County Tax Rolls.

Once a Mobilehome, which was subject to In Lieu Taxation (ILT), becomes subject to Local Property Taxation (LPT) it cannot revert back to In Lieu Taxation.

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