**Original Date:** 11/16/1990 **Revision Date:** 07/01/2024

Definitions Customer Requirements Front Counter CSR DMV Direct Actions Points to Remember Contact

# POLICY

Title: Manufactured Home Converted to Real Estate or Personal Property

Effective Date: November 16, 1990 Revision Date: July 01, 2014

Authority: Code of Virginia §§ <u>36-85.3</u>, <u>46.2-100</u>, <u>46.2-600</u>, <<<<**REVISION** <u>46.2-603</u>, <u>46.2-633</u>, <u>46.2-633.2</u>**END REVISION** <u>46.2-653</u>, <u>46.2-653</u>, <u>46.2-692</u>, <u>58.1-2401</u> and <u>58.1-2402</u>

anu <u>50.1-24</u>

### Policy:

DMV will convert a manufactured home titled in Virginia from personal property to real property (real estate) and cancel its title provided the owner certifies the following:

- The wheels and other equipment used for mobility have been removed from the manufactured home,
- The manufactured home has been attached to property (real estate) owned by the manufactured homeowner.
- No unsatisfied security interests (liens) exist for the manufactured home.

### <<<<REVISION

Effective July 1, 2014, the Titling Work Center at Headquarters (HQ) will process applications from customers who request to convert manufactured homes from real property (real estate) back to personal property and issue a new title provided the customer mails all required applications, documents, and evidence to the work center, or drops documents at a CSC for forwarding.

 Manufactured homes converted from real property (real estate) back to personal property and issued a title are exempt from sales and use tax (SUT). END REVISION>>>>

### Exception: N/A

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### DEFINITIONS

Manufactured Home - A structure subject to federal regulation that is:

- Subject to federal regulations,
- Transportable in one or more sections,
- Eight body feet or more in width or 40 body feet or more in length when in traveling mode, Or

Three hundred twenty (320) or more square feet when erected on site,

- Built on a permanent chassis,
- Designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and contains plumbing, heating, air conditioning, and electrical systems within.

**NOTE:** A Manufactured Home is NOT a park model recreational vehicle. A park model recreational vehicle is a vehicle that is:

- 1. A temporary living quarter for recreational, camping, travel, or seasonal use,
- 2. Not permanently affixed to real property for use as a permanent dwelling,
- 3. Built on a single chassis mounted on wheels, and
- 4. Certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard.

Personal Property – Private property that is not affixed and can be moved from one location to another.

**Real Property (Real Estate)** – A legally defined section of land that includes all structures (buildings), firmly attached and integrated equipment (machinery, light fixtures, well pump, etc.), anything growing on the land, and all "interests" in the property.

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# **CUSTOMER REQUIREMENTS**

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Converting a manufactured home that is titled in Virginia from personal property to real property (real estate):					
Manufactured homeowner must have:	<ul> <li>Removed the wheels and other equipment used for mobility from the manufactured home, and</li> </ul>				
	Attached it to real property (real estate) owned by the manufactured homeowner.				
Documents to Submit:	<ul> <li>Completed and notarized Affidavit for Manufactured Home Conversion to Real Property (<u>VSA 35</u>)</li> </ul>				
	<ul> <li>Lien Release or documentation establishing that the loan issued by the lienholder has been satisfied,</li> </ul>				
	<ul> <li>Most current lien-free Virginia Title or Deed, Court Order or decree, or other legal document or record establishing that the manufactured home was transferred by the owner listed on the title in MySelect to the current owner.</li> </ul>				
	<b>NOTE</b> : If it is not a direct transfer, records must establish a chain of successive ownership of the manufactured home.				

## END REVISION>>>>

FRONT COUNTER CSR

Detaching (severing) a manufactured home from real property (converting back to personal property) and application for title:

- 1. Customer must mail all required applications and documents to DMV's Titling Work Center at HQ, or submit to a CSC for forwarding when applying to detach (sever) a manufactured home from real property (real estate):
  - For questions regarding required steps for detaching a manufactured home from real property (real estate), provide the customer with the Manufactured Home Conversion publication (<u>DMV 276</u>).

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Converting a manufactured home that is titled in Virginia from personal property to real property (real estate)					
Manufactured Homeowner with a physical Virginia title in their name matching the record in MySelect:	1.	Verify submission of the completed, signed, and notarized VSA 35.			
	2.	Verify the customer's identity to ensure they are the owner or that they have power of attorney for the owner.			
	3.	Review the submitted Virginia title to verify that:			
		It is the last issued title in the system.			
		<ul> <li>Inquire in the system on the manufactured home's VIN to ensure the most recent record is found,</li> </ul>			
		ii) Verify that the date on the submitted title matches the date of the last issued title in the system. If the system shows a title was issued AFTER the date printed on the submitted Virginia title, the submitted title is not valid.			
		• There are no unsatisfied liens on the title. In the absence of a lien release, customer may submit documentation establishing that the loan issued by the secured party has been satisfied.			
		<b>NOTE:</b> Customers unable to submit the title due to its being lost, destroyed, or stolen must first apply for a replacement title, provided there is a vehicle record in the system, and pay required fees (refer to <u>VLIC-3.115</u> ) before proceeding with the conversion.			
	4.	Advise the customer DMV will keep the original title and the customer can keep their photocopy of the title.			
	5.	Remove existing beneficiaries (when applicable):			
		<ul> <li>Advise customers that beneficiaries on the title will be removed and the beneficiary designation will no longer apply.</li> </ul>			
	6.	Update the record in the system to show the manufactured home is real property (real estate code-RE: Refer to data entry procedures).			
	7.	Write "Real Estate" on the front of the Virginia title.			

	8. Provide to the owner the letter generated by the system declaring that the title has been surrendered and canceled.	
	9. Prepare documents with the correct barcode coversheet and place in the appropriate area for document preparation	
Manufactured Homeowner without a Virginia title and there is a record in MySelect:	1. Verify submission of the completed and notarized VSA 35	
	2. Verify the customer's identity to ensure they are the owner or that they have power of attorney for the owner.	
	3. Verify that the customer has submitted a Deed, Court Order or decree, or other legal document or record establishing that the manufactured home was transferred by the owner listed on the title in MySelect to the current owner.	
	<b>NOTE</b> : If it is not a direct transfer, records must establish a chain of successive ownership of the manufactured home.	
	4. Verify there are no unsatisfied liens on the record in MySelect.	
	<ul> <li>In the absence of a lien release, customer may submit documentation establishing that the loan issued by the secured party has been satisfied.</li> </ul>	
	5. Remove existing designated beneficiaries (when applicable):	
	<ul> <li>Advise customers that beneficiaries currently designated on the title will be removed and the beneficiary designation will no longer apply.</li> </ul>	
	6. Update the record in the system to show the manufactured home is real property (real estate code-RE: Refer to data entry procedures	
	7. Provide to the owner the letter generated by the system declaring that the title has been surrendered and canceled.	
	8. Prepare documents with the correct barcode coversheet and place in the appropriate area for document preparation.	
	NOTE: Applicant presenting the documents in #3 are not required to title the home in their name prior to converting the record to real estate.	
Manufactured Homeowner and <b>NO RECORD FOUND</b> in MySelect:	Issue a Customer Return Form stating, "The Virginia Department of Motor Vehicles does not have a record for VIN (Insert VIN number)."	

## END REVISION>>>>

Detaching (severing) a manufactured home from real property (convert to personal property) and application for title:

1. For customers requesting to convert manufactured homes from real property to personal property:

- a. Provide the customer with the <u>DMV 276</u>.
- b. Advise him that the transaction **must be processed by the Titling Work Center at HQ** and that once they have complied with all requirements, they may:
  - i. Drop the required transaction documents and fees at a CSC for forwarding to the Titling Work Center, OR
  - ii. Mail the required documents to the Titling Work Center at the address below:

Virginia Department of Motor Vehicles Titling Work Center Manufactured Home Converted to Personal Property P.O. Box 27412 Richmond, VA 23269

- 2. For customers choosing to drop the application and documents at a CSC:
  - a. If the customer has questions about the required documents, provide him with the <u>DMV 276</u>.
     NOTE: DO NOT review the documents or advise the customer before preparing the documents for sending to the Titling Work Center at HQ.
  - b. Fasten all submitted documents and payment together and place in a manila envelope.
  - c. Address the envelope to:

Virginia Department of Motor Vehicles Titling Work Center Manufactured Home Converted to Personal Property P.O. Box 27412 Richmond, VA 23269

3. Place the manila envelope in the designated area on the back counter for pickup.

### **DMV DIRECT ACTIONS**

- DMV Selects may process manufactured home conversions to real property (real estate).
  - Refer to <u>Customer Requirements</u> above for information regarding converting a manufactured home to real property (real estate).
- Manufactured homes detached (severed) from real property (real estate) and converted back to personal property are
  processed ONLY by the Titling Work Center at HQ. Customers have the option to mail the application, documents
  and fees to the Titling Work Center at HQ, or drop the required documents off at a CSC for forwarding to HQ.
- Advise customers detaching (severing) a manufactured home from real property of the availability online of the Manufactured Home Conversion publication (<u>DMV 276</u>) for information about applications, required documents, and fees.

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# FREQUENTLY ASKED QUESTIONS (FAQs)

#### <<<<REVISION

Manufactured Homes Frequently Asked Questions				
Questions	Answers			
If the manufactured homeowner does not have a title in their name, but does have a deed, court order, decree, or other legal document or record establishing that the manufactured home was transferred by the owner listed in MySelect to the current owner, does it need to be titled in their name before converting to real estate?	No – Place the RE (Real Estate) disposition on the current record.			
Can an out of state title be converted to real estate?	No -Only manufactured homes that have a Virginia record can be converted to real estate.			
Where can manufactured homeowners convert their manufactured home to real estate?	Manufactured homeowners (with or without a Virginia Title) may convert a manufactured home from personal property to real estate at a CSC, DMV Select, or by mailing the required documents to the Titling Work Center at Headquarters (HQ).			
Can a beneficiary remain on the title before converting to real estate?	No – Advise customers converting a manufactured home to real estate that when a designated beneficiary exists on a manufactured home title, the beneficiary designation will be removed and will no longer apply.			
Who converts manufactured homes from real estate to personal property?	Manufactured homes that are real estate may be converted back to personal property by the Titling Work Center at HQ ONLY. Customers may mail the required documents and fees to the work center, or drop them off at a CSC for forwarding.			
Do I need to do anything with applications that are dropped off at the CSC to sever from real estate before sending to the Titling Work Center?	No – Applications and documents dropped at a CSC by customers applying to detach (sever) a manufactured home from real property (real estate) are NOT REVIEWED by the CSR before forwarding to the Titling Work Center at HQ. CSRs will place all submitted documents together in a manilla envelope and mail following the guidelines under Front Counter CSR, Detaching (severing) a manufactured home from real property above.			
<b>IMPORTANT:</b> Manufactured homes being detached/severed from real property (converted back to personal property) ARE NOT PROCESSED IN THE CSCS. These transactions are processed ONLY by the Titling Work Center at HQ.				

#### END REVISION>>>>

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# CONTACT

For additional information contact:

- Your CSC Manager/Assistant Manager
- Vehicle Services/<u>Titling Work Center</u>

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