

MVD Vehicle Procedures Manual

Chapter 16, Section D: Deactivation of Title for a Manufactured Home

Revised January 15, 2009

Basic Requirements for Deactivating a Manufactured Home Title

TRD regulation 18.19.3.71 provides that:

Title issued pursuant to the provisions of the Motor Vehicle Code to a manufactured home shall be deactivated by the department when: A. the person in whose name the manufactured home is titled requests in writing that the department deactivate the title; B. the title is free and clear of all recorded liens and encumbrances; and C. the valuation authority certifies to the department that, once title is deactivated, the housing structure will be taxed as real property.

To meet these requirements, MVD will deactivate the title to a New Mexico titled manufactured home once the following requirements have been met.

- The title is free and clear of all recorded liens and encumbrances.
- The "request to change valuation status" (obtained from the county assessor) has been completed and signed by the county assessor of the county in which the mobile home is located.
- The title application has been signed by the owner/s if transaction is a first time title, first time title (out of state), title transfer, lien release/title change, or duplicate title transaction. (Note: If the owner has a title in his possession the title application is not necessary.)

In some circumstances, county assessors have changed a manufactured home's valuation status to real property even though the title has not been deactivated. The result is a manufactured home that is both real property in the county's records and a vehicle (personal property) with an active title on MVD's title records. Effective January 2009, MVD's Vehicle Services Unit will deactivate the title, and issue a new inactive title, if certain conditions are met, as described below ("Deactivation when a Manufactured Home has been Assessed as Real Property").

Manufactured Home Deactivation Procedures

These procedures for deactivating a manufactured home title can generally be completed at any state, municipality, or fee agent motor vehicle office. However, in the special circumstance that a manufactured home has been assessed as real property without prior deactivation of title, the title can only be deactivated by the Vehicle Services Unit in Santa Fe, as described below ("Deactivation when a Manufactured Home has been Assessed as Real Property").

1. Agent will verify all requirements have been met. If all requirements have not been met, customer will be given a "Notice of Additional Requirements to Complete Vehicle/Vessel Transaction" (MVD-10282). Agent will not be able to continue until requirements have been met.
2. Agent will click on "home," then click on + box next to vehicle folder, then click on + box next to title folder.
3. Agent will then choose one of the following pages:
 - A. First time title (for new manufactured homes)
 - B. First time title from out of state (for mobile homes with out-of-state titles)
 - C. Title transfer (for NM titled manufactured homes needing to be transferred)
 - D. Lien release/title change (for manufactured homes needing a lien release, adding or deleting a name, address change, or location of manufactured home change)
 - E. Duplicate title (for NM titled manufactured homes in current owners name, needing deactivation, and customer does not have current title - new title will be issued)
 - F. Deactivate title (for NM titled manufactured homes in current owners name, needing deactivation only, and customer has current title - new title will not be issued, rather current title record will be deactivated)
4. When deactivating a title using procedures A, B, C, D or E above, agent will click on "Y" in the drop down box for "inactivate title," located on the bottom left corner of the vehicle information screen before clicking on "Submit Form." Continue with regular title procedures to get to the fee screen. Once the fees have been collected, and title printed, agent must stamp or print "INACTIVE" in red $\frac{3}{4}$ to 1 inch letters across the title before issuing to customer.
5. When deactivating a title using procedure F above, fill in name on title, VIN, and title number. Click on "Inactivate Title". This will take you to the "Fee Details" screen. Enter the amount of cash received, or amount of check and check number received, and click on "Accept Payment". Load Miscellaneous Transaction form into the printer (make sure form number matches form number listed on "Fee Details" screen), and click "Print." Agent must stamp or print "INACTIVE" in red $\frac{3}{4}$ to 1 inch letters across the title before returning it to the customer.

Note: If the MSO, MCO, or title is not available, or transaction is not a duplicate title with a record in the system, an exception process will be required. Customer must contact vehicle services for assistance at (888) 683-4636.

Deactivation when a Manufactured Home has been Assessed as Real Property

In some circumstances a manufactured home, titled as a vehicle (personal property) by the MVD, has been placed on a permanent foundation and assessed as real property without the required deactivation of the vehicle title. There may or may not be a recorded lien on the title. There may have been one or more transfers of ownership of the home as real property.

If the current owner wishes to sell or mortgage the home (as real property) a lender, title insurance company, or other party to the transaction may require a hard-copy deactivated title in the name of the current owner before it will proceed.

Prior to January 2009, MVD policy has been that, though we can mark a title as inactive on our electronic records, we cannot change the owner's name or print a new, inactive title for a manufactured home that is currently assessed as real property.

Effective January 15, 2009, the Vehicle Services Unit in Santa Fe will now issue a new inactive title to a manufactured home owner, even though the home is currently assessed as real property, as long as there is complete documentation of ownership (or a surety bond); and there are no recorded liens on the manufactured home as a vehicle (personal property).

In this situation, issuance of a new inactive title in the name of the current owner can only be processed by the Vehicle Services Unit at MVD's central office in Santa Fe. The steps that must be followed are:

1. The owner must send complete documentation, with a letter requesting issuance of new inactive title and the \$5.00 title fee, to the Vehicle Services Unit.
2. Documentation must include all of the following: ■ the county assessor's statement that the manufactured home is currently assessed as real property; ■ a tax release from the county treasurer or assessor; ■ a title application signed by the current owner; ■ a lien release for any recorded lien; and ■ (if ownership has changed) the complete, fully documented ownership history or a surety bond.
3. If there is a recorded lien on the title, but request for release of lien (addressed to lienholder at address of record) is returned undeliverable, we can accept a copy of the request with an undeliverable return receipt.

Note: The title can only be issued if it is deactivated in the same transaction and issued as an inactive title; and there can be no liens on the inactive title.