

Regulation implementing Act 1118 of 2001, regarding Ark. Code Ann. § 27-14-1603:

A. When a manufactured home is or is to be permanently affixed to real estate, the owner(s), or lien holders as provided in Section E of this regulation, may make application, under penalty of perjury, to the Department of Finance and Administration (“Department”) for cancellation of title or manufacturer’s certificate of origin (MCO).

1. The information listed in this section shall be required in order to process any application for the cancellation of title or MCO. Form 10-318 is incorporated into and adopted as a part of this regulation. Form 10-318 provides a method and format to comply with the requirements for an application for the cancellation of title or MCO and is required to be used by anyone filing an application.

- a. The date;
- b. The names of all the owners of record of the manufactured home;
- c. The legal description of the real property where the manufactured home is located;
- d. A description of the manufactured home, including model year, make, width, length, and identification number;
- e. The names of all parties holding a security interest or otherwise entitled to a lien or encumbrance in the manufactured home;
- f. A statement that the owner or one of the owners of the manufactured home owns the real property where the manufactured home is or will be located; and
- g. The name and address of the owner, lending agency, or other entity to which notification of cancellation of the title or MCO of the manufactured home may be delivered;

2. The certificate of title for the manufactured home, or in the case of a new manufactured home the manufacturer’s certificate of origin, shall be attached to the application for cancellation of title;

3. The application shall be signed by all owners of the manufactured home or mobile home, and also signed by all parties having a mortgage, lien, or other security interest in the manufactured home, as evidence of consent to the elimination of the certificate of title; and

4. Any other information the Department of Finance and Administration may reasonably require.

B. A certificate of title, which displays an unreleased lien, will not be accepted unless it is accompanied by a written acknowledgment of notice of the cancellation of title from the lien holder.

C. The Department of Finance and Administration shall approve the application for cancellation of title when all requirements listed in Section A have been satisfied. After

the application has been approved, the Department of Finance and Administration shall cancel the title or MCO and provide notification of the cancellation to the owner, lending agency, or other entity as listed on the application.

D. The term “affixed to real estate” shall mean the manufactured home must be attached to a permanent foundation system in accordance with the manufacturer’s requirements for anchoring, support, and maintenance, and appropriate for the soil conditions for the site that meet state codes.

E. Lien holders may make application to the Department of Finance and Administration for the cancellation of title to a manufactured home on behalf of the owner(s) of the manufactured home. The application shall be signed by the owner(s) and shall be accompanied by all documentation that would be required if the purchaser had filed the application in person.

Issued this 6th day of December 2004 in the City of Little Rock, Pulaski County, Arkansas.

Richard A. Weiss, Director
Arkansas Department of Finance and
Administration

Tim Leathers, Commissioner of Revenue
Arkansas Department of Finance and
Administration