

## **Title 27. Transportation**

### **Chapter I. Department of Finance and Administration**

#### **Subchapter B. Motor Vehicle, Mobile Home, and ATV**

##### **Part 18. Rule Implementing Acts 2001, No. 1118, Regarding Arkansas Code § 27-14-1603 (Manufactured Home)**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

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

#### **Subpart 1. Generally**

##### **27 CAR § 18-101. Definition.**

The term "affixed to real estate" means the manufactured home must be attached to a permanent foundation system:

- (1) In accordance with the manufacturer's requirements for anchoring, support, and maintenance; and
- (2) Appropriate for the soil conditions for the site that meet state codes.

**Authority.** Arkansas Code § 27-14-1603.

##### **27 CAR § 18-102. Application for cancellation of title.**

(a) When a manufactured home is or is to be permanently affixed to real estate, the owner or owners, or lienholders, as provided in 27 CAR § 18-105, may make application, under penalty of perjury, to the Department of Finance and Administration for cancellation of title or manufacturer's certificate of origin (MCO).

(b)(1) The information listed in this section shall be required in order to process any application for the cancellation of title or MCO.

(2) Form 10-318 is incorporated into and adopted as a part of this part.

(3) 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.

(4) Required information includes:

(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:

(i) Model year;

(ii) Make;

(iii) Width;

(iv) Length; and

(v) 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 (1) 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.

(c) 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.

(d) 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.

(e) Any other information the department may reasonably require.

**Authority.** Arkansas Code § 27-14-1603.

**27 CAR § 18-103. Notice of cancellation of title.**

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 lienholder.

**Authority.** Arkansas Code § 27-14-1603.

**27 CAR § 18-104. Approval for cancellation of title.**

(a) The Department of Finance and Administration shall approve the application for cancellation of title when all requirements listed in 27 CAR § 18-102 have been satisfied.

(b) After the application has been approved, the department shall:

- (1) Cancel the title or MCO; and
- (2) Provide notification of the cancellation to the owner, lending agency, or other entity as listed on the application.

**Authority.** Arkansas Code § 27-14-1603.

**Codification Notes.** "MCO" means manufacturer's certificate of origin.

**27 CAR § 18-105. Lienholders' application for cancellation of title.**

(a) Lienholders may make application to the Department of Finance and Administration for the cancellation of title to a manufactured home on behalf of the owner or owners of the manufactured home.

(b) The application shall be:

- (1) Signed by the owner or owners; and

(2) Accompanied by all documentation that would be required if the purchaser had filed the application in person.

**Authority.** Arkansas Code § 27-14-1603.