

Manufactured Housing

I'm renting a lot for my mobile home. What are my rights? If you are renting a lot in a mobile home park or community, the Texas Manufactured Home Tenancies Act has a long list of requirements that park managers must obey, including:

- providing an initial lease term of at least 6 months;
- providing written rules for the community that you must follow as a condition of the lease,
- providing a minimum of 60 days' notice of nonrenewal, regardless of the length of your lease term.
- providing a written receipt for all cash rental payments,
- disclosing the names of the owners of the park,
- prohibiting retaliation against park tenants for complaining about health and safety hazards to authorities.

Can I be evicted from my lot? Yes, if you violate the terms of your lease (such as nonpayment of rent) or the community rules that are part of your lease. You have 10 days from date you receive written notice of the violation to correct the problem or pay what you owe. If you don't pay what is due or correct the violation within 10 days, your landlord may give you written notice to vacate. If you don't vacate by the deadline in the notice, your landlord can file a lawsuit to evict you.

I've received a notice of eviction (or foreclosure). What next? Whether you rent or own, your lender or landlord has to file a lawsuit before you can be evicted. You are entitled to at least 3 days' notice to vacate. The date in the notice to vacate is not the date you will be kicked out. You can't be forced to move until a judge issues a writ of possession and it has been served on you by a sheriff's deputy. If you receive notice of eviction or foreclosure, consult with a lawyer immediately to avoid missing critical deadlines.

What is the HUD label number? The HUD number is the federal Housing and Urban Development Number that identifies a manufactured home. This number should be on a 2 inch by 4 inch red and silver metal plate that should be attached to the rear of the home – on the opposite side from the towing hitch. The HUD label number is three letters followed by seven numbers. If you cannot find this label, look for a "Data Plate" that should indicate the HUD label number and is usually affixed to a wall or door, in the main electric panel box, in the master bedroom closet, in the laundry area, or in the kitchen. This number is critical in obtaining legal help.

How can I find out who holds the title to a manufactured home? The person whose name appears on the Statement of Ownership and Location, or SOL, is the legal owner of a manufactured home. The SOL is registered with the Texas Department of Housing and Community Affairs - Manufactured Housing Division (TDHCA-MHD). To check registration and ownership, go to the TDHCA-MHD website, <http://www.tdhca.state.tx.us/mh/index.htm>. Enter the HUD label number into the "Home Ownership Records" to see the "Certificate Detail". This record will tell you the name of the owner, the name of the lender that lent money for the purchase of the home, a list of outstanding taxes, and whether the home was elected as personal property or real estate. If the SOL is not in your name, you do not have legal title to the home.

What laws control the sale of a manufactured home? The Texas Manufactured Housing Standards Act has a long list of requirements that dealers and sales agents must obey in selling manufactured homes. These requirements include:

- providing a long list of disclosures about the home and the sales transaction,
- requiring the transfer of title with a Statement of Ownership and Location (SOL),
- requiring several specific warranties and
- prohibiting deceptive practices in the sale of homes, and many others.