



Memorandum

Date: August 17, 2007

To: Montana Land Title Association, Montana Association of Realtors, Montana Bankers Association, Montana Independent Bankers Association, Montana Credit Unions League, Montana County Treasurers, Title and Registration Bureau

From: Title and Registration Bureau

Subject: Procedure to De-Title a Manufactured Home When the Manufacturer's Certificate of Origin (MCO) Cannot Be Produced

This procedure was developed, by the Department of Justice, Motor Vehicle Division (MVD), in consultation with representatives of the Land Title Association, to facilitate the de-titling of a manufactured home when the owner of the manufactured home cannot present a manufacturer's certificate of origin (MCO) for the manufactured home.

This procedure should only be used when the original MCO cannot be found for a manufactured home situated on real property in Montana on or after January 1, 1977 and the owner/agent cannot obtain a replacement (duplicate) MCO from the manufacturer of the home because (a) the manufacturer is no longer in business; or (b) the manufacturer will not issue a replacement MCO.

To de-title a manufactured home using this procedure, the owner or the owner's agent must mail the following documents, along with the \$10 title fee, to the Title and Registration Bureau, Attn: de-title Unit, 1003 Buckskin Drive, Deer Lodge, MT 59722-2375.

For this de-titling procedure only, the documents should not be submitted to the office of the County Treasurer of the county in which the manufactured home is situated. All review and approval under this procedure will be handled directly and centrally by the Title and Registration Bureau.

The de-title unit will review the documents for sufficiency and, if sufficient, will execute the verification on the back page of the submitted "Statement of Intent to Declare a Manufactured Home an Improvement to Real Property" (Form MV72) and return the form to the person or entity indicated on the front page of the MV72.

The recipient must then complete the de-titling process, in the customary manner, by resubmitting the MV72 to the Clerk and Recorder of the county in which the manufactured home is situated and submitting a certified copy of the form to the Assessment Office for that county.

At present, MVD cannot estimate the turn-around time for approval of documents under this new procedure because it has no way of knowing how many de-titling requests will be initiated under this procedure relative to the current volume of de-titling transactions being processed by TRB staff.

This central review and approval process will allow MVD to determine if this procedure needs to be modified to address unanticipated issues or recurrent requests for exceptions. In the meantime, if you have any questions about this procedure, please direct them to mvdtitleinfo@mt.gov

Required Documents:

1. A completed and recorded copy of the "Statement of Intent to Declare a Manufactured Home an Improvement to Real Property" (Form MV72), as recorded in the Clerk and Recorder's Office of the county in which the real property is located.
2. A signed Statement of Fact (Form MV100) from the owner, or the owner's agent, explaining that the MCO for the manufactured home has been lost or misplaced and the reason(s) why the owner or agent is unable to obtain a replacement MCO from the home's manufacturer, such as, the owner or agent contacted the manufacturer to ask for a replacement MCO and the owner or agent learned that the manufacturer is no longer in business, the manufacturer's business records were destroyed, or the manufacturer does not issue replacement MCOs for homes of a certain age.
3. A copy of the residential/agricultural property record card, as maintained by the local county office of the Department of Revenue's Property Assessment Division, for the real property upon which the manufactured home is situated. The card must include at least a summary description of the manufactured home (make and if available, model year), an indication that the foundation for the home is permanent (i.e., concrete), and preferably, the year during which the home was situated on the property.
4. A print-out from the County Treasurer's Office showing the record of tax payments on the real property upon which the home is situated. The record of payments must show payments made for the tax year before the home was situated on the real property through payments made in the most recent tax year. For example, if the home was situated on the property in 2003, the record of payments should span from 2002 through the most recent tax year. If the County Treasurer's Office tax payment records do not date back to the year preceding the permanent placement of the manufactured home on the real property or the year of permanent placement cannot be determined, a letter from the County Treasurer should be submitted that confirms that it no longer maintains tax payment records for any years preceding the earliest year reflected on the print-out.
5. A copy of each deed recorded in the County Clerk and Recorder's Office showing the chain of ownership of the real property upon which the manufactured home is situated, beginning with the deed that was in effect when the manufactured home was first situated on the property through the current date, and if that cannot be determined, all deeds that correspond with the time period reflected in the print-out of records of tax payment for that property.