



## FHA Program (203b)

revised 05/03/2022

### **Title must confirm:**

MFH is attached to the land.

MFH is classified and taxed as Real Estate.  
Location endorsement will be required for all MFH in addition to the standard endorsements required

### **Surrender Title States:**

**Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Montana, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, Wyoming.** Title must be surrendered and purged in accordance with the jurisdiction (or confirm if MFH is located in non-surrender state). Recorded affidavit of affixation (recorded signed written statement acknowledging the home is attached and classified as real property, securing the mortgage). Search to confirm title is surrender is required. Title endorsement - Alta 7.1, 7.1-06, required.

**NOTE:** If state law requires a Uniform Commercial Code (UCC) Filing in order to perfect a security interest in a manufactured home, the lender must make such filing in any and all appropriate locations.

### **No Surrender (Holding) Title States:**

**Missouri, Nebraska:** Confirm MFH loan is indicated on the certificate of title. RCLS to retain Certificate of Title in loan file. FSB will re-verify home and land has the same ownership. Recorded affidavit of affixation (recorded signed written statement acknowledging the home is attached and classified as real property, securing the mortgage). Title endorsement - Alta 7.1, 7.1-06, required. **NOTE:** Some states require additional registration with Department of Revenue to confirm conversion to real estate. Copy of add't state registration/certification is required. **ALSO:** If state law requires a Uniform Commercial Code (UCC) Filing in order to perfect a security interest in a manufactured home, the lender must make such filing in any and all appropriate locations.

### **Holding and Surrender Title States:**

**Illinois, Mississippi, Texas, West Virginia, Wisconsin:** These states are recognized as a title holding state; however, there is a process for surrendering the Certificate of Title. Confirm MFH loan is indicated on the certificate of title. FSB to retain Certificate of Title in loan file. FSB will re-verify home and land has the same ownership. Recorded affidavit of affixation (recorded signed written acknowledging the home is attached and classified as real property, securing the mortgage). Verify with tax assessor that the land and MFH are assessed together. Tax assessor Title endorsement - Alta 7.1, 7.1-06, required. Vesting deed and subject deed of trust should identify that the property includes both the MFH and the land. Legal description must include comprehensive MFH identity to include:  
Year built, Manufacturer name, Model Name and number, Serial Number, Length and Width. A statement must be included that the MFH is permanently affixed to land. The MFH description should not be included in the property description used in the title policy.

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**ALSO:** If state law requires a Uniform Commercial Code (UCC) Filing in order to perfect a security interest in a manufactured home, the lender must make such filing in any and all appropriate locations.

Specific to Texas: Transaction for purchase of a new or used MFH prior to installation must be treated as a construction transaction. Policies must include Procedural Rule P-8 "pending Disbursement" clause and general mechanics liens exception. Also, T 31 and /or T31.1 endorsements are required. However; Recorded Certificate of Attachment (prior to 9/1/2003) or Statement of Ownership and Location (after 9/1/2003), Plus Form T or Certification is required Texas Dept. of Housing and Community Affairs (TDHCA). Endorsements may not be issued prior to receipt of recorded certificates from TDHCA.