

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1267 Session of
1995

INTRODUCED BY KREBS, BELARDI, FAIRCHILD, DeLUCA, MELIO, DALEY,
SATHER, READSHAW, HENNESSEY, TIGUE, YOUNGBLOOD, GODSHALL,
CAPPABIANCA AND BATTISTO, MARCH 21, 1995

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 21, 1995

AN ACT

1 Amending the act of July 25, 1977 (P.L.95, No.35), entitled "An
2 act regulating the titling of, and the perfection of security
3 interests in, mobile homes sold in the Commonwealth," further
4 providing for the application, issuance and cancellation of
5 certificates of title or ownership; and providing for
6 transfer of mobile home ownership.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 5 of the act of July 25, 1977 (P.L.95,
10 No.35), known as the Mobile Home Titling Act, is amended by
11 adding a subsection to read:

12 Section 5. Application for and issuance of certificate of
13 title or ownership.

14 * * *

15 (c) At the time of the issuance of a certificate of title or
16 ownership for a mobile home, the department shall forward a copy
17 of such certificate of title or ownership to the county tax
18 assessor of the county in which the mobile home is situated.

19 Section 2. The act is amended by adding a section to read:

Section 5.1. Transfer of ownership of mobile home.

(a) In the event of the sale or transfer of the ownership of a mobile home within this Commonwealth, the owner shall execute an assignment and warranty of title to the transferee in the space provided on the certificate of title or ownership or as the department prescribes, sworn to before a notary public or other officer empowered to administer oaths and deliver the certificate to the transferee at the time of the delivery of the vehicle. The certificate shall be accompanied by tax certifications from the tax claim bureau and the appropriate local tax collector and a notarized statement from the owner which states:

(1) whether or not there is any mortgage, judgment or other lien of record, including a tax lien, against the mobile home; and

(2) whether or not any taxes levied against the mobile home which are currently due and owing have been paid.

No notary public or other officer empowered to administer oaths may perform his duties under this section if the required tax certifications and statement do not accompany the certificate.

(b) Except for transferees who are dealers, the transferee shall, within ten days of the assignment or reassignment of the certificate of title or ownership, apply for a new certificate by presenting to the department the properly completed certificate of title or ownership, sworn to before a notary public or other officer empowered to administer oaths and accompanied by such forms as the department may require. The department shall prescribe by rule or regulation the duties of transferees who are dealers.

(c) Any contract or agreement for the sale or transfer of a

1 mobile home may be rescinded by the purchaser or transferee if
2 the transferor or his agent willfully fails to supply the
3 statement required by subsection (a) or if the transferor or his
4 agent knowingly supplies false or misleading information on the
5 statement.

6 Section 3. Section 10 of the act is repealed.

7 Section 4. The act is amended by adding a section to read:

8 Section 10.1. Cancellation of certificate of title or
9 ownership.

10 With regard to any mobile home for which a certificate of
11 title or ownership has been cancelled under the provisions of
12 this act or other provision of law, the owner of the mobile home
13 shall obtain a new certificate of title or ownership from the
14 department before the mobile home is sold or ownership is
15 transferred, or within two years after the effective date of
16 this section, whichever occurs first. No fee shall be charged
17 for any new certificate issued pursuant to this section, if
18 application for the new certificate is made within two years
19 after the effective date of this section. This provision shall
20 not affect any lien which was transferred and encumbered to the
21 real property upon which the mobile home had become affixed.

22 Section 5. This act shall take effect January 1, 1996, or
23 immediately, whichever is later.