

**DIVISION 550  
MANUFACTURED STRUCTURES OWNERSHIP  
DOCUMENT REQUIREMENTS**

**918-550-0000****Purpose and Scope**

(1) OAR 918-550-0000 through 918-550-0600 establish requirements and procedures to obtain an ownership document for manufactured structures and establish the procedures necessary to exempt a manufactured structure from ownership document requirements or to obtain an ownership document for a manufactured structure that has been previously exempted pursuant to ORS 820.510 or 446.626 after May 1, 2005.

(2) These rules also describe the requirements for issuing a manufactured structure trip permit for the movement of a manufactured structure from one site to another.

(3) Nothing in these rules shall change any rights and liabilities of the various parties governed by the Uniform Commercial Code, ORS Chapter 79, and any applicable Oregon tax laws.

(4) These rules are intended to repeal all Department of Motor Vehicle rules, located in OAR 735, to the extent that they apply to the titling and registration of manufactured structures and manufactured structure trip permits.

Stat. Auth.: Ch. 655, 2003 OL, Sec. 147, ORS 446.571, 446.631 & 446.646

Stats. Implemented: ORS 446.566, 446.571, 446.576, 446.621, 446.631 & 446.636

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

**918-550-0010****Definitions**

For the purposes of this division of rules, the following definitions apply, unless the context requires otherwise:

(1) "Division" means the appropriate division within the Department of Consumer and Business Services, Building Codes Division, or the county who is acting on behalf of the department.

(2) "Land leaseholder" means the holder of a recorded leasehold estate of 20 years or more, if the lease specifically permits the owner of the manufactured structure to obtain an exemption under ORS 820.510(b).

(3) "Legal description of the manufactured structure" means the model year, make, width, length and vehicle identification number (VIN).

(4) "Lessor" means a person who transfers the right to possession and use of property under a lease as shown in the record of the county in which it is recordable by law.

(5) "Lien holder" means a person who holds a claim, encumbrance or charge on property for payment

of a debt or obligation as shown in the record of the county in which it is recordable by law.

(6) "Mortgagee" means a person who takes, holds or receives a mortgage (such as a bank or lending institution.).

(7) "Owner" when referring to the owner of a manufactured structure does not include a security interest holder or lessee, unless the owner of the manufactured structure is a land leaseholder.

(8) "Release" means the written or electronic relinquishment, concession, or giving up of right, claim or interest in a manufactured structure.

(9) "Security interest holder" means a person who holds an interest in property that secures payment or performance of an obligation pursuant to a security agreement.

(10) "Trust deed beneficiary" means the person designated in a trust deed as the person for whose benefits a trust deed is given. A trust deed conveys an interest in real property to a trustee in trust, to cure performance of an obligation owed to the beneficiary.

Stat. Auth.: ORS 446.646

Stats. Implemented: ORS 446.646

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05; BCD 12-2008, f. 6-30-08, cert. ef. 7-1-08

**918-550-0100****Ownership Document Requirements**

(1) Unless exempted under ORS 446.626 and OAR 918-550-0160, all owned manufactured structures in the State of Oregon must be registered or titled with DMV, or be issued an ownership document by the division after May 1, 2005.

(2) A manufactured structure dealer, manufactured structure owner, or lender who applies for an ownership document shall submit a completed division approved application form to the division along with an appropriate fee. Dealers and lenders may apply on line using the division's LOIS electronic record system. Failure to complete the ownership application, or provide clear and accurate information, may result in delays in the issuance of the ownership document.

(3) If the owner is not in possession of the Department of Transportation's Certificate of Title or division's ownership document, or is unable to obtain a security interest holder's signature and is applying for an ownership document through the division, the owner must provide proof sufficient to the division concerning any questions about ownership of the structure, including security interests in the structure. The proof required may include but is not limited to:

(a) A division approved affidavit which establishes reasonable evidence of ownership, including security lienholder interests or releases;

(b) A copy of a bill of sale or other contract showing proof of ownership; or

(c) A division approved inheritance affidavit or other evidence from a probate estate.

Stat. Auth.: ORS 446.571, 446.621 & 446.646  
 Stats. Implemented: ORS 446.571 & 446.621  
 Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

#### **918-550-0120**

##### **Sale of a Used Manufactured Structure**

If a purchaser submits a division approved notice of sale under ORS 446.641(8), the purchaser must include one or more of the following as acceptable proof of sale:

(1) A bill of sale from the current owner of record on the division's ownership document;

(2) A division ownership document or a Department of Transportation certificate of title to the structure that has a release of ownership signed by the owner; or

(3) Any other documents the division, in its discretion, finds as sufficient proof of sale.

Stat. Auth.: ORS 446.641 & 446.646  
 Stats. Implemented: ORS 446.641  
 Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

#### **918-550-0140**

##### **Notice of Transfer of Interest in Manufactured Structure**

A person who releases, terminates, assigns or otherwise transfers an interest in a manufactured structure, shall within 30 days of the transfer, submit a completed division approved form to record the release, terminate, assign or otherwise transfer the interest in the manufactured structure.

Stat. Auth.: ORS 446.616 & 446.646  
 Stats. Implemented: ORS 446.616  
 Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

#### **918-550-0160**

##### **Recording of Manufactured Structure in County Deed Records**

The owner of a manufactured structure, or a licensed manufactured structure dealer selling the structure, may file a division approved application to record the structure in county deed records, if the owner of the structure is also the owner or leaseholder of the land on which the structure is sited. To have the structure recorded in county records, the owner or dealer must submit a complete division approved form to the county assessor in the county where the structure will be located that includes but is not limited to:

(1) The name and address of each owner of the manufactured structure and each record owner of the land upon which the manufactured structure is located. If the names are not identical to the applicant, the applicant shall submit a statement explaining any

discrepancy and that the applicant is in fact the same person as the structure owner; and

(2) The name and address of each lessor, mortgagee, trust deed beneficiary, or lien holder of record who holds an interest in the land and the name and address of each security interest holder or lien holder of record who holds an interest in the manufactured structure, including documentation that the security interest holder or lien holder has been notified of the intent to record the manufactured structure in the county deeds.

Stat. Auth.: ORS 446.626 & 446.646  
 Stats. Implemented: ORS 446.611 & 446.626  
 Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

#### **918-550-0180**

##### **Demonstration of Ownership for Lost or Misplaced Ownership Documents**

(1) If a manufactured structure to be moved or sold is not recorded in the county deed records, an ownership document has not been issued for the structure, or the owner has misplaced the certificate of title, the owner shall submit a division approved affidavit with supporting documents which may include sales contracts and security interest agreements and releases, to the division which contain:

(a) A statement that the person making the affidavit is either the sole owner of the structure, or that the person who owns the structure with other persons, including the names of all the owners of the structure;

(b) A statement naming all of the persons who have had a security interest or lien in the manufactured structure identified in the affidavit; and

(c) A statement verifying that the information in the affidavit is true and accurate.

(2) If more than one person owns the manufactured structure, each owner must verify and sign the division approved affidavit.

(3) If the information on the division approved affidavit and any attached documents is reliable, consistent and supports the claim of ownership, the division may, in its discretion, issue an ownership document.

Stat. Auth.: ORS 446.616, 446.621, 446.631 & 446.646  
 Stats. Implemented: ORS 446.616, 446.621 & 446.631  
 Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

#### **918-550-0200**

##### **Abandoned Manufactured Structures**

(1) If a landlord complies with the notice requirements of ORS 90.425 or 90.675 such that a manufactured structure is presumed abandoned, the landlord may apply for an ownership document by submitting a completed division approved application form and a division approved certification affirming the landlord has complied with ORS 446.581.

(2) If the holder of a possessory lien on a manufactured structure forecloses the lien, the holder may apply for an ownership document by submitting a completed division

approved application form and division approved certification of the possessory lien foreclosure.

Stat. Auth.: ORS 446.581 & 446.646

Stats. Implemented: ORS 446.571 & 446.581

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

### **Trip Permits**

#### **918-550-0600**

##### **Trip Permit Requirements**

(1) A trip permit is required to move a manufactured structure from one location to another unless exempted under ORS 446.631 & 446.646. A person desiring a trip permit to move a manufactured structure shall submit a completed division approved form to the division.

(2) In the case of a multiple-unit-manufactured structure, a trip permit is required for each unit. The manufactured structure trip permit fee, as provided in ORS 446.631 & 446.646 is required for each permit issued.

(3) An issued trip permit is valid for a single move from one situs to another as indicated on the permit. Trip permits expire 30 days after the date of issuance.

(4) A trip permit is valid for the owner of the structure and transporter listed on the permit.

(5) A permit may not be transferred to any person or a different manufactured structure.

(6) A trip permit issued by the division is not required to move a new manufactured structure to a destination outside of Oregon. However, a trip permit is required if a manufactured structure is being moved out of state, if the structure currently has an ownership document, or is exempt under ORS 446.626 and OAR 918-550-0160.

(7) Vehicle transporters who transport a manufactured structure for which a trip permit has been issued shall either forward a signed copy of the trip permit to the division within 10 days of the movement of the manufactured structure or electronically submit notice of the completion of the move within 10 days using the division's online LOIS system.

Stat. Auth.: ORS 446.631

Stats. Implemented: ORS 446.631, 446.636 & 446.646

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05