

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 12
HOUSE BILL 2150

AN ACT

AMENDING SECTION 41-4028, ARIZONA REVISED STATUTES; RELATING TO
MANUFACTURED HOUSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-4028, Arizona Revised Statutes, is amended to
3 read:

4 41-4028. Exemptions

5 A. Any person WHO IS engaged in installing manufactured homes,
6 mobile homes or accessory structures and WHO IS licensed in an appropriate
7 category by the registrar of contractors pursuant to title 32, chapter 10,
8 article 2 is exempt only from the licensing requirements of this article.

9 B. The requirements of this chapter applicable to dealers do not
10 apply to persons performing the following transactions:

11 1. ~~Real estate brokers and real estate salesmen licensed under~~
12 ~~section 32-2122~~ A PERSON WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 20
13 AND who ~~engage~~ IS ENGAGED in activities proscribed by this chapter with
14 respect to any of the following:

15 (a) NEW OR used manufactured homes, mobile homes or factory-built
16 buildings if the manufactured home, mobile home or factory-built building
17 is listed in a contract for transfer of an interest in real property
18 executed by its owner and is installed on the real property.

19 (b) New or used manufactured homes and mobile homes that are
20 located in mobile home parks as defined in section 33-1409 if the ~~licensed~~
21 ~~real estate broker or real estate salesman~~ PERSON WHO IS LICENSED PURSUANT
22 TO TITLE 32, CHAPTER 20 is acting as an agent for a licensed manufactured
23 housing dealer and the dealer is responsible for filing all of the
24 required paperwork and submitting the required fees on the sale of the
25 home pursuant to this chapter.

26 (c) Used manufactured homes and mobile homes that are located in
27 mobile home parks as defined in section 33-1409 if the PERSON WHO IS
28 licensed ~~real estate broker or real estate salesman~~ PURSUANT TO TITLE 32,
29 CHAPTER 20 is acting on behalf of a private party and the real estate
30 broker or real estate salesman remains subject to the real estate
31 licensure requirements prescribed in title 32, chapter 20.

32 (d) NEW MANUFACTURED HOMES IF THE PERSON WHO IS LICENSED PURSUANT
33 TO TITLE 32, CHAPTER 20 IS ACTING AS AN AGENT FOR A LICENSED MANUFACTURED
34 HOUSING DEALER AND THE DEALER IS RESPONSIBLE FOR FILING ALL OF THE
35 REQUIRED PAPERWORK AND SUBMITTING THE REQUIRED FEES ON THE SALE OF THE
36 HOME PURSUANT TO THIS CHAPTER.

37 2. Receivers, trustees, administrators, executors, guardians or
38 other persons WHO ARE appointed by or acting under the judgment of any
39 court.

40 3. Public officers while performing their official duties.

41 4. Banks and other financial institutions, and their subsidiaries,
42 and other corporations qualified to do business in this state, if they are
43 proceeding as repossessioners or liquidators, but only to the extent that
44 they finance the sales transaction by which the repossessed property is
45 liquidated or are a holder in due course with respect to the transaction.

1 5. A purchaser who sells not more than two factory-built buildings,
2 manufactured homes or mobile homes in any twelve-month period.
3 C. For the purposes of this section, a manufactured home, mobile
4 home or factory-built building is used if it has been occupied for at
5 least thirty consecutive days for its intended use or function by a bona
6 fide homeowner, renter or other end user.

APPROVED BY THE GOVERNOR MARCH 16, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 16, 2018.