



Department of Local Government Finance

Manufactured Homes

Jennifer Thuma,
Deputy General Counsel

Barry Wood,
Director of Assessment

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Disclaimer

- This presentation and other Department of Local Government Finance materials are not a substitute for the law. The following is not legal advice, just an informative presentation. The Indiana Code always governs.



Role of the DLGF



The DLGF's Role in Property Tax System

- Oversight agency.
- Provides education and training to assessing and budget officials.
- Adopts rules.
- Provides guidance regarding property tax law.



Manufactured Homes & Assessment

- Definitions and Big Picture.
- Forms and processes.
- Frequently asked questions.
- Questions from the audience.



Indiana Code & Indiana Administrative Code

- Indiana Code - IC 6-1.1-7 – Taxation of Mobile (Manufactured) Homes (“Mobile” & “Manufactured”) are often used interchangeably in the Indiana Code in Property Tax Sections
- Indiana Administrative Code – 50 IAC 3.3 Assessment of Mobile Homes



Definition-Mobile Home

IC 6-1.1-7-1 Assessment and taxation; "mobile home" defined

- (a) Mobile homes located in Indiana on the assessment date of a year shall be assessed and taxed for that year in the manner provided in this chapter.
- (b) For purposes of this chapter, "mobile home" means a dwelling which:
 - (1) is factory assembled;
 - (2) is transportable;
 - (3) is intended for year around occupancy;
 - (4) exceeds thirty-five (35) feet in length; and
 - (5) is designed either for transportation on its own chassis or placement on a temporary foundation.



Definition of “Mobile” and “Manufactured” Homes

50 IAC 3.3-2-3 "Mobile home" defined

- Authority: IC 6-1.1-7-2; IC 6-1.1-31-1
- Affected: IC 6-1.1-7-1; IC 9-13-2-96

"Mobile home" means the following:

- A dwelling as defined in IC 6-1.1-7-1(b).
- A manufactured home as defined in IC 9-13-2-96.



Manufactured Homes Definition-IC 9-22-1.7-2

IC 9-22-1.7-2 "Manufactured home"

- (1) A non-self-propelled vehicle designed for occupancy as a dwelling or sleeping place.
- (2) A dwelling, including the equipment sold as a part of the dwelling, that:
 - (A) is factory assembled;
 - (B) is transportable;
 - (C) is intended for year-round occupancy;
 - (D) is designed for transportation on its own chassis; and
 - (E) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.)



Annually Assessed (Personal Property)

50 IAC 3.3-2-2 "Annually assessed mobile home" defined

- Authority: IC 6-1.1-7-2; IC 6-1.1-31-1
- Affected: IC 6-1.1-7; IC 9-17-6

"Annually assessed mobile home" means a mobile home that:

- has a certificate of title issued by the bureau of motor vehicles under IC 9-17-6; and
- is not on a permanent foundation.



Definitions-Permanent Foundation

50 IAC 3.3-2-3.5 "Permanent foundation" defined

- Authority: IC 6-1.1-7-2; IC 6-1.1-31-1
- Affected: IC 6-1.1-7; IC 9-17-6-15.5
- "Permanent foundation" means any structural system capable of transposing loads from a structure to the earth at a depth below the established frost line.



Definitions-Mobile Home Assessed as Real Property

50 IAC 3.3-2-4 "Real property mobile home" defined

- Authority: IC 6-1.1-7-2; IC 6-1.1-31-1
- Affected: IC 6-1.1-7; IC 9-17-6-15.5

"Real property mobile home" means a mobile home that has an affidavit of transfer to real estate recorded by the county recorder under IC 9-17-6-15.5 or has a certificate of title issued by the bureau of motor vehicles under IC 9-17-6 and is attached to a permanent foundation.



Assessment Dates

50 IAC 3.3-4-1 Assessment dates

- Authority: IC 6-1.1-7-2; IC 6-1.1-31-1
 - Affected: IC 6-1.1-2-1; IC 6-1.1-7-7; IC 6-1.1-22-9
- (a) An annually assessed mobile home shall be assessed on January 1 and taxed at the current year's tax rate. The owner of an annually assessed mobile home shall pay the tax in accordance with IC 6-1.1-7-7.
- (b) A mobile home assessed as real property under 50 IAC 3.3-3-1(b) shall be assessed on January 1 and taxed at the following year's rate.
- (c) A mobile home assessed as personal property under 50 IAC 3.3-3-1(c) shall be assessed on January 1 and taxed at the following year's rate.



Valuations

50 IAC 3.3-5-1 Criteria for valuation

- Authority: IC 6-1.1-7-2; IC 6-1.1-31-1
- Affected: IC 6-1.1-7-2

Sec. 1. (a) County assessors or township assessors, if any, shall use the standard of true tax value as set forth in the real property assessment rules in the assessment of mobile homes.

- (b) All annually assessed mobile homes shall have a true tax value set at the least of the values determined using:
 - the National Automobile Dealers Association Guide (NADA);



Valuations

- (2) the purchase price of the mobile home if the:
 - (a) sale is of a commercial enterprise nature;
 - (b) buyer and seller are not related by blood or marriage; and
 - (c) sale date is within one (1) year prior to or subsequent to the January 1 valuation date; or

- (3) sales data for generally comparable mobile homes.



Tax Rate—Specific to Taxing District

IC 6-1.1-7-6 Rate of tax; taxing district

A tax is imposed upon each mobile home which is located within this state on the assessment date of a year.

The rate of this tax for the year is the total rate used by the appropriate taxing district for tangible property taxes which are due that same year. The appropriate taxing district is the one in which the place of assessment of the mobile home is located.



Assessed as Real Property

50 IAC 3.3-3-1 Method of Assessment

- Authority: IC 6-1.1-7-2; IC 6-1.1-31-1
- Affected: IC 6-1.1-7

A mobile home shall be assessed as real property under the real property assessment rules in effect on January 1 of each year using the Residential Cost Schedules found in DLGF's Real Property Assessment Manual and Real Property Assessment Guidelines incorporated by reference in 50 IAC 2.4-1-2, if the mobile home meets the definition given in 50 IAC 3.3-2-4.



Assessed as Inventory

(c) A mobile home shall be assessed as **inventory** in accordance with the personal property rules in effect on January 1 if the mobile home is held for sale in the ordinary course of a trade or business.

(d) A mobile home and all exterior features, yard structures, and improvements owned by the mobile homeowner and located on the same parcel as the mobile home shall be annually assessed under 50 IAC 3.3-5-1(b) if the mobile home meets the definition given in 50 IAC 3.3-2-2.



Placement on Land

IC 6-1.1-7-3 Placement of mobile home; reports

Sec. 3. (a) A person who places a mobile home or allows a mobile home to be placed on any land which the person owns, possesses, or controls or a mobile home community operator shall report to the assessor within 30 days.

(b) If a sale or lease of a mobile home occurs, this must be reported to the assessor within 30 days.



Changes in Status—Report within 30 days

- (1) If applicable, notice of the sale or lease of the mobile home or the change in status of the mobile home to inventory.
- (2) The name of the owner of the mobile home at the time the entry is made, as shown on the title to the mobile home.
- (3) The vehicle identification number of the mobile home.



Information to Provide

- (4) A copy of the title held by the owner of the mobile home at the time the entry is made, or, if no title exists:
- (a) a petition filed with a court requesting an order by the court for the title of the mobile home; or
 - (b) a bureau of motor vehicles affidavit of sale or disposal.
- (5) A copy of the most recent permit issued to the owner of the mobile home or issued under section 10 of this chapter, if applicable. (c) The thirty (30) day period specified in subsections (a) and (b) commences the day after the day that the mobile home is placed upon the land.



Assessed in Indiana—Location & Assessment Date

- IC 6-1.1-7-4 Place of assessment
- A mobile home which is located within this state on the assessment date of a year shall be assessed at the place where it is located.
- The county assessor determines the assessed value.



Place of Assessment

- IC 6-1.1-7-5 Assessor Duties
- A mobile home shall be assessed by the assessor where the mobile home is situated. The assessor shall certify the assessment the same as all other personal property. The assessor uses DLGF prescribed forms. This information is then provided to DLGF in separate files from other personal property.



Location

IC 6-1.1-7-10 Movement of mobile home; transfer of title; permits

This section does not apply to a mobile home that is offered for sale at auction under IC 9-22-1.5, IC 9-22-1.7, or IC 6-1.1-23.5 for the transfer resulting from the auction.

A mobile home may not be moved from one (1) location to another unless the owner or the owner's agent obtains a permit to move the mobile home from the county treasurer.



BMV's Role

The BMV may not:

- (1) transfer the title to a mobile home; or
- (2) change names in any manner on the title to a mobile home; unless the owner or the owner's agent holds a valid permit to transfer the title that was issued by the county treasurer and includes the county treasurer's official seal.

(e) A county treasurer shall issue a permit which is required to either move, or transfer the title to, a mobile home if the taxes, special assessments, interest, penalties, judgments, and costs that are due and payable on the mobile home have been paid and the person requesting the permit has a state issued title, a court order, or a bureau of motor vehicles affidavit of sale or disposal. The treasurer must issue the permit within 2 days of receipt of the application.



Moving Permits

(f) After issuing a permit to move a mobile home under subsection (e), a county treasurer shall notify the assessor where the home will be moved that the permit to move the mobile home has been issued.

(g) A permit to move, or transfer title to, a mobile home that is issued under this section expires ninety (90) days after the date the permit is issued. The permit is invalid after the permit expires. If the owner wishes to move, or transfer title to, the mobile home after the permit has expired, the owner or the owner's agent must obtain a new permit under this section.



Sale of Mobile Homes

IC 6-1.1-7-10.4 Sale of mobile home

This section does not apply to a mobile home that is offered for sale at auction under IC 9-22-1.5 or IC 9-22-1.7 for the transfer resulting from the auction.

(b) The owner of a mobile home who sells the mobile home to another person shall provide the purchaser with the permit required by section 10(d) of this chapter before the sale is consummated.



Display Permit-Regulation on Movers

IC 6-1.1-7-11 Movers of mobile homes; display of permit

Sec. 11. (a) A person who is engaged to move a mobile home may not provide that service unless the owner presents the mover with a permit to move the mobile home and the permit is dated not more than ninety (90) days before the date of the proposed move. The mover shall visibly display the permit while the mobile home is in transit.

(b) The mover shall return the permit to the owner of the mobile home when the move is completed.



No Tax on Some Mobile Homes

IC 6-1.1-7-15 Waiver of personal property tax liability on certain mobile homes and manufactured homes; destruction of mobile home or manufactured home by owner required

(a) This section applies to a mobile home or manufactured home:

- (1) that has deteriorated to a degree that it can no longer provide suitable protection from the elements as to be used as a primary place of residence;
- (2) that has little or no value as a structure to be rehabilitated for use as a primary place of residence;
- (3) on which personal property tax liability has been imposed in an amount that exceeds the estimated resale value of the mobile home or manufactured home; and
- (4) that has been abandoned in a mobile home community licensed under IC 16-41-27.



Waiver of Tax

(b) The holder of:

(1) the title; or

(2) a bureau of motor vehicles affidavit of sale or disposal; for a mobile home or manufactured home described in subsection (a) may submit a written request to the county assessor for the county where the mobile home or manufactured home is located requesting that personal property tax liability imposed on the mobile home or manufactured home be waived. If the county assessor determines that the property that is the subject of the request meets the requirements in subsection (a), the county assessor shall send to the applicant a letter that waives the property taxes, special assessments, interest, penalties, and costs assessed against the property under this article, subject to compliance with subsection (c). The county assessor shall deliver a copy of the letter to the county auditor and the county treasurer.



Waiver of Tax

(c) Upon receipt of a letter waiving property taxes imposed on a mobile home or manufactured home, the holder of the title of the property that is the subject of a letter issued under subsection (b) shall:

- (1) deliver a signed statement to the county assessor stating that the mobile home or manufactured home:
 - (A) will be dismantled or destroyed either at its present site or at a remote site; and
 - (B) will not be used again as a dwelling or other shelter; and
- (2) dismantle or destroy the mobile home or manufactured home and not use the mobile home or manufactured home as a structure after the issuance date of the letter waiving property taxes.

(d) The county auditor shall remove from the tax duplicate the property taxes, special assessments, interest, penalties, and costs for which a waiver is granted under this section.



ID Numbers

50 IAC 3.3-6-1 Identification numbers for mobile homes

- Authority: IC 6-1.1-7-2
- Affected: IC 6-1.1-7-16; IC 9-13-2-75

Sec. 1. (a) For purposes of this section, "vehicle identification number" has the meaning set forth in IC 9-13-2-75.

(b) Assessing officials shall make reasonable efforts to provide the department with the existing vehicle identification number of each mobile home located within the assessing official's jurisdiction as of the assessment date.



Forms

- Form 1 – Notice of Placing of Manufactured (Mobile) Home Upon Land or Lot (<https://forms.in.gov/Download.aspx?id=4841>)
- Form 2 – Notice of Assessment of Manufactured (Mobile) Home (<https://forms.in.gov/Download.aspx?id=4595>)
- Mobile Home Permit (<https://forms.in.gov/Download.aspx?id=4688>)



Frequently Asked Questions

- *Question: If the park model is titled as a recreational vehicle and the owner is not paying the annual excise taxes on it, could the Assessor assess it as a mobile home since no taxes are being paid on it?*
- Answer: No, the statutes are clear on the factors to consider when determining whether an asset is subject to property tax or excise tax and the payment of taxes is not one of the factors.



Frequently Asked Questions

- *Question: If a taxpayer doesn't pay the excise taxes annually on a park model or RV, will the BMV collect all back taxes due before transferring the title?*
- *Answer: No, the BMV will collect up to one (1) year's delinquent taxes and the current taxes due at the time of registration so if multiple years are involved, it is possible that not all of the delinquent taxes will be collected.*



Frequently Asked Questions

- *Question: Could a recreational vehicle that is used as the owner's principal place of residence be considered a mobile home? If it could be, the owner wanted to apply for the homestead deduction.*
- Answer: No. A recreational vehicle would not meet the statutory requirements to be classified as a mobile home (designed for year-round occupancy, length, meets safety standards); therefore, it would be subject to excise tax. It would not be eligible for the homestead deduction because it is not a dwelling.



Frequently Asked Questions

- *Question: Why are exterior features, yard structures, and improvements handled differently between annually assessed mobile homes and recreational vehicles/campers located in a campground?*
- Answer: IC 6-1.1-2-4 and 50 IAC 3.3-3-1 provide this guidance. Remember that if a mobile home is moved, the taxes must be paid before a permit would be issued but an RV is subject to excise tax and could be moved at any time so the collection of delinquent taxes would be more difficult.



Frequently Asked Questions

- *Question: Is the assessor to determine the least of the values with the NADA value, the purchase price if less than 1 year from the assessment date, or sales data? This means one assessment year the Assessor might use the purchase price and the next year they would use the NADA price which could be considerably different.*
- **Answer:** That is correct since each assessment year stands alone and the law provides specific valuation methods to consider.



Frequently Asked Questions

- *Question: When does the BMV not require a mobile home permit to transfer a title?*
- Answer: Except when it involves an abandoned mobile home, the BMV requires this permit for a mobile home title transaction where ownership is being transferred or changed in any manner.



Frequently Asked Questions

- *Question: When there is no bidder at auction, the landowner may be left with the home. If he intends to dispose of the home, he will be able to obtain a title from the BMV using the affidavit of sale or disposal upon payment of the amounts due under IC 9-22-1.7-8(b)(1) – (3). Will he be able to have the delinquent taxes removed?*
- Answer: If he can successfully get a waiver under IC 6-1.1-7-15. IC 6-1.1-7-15 does not provide for a waiver of taxes on every abandoned mobile home – only those that meet the criteria under IC 6-1.1-7-15.



Frequently Asked Questions

- There could be a situation where an abandoned mobile home does not sell at auction but also does not qualify for a waiver under IC 6-1.1-7-15. For instance, if the mobile home was abandoned on Joe Smith’s parcel, it would not qualify for the waiver since it was not “abandoned in a mobile home community licensed under IC 16-41-27.”
- Regarding how to have the taxes cleared on the county records, the buyer would have to petition the assessor under IC 6-1.1-7-15 and the assessor would have to determine if the applicant was eligible for a waiver.



Questions



Manufactured Homes

- Jennifer Thuma
 - 317-233-9219
 - jthuma@dlgf.in.gov
- Barry Wood
 - 317-232-3762
 - bwood@dlgf.IN.gov
- Website: www.in.gov/dlgf
 - “Contact Us” <https://www.in.gov/dlgf/contact-us/>