

# Titling Tips

March 2011

## Important Reminders for Dealers

### ➤ SALES REPORTING REQUIREMENTS

Please ensure the price you enter when you e-file each vehicle sale is the “net” price of the unit, which should coincide with the “net” price you certify on the title application you provide your purchaser. The Department frequently relies on this information in determining the vehicle purchaser’s sales tax liability so it is critical that it be correct. Likewise, please make sure you record the sale price, the trade-in, and the net price amounts on the title assignment to help deter sales tax fraud.

Go to <http://dor.mo.gov/motorv/liendeal/> and click on “Sales Reporting Requirements” for more information regarding electronic sales reporting. [Section 301.280, RSMo](#), requires every vehicle dealer selling 20 or more vehicles a month to file the monthly sales report in an electronic format. You may file electronically regardless of how many sales you make.

### ➤ CORRECTED TITLE FEES

Corrected title fees and the associated processing fees will not be charged if an error was created by a license office or the Central Office. If a correction is requested as a result of an error created by the applicant or agent of the applicant or a correction is requested at the time of another action (for example, removing a transfer on death beneficiary), the appropriate title and processing fees will apply.

## Legislative Changes Effective March 1, 2011

### ➤ SENATE BILL 630 – MANUFACTURED HOMES

[Senate Bill 630](#), passed by the General Assembly during the 2010 session, allows a manufactured home to be converted to real property through a process of affixation beginning March 1, 2011. Additional provisions of this law allow manufactured homes previously affixed and converted to real property to be converted back to personal property and issued a certificate of title.

## Manufactured Home – Affixation and Severance

In order to be considered real property, a manufactured home must be permanently affixed to real estate and an [Affidavit of Affixation \(Form 5312\)](#) must be recorded with the Recorder of Deeds Office in the county where the real estate is located. Once the manufactured home has become permanently affixed to real estate and an Affidavit of Affixation has been recorded in the Recorder of Deeds Office, a certified (recorded) copy of the Affidavit of Affixation can be filed with the Department of Revenue in order to document that the home has been converted to real property. A Certificate of Affixation will be provided to the applicant submitting the affixation documentation when processing is complete in the license office.

Once the manufactured home has been documented as affixed within the Department’s records, it will be considered real property. The Department will not issue a title on the manufactured home nor will the Department allow any lien to be filed on the record maintained by the Department.

When a manufactured home which has been previously recorded as affixed in the Department’s records is severed from real property, the owner may complete an [Affidavit of Severance \(Form 5313\)](#) in order to obtain a certificate of title for the manufactured home. This affidavit must be recorded in the Recorder of Deeds Office of the county where the manufactured home was previously recorded as affixed prior to filing with the Department.

The Department will charge an \$8.50 documentation fee and a \$2.50 processing fee when either an Affidavit of Affixation or an Affidavit of Severance is filed with the Department of Revenue.

More detailed information regarding the affixation and severance processes and access

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to forms required to complete the transactions can be found on the Department's web site at <http://dor.mo.gov/motorv/homes/>.

### **Lien Title for Abandoned Manufactured Homes**

The owner of real property may obtain a lien title on a manufactured home which has been abandoned by the homeowner. In order to obtain a lien title on an abandoned manufactured home, the real property owner must provide the manufactured homeowner and any applicable lienholder a 30-day notice of his or her intent in obtaining the lien title. Once the real property owner has fulfilled his or her responsibilities to notify the homeowner and lienholder, the real property owner can apply for a lien title.

The [Manufactured Home Lien Title Notification \(Form 5328\)](#) has been created to assist real property owners in notifying manufactured home owners and lienholders of their intent to obtain a lien title for an abandoned manufactured home. Once the manufactured home owner and lienholder have been properly notified, the real property owner must complete an [Application for Manufactured Home Lien Title \(Form 5329\)](#), and submit the application with the required documents (indicated at the bottom of Form 5329) to the Motor Vehicle Bureau, PO Box 100, Jefferson City, MO 65105-0100.

For detailed information regarding the legal requirements for notification of manufactured home owners and lienholders and the requirements for selling a manufactured home once the lien title has been obtained by the real property owner, see [Section 700.526, RSMo](#).