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REFERENCE TITLE: **manufactured housing; assessment**

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

HB 2263

Introduced by
Representatives Somers, Poelstra: Blendu, Knaperek, Kraft, Robson

AN ACT

AMENDING SECTION 42-15203, ARIZONA REVISED STATUTES; RELATING TO MOBILE HOME ASSESSMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1

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

2 Section 1. Section 42-15203, Arizona Revised Statutes, is amended to
3 read:

4 42-15203. Affidavit of affixture

5 A. A person who owns a mobile home that is permanently affixed to real
6 property THAT IS OWNED BY THE OWNER OF THE MOBILE HOME may file an affidavit
7 of affixture with the county recorder of the county in which the real
8 property is located. FOR THE PURPOSES OF THIS SUBSECTION, "REAL PROPERTY
9 THAT IS OWNED BY THE OWNER OF THE MOBILE HOME" INCLUDES THE LAND FOR WHICH
10 THE OWNER HAS EITHER A RECORDED CONTRACT OR A LEASE FOR A TERM OF AT LEAST
11 FIVE YEARS IF THE OWNER HAS FILED A MEMORANDUM OF LEASE WITH THE COUNTY
12 RECORDER OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED. THE MEMORANDUM
13 OF LEASE SHALL CONTAIN A LEGAL DESCRIPTION OF THE SPECIFIC PARCEL THAT IS
14 SUBJECT TO THE LEASE.

15 B. An affidavit of affixture shall contain all of the following:

16 1. The vehicle identification numbers of the mobile home.
17 2. The legal description of the real property to which the mobile home
18 has been affixed.

19 3. A statement that the mobile home has not previously been assessed
20 and taxed in this state as personal property or the name and address of the
21 person to whom the last tax statement for the mobile home was sent and the
22 location of the mobile home when it was last taxed.

23 4. The name of the holder of any security interests in the mobile home
24 that are not terminated by consent of the secured party contained on the
25 affidavit of affixture pursuant to subsection C of this section and the
26 original principal amount secured by the security interest.

27 5. As an attachment, the department of transportation's receipt issued
28 pursuant to section 28-2063, subsection A, paragraph 3.

29 C. The recording of an affidavit of affixture does not impair the
30 rights of any holder of a perfected security interest in the mobile home
31 unless the affidavit of affixture contains the acknowledged consent of the
32 secured party to the termination of the security interest. If a secured
33 party so consents, that security interest terminates when the affidavit of
34 affixture is recorded.

35 D. If an affidavit of affixture is submitted for recording on a mobile
36 home entering this state for sale or installation, a certificate of
37 compliance or waiver issued by the office of manufactured housing is required
38 and shall be submitted with the affidavit of affixture.