

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 102

BY REPRESENTATIVE COUSSAN

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study provisions of law on property in order to make recommendations regarding the classification of modular homes as movable or immovable property, and to develop the legal procedure for their attachment to land, and securing them as loan collateral, and to report its findings to the Louisiana Legislature no later than February 1, 2019.

WHEREAS, a modular home by definition is different and distinct from a manufactured home and a mobile home; and

WHEREAS, modular homes, like mobile homes and manufactured homes, are sold and located on property, and the property upon which a modular home is located may or may not be owned by the owner of the modular home; and

WHEREAS, state laws have not been updated to provide for how and when modular homes are classified as either titled movable property or immovable property, and specifically, R.S. 9:1149.3 provides for the immobilization of manufactured homes and mobile homes, but does not clearly address the immobilization of modular homes; and

WHEREAS, it is important to modular home purchasers, sellers, and lenders that the laws clearly provide the process in which modular homes are secured by a lender's mortgage or security interest in order to facilitate the financing of purchases.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study provisions of law in order to make recommendations regarding the classification of modular homes as movable or immovable property, and to develop the legal procedure for their attachment to land and securing them as loan collateral, and to report its findings and recommendations to the Louisiana Legislature no later than February 1, 2019.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to include representatives of the office of motor vehicles, the Louisiana Clerks of Court Association, the Louisiana Manufactured Housing Association, the Louisiana Bankers Association, the Louisiana Association of Independent Land Title Agents, and the Louisiana Land Title Association, to the extent not already included in the study group.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE