

COMPARISON OF CURRENT VIRGINIA LAW TO PROPOSED VIRGINIA LAND-MANUFACTURED HOME PROPERTY ACT

	Proposed Virginia Land-Manufactured Home Property Act	Current Law
(1)	Provides a procedure to create a legal record establishing as marketable real property a manufactured home affixed to a permanent foundation and taxed as real estate where a title was never issued and neither the MCO nor the certificate of title is available.	No current provision.
(2)	Increases the marketability of existing manufactured homes by creating a clear chain of title and lien priority in the local land records as well as the personal property records.	The legal status of a manufactured home that has been affixed to real estate is uncertain. Cancellation is recorded in the DMV's records but not in the land records.
(3)	Provides a procedure to surrender a manufactured home's MCO.	Current procedure does not provide for the surrender of a manufacturer's certificate of origin, but only the surrender of a certificate of title. The result is that a title must first be obtained and then surrendered.
(4)	Ensures that lenders' security interests are protected during the conversion process.	No current provision.
(5)	Provides a uniform, state-wide conversion process.	Ad hoc conversion procedures that vary by county.
(6)	Establishes a severance procedure by which a manufactured home that has been converted to real property can be severed from the land when a home is destroyed or traded-in and replaced with a new home.	No current provision.
(7)	Standardizes the definitions of "manufactured home," "manufactured building," "real estate" and other terms in current law to conform to the new conversion and severance procedures.	Confusing and occasionally inconsistent definitions.