

House Engrossed

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 25
HOUSE BILL 2072

AN ACT

AMENDING SECTION 41-4028, ARIZONA REVISED STATUTES; RELATING TO
MANUFACTURED HOUSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-4028, Arizona Revised Statutes, is amended to
3 read:

4 41-4028. Exemptions

5 A. Any person engaged in installing manufactured homes, mobile
6 homes or accessory structures and licensed in an appropriate category by
7 the registrar of contractors pursuant to title 32, chapter 10, article 2
8 is exempt only from the licensing requirements of this article.

9 B. The requirements of this chapter applicable to dealers and
10 brokers do not apply to persons performing the following transactions:

11 1. Real estate brokers and real estate salesmen licensed under
12 section 32-2122 who engage in activities proscribed by this chapter with
13 respect to ANY OF THE FOLLOWING:

14 (a) Used manufactured homes, mobile homes, factory-built buildings
15 or subassemblies if the manufactured home, mobile home, factory-built
16 building or subassembly is listed in a contract for transfer of an
17 interest in real property executed by its owner and is installed on the
18 real property.

19 (b) NEW OR USED MANUFACTURED HOMES AND MOBILE HOMES THAT ARE
20 LOCATED IN MOBILE HOME PARKS AS DEFINED IN SECTION 33-1409 IF THE LICENSED
21 REAL ESTATE BROKER OR REAL ESTATE SALESMAN IS ACTING AS AN AGENT FOR A
22 LICENSED MANUFACTURED HOUSING DEALER AND THE DEALER IS RESPONSIBLE FOR
23 FILING ALL OF THE REQUIRED PAPERWORK AND SUBMITTING THE REQUIRED FEES ON
24 THE SALE OF THE HOME PURSUANT TO THIS CHAPTER.

25 (c) USED MANUFACTURED HOMES AND MOBILE HOMES THAT ARE LOCATED IN
26 MOBILE HOME PARKS AS DEFINED IN SECTION 33-1409 IF THE LICENSED REAL
27 ESTATE BROKER OR REAL ESTATE SALESMAN IS ACTING ON BEHALF OF A PRIVATE
28 PARTY AND THE REAL ESTATE BROKER OR REAL ESTATE SALESMAN REMAINS SUBJECT
29 TO THE REAL ESTATE LICENSURE REQUIREMENTS PRESCRIBED IN TITLE 32,
30 CHAPTER 20.

31 2. Receivers, trustees, administrators, executors, guardians or
32 other persons appointed by or acting under the judgment of any court.

33 3. Public officers while performing their official duties.

34 4. Banks and other financial institutions, and their subsidiaries,
35 and other corporations qualified to do business in this state, if they are
36 proceeding as repossessors or liquidators, but only to the extent that
37 they finance the sales transaction by which the repossessed property is
38 liquidated or are a holder in due course with respect to the transaction.

39 5. A purchaser who sells ~~no~~ NOT more than two factory-built
40 buildings, subassemblies, manufactured homes or mobile homes in any ~~twelve~~
41 ~~month~~ TWELVE-MONTH period.

42 C. For the purposes of this section, a manufactured home, mobile
43 home, factory-built building or subassembly is used if it has been
44 occupied for at least thirty consecutive days for its intended use or
45 function by a bona fide homeowner, renter or other end user.

APPROVED BY THE GOVERNOR MARCH 21, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 21, 2017.

Passed the House February 9, 20 17

Passed the Senate March 13, 2017

by the following vote: 58 Ayes,

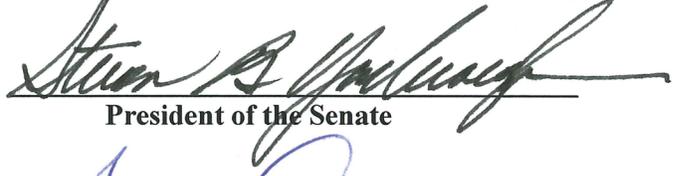
by the following vote: 29 Ayes,

0 Nays, 2 Not Voting

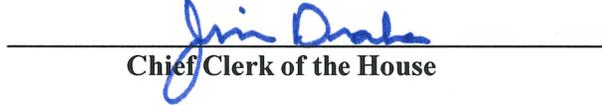
1 Nays, 0 Not Voting



Speaker of the House Pro Tempore



President of the Senate



Chief Clerk of the House



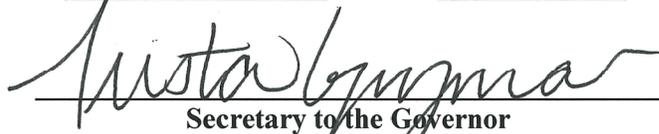
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

15th day of March, 20 17

at 4:02 o'clock P. M.



Secretary to the Governor

Approved this 21st day of

March, 2017

at 11:01 o'clock A. M.



Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 21 day of March, 20 17

at 4:51 o'clock P M.



Secretary of State

H.B. 2072