

# Mobile Home Tax Sale and MH Best Practices

Paula Stewart

Lawrence County Treasurer



# Why do I care?

- What's your current trend for manufactured home judgments? Increasing? Decreasing? Staying about the same?
- Manufactured home payments are such a small part of the total collections. Yet, we end up spending ridiculous amounts of time and resources to manage and collect these monies

# Statewide Manufactured Home Collections

- 2013 - \$10,641,330.46
- 2014 - \$10,615,612.43
- 2015 - \$10,604,594.57



“You can’t go back and change the beginning, but you can start where you are and change the ending.”

– C.S. Lewis

# What is a Best Practice?

**best practice** *noun*

**UK** /,best 'præk.tɪs/ **US** /,best 'præk.tɪs/

**A working method or set of working methods that is officially accepted as being the best to use in a particular business or industry, usually described formally and in detail.**

***Cambridge Dictionary***

# Partnerships

- Assessor
- BMV
- Circuit Court/Clerk
- Manufactured Home Dealers
- Manufactured Home Court Owners

# Name Change – permit only

- Ensure names are only being changed with a valid permit – (e.g. not a Bill of Sale, etc.) Reference IC 6-1.1-7-10
- Owner is the **taxpayer** (not holder, controller, possessor or occupier)  
Reference April 11, 2016  
Memorandum from DLGF

# Bureau of Motor Vehicles

- BMV purges titles from their data base
  - Current practice is over 20 years old (a change made a few years ago from 10 years old)
- Mobile home file automatically available quarterly from BMV (more on this in BMV presentation)



# MH Community changes

- IC 16-41-27-31 Mobile Home Community Register
  - (c) This subsection applies to entries made in a register described in subsection (a) after **December 31, 2019**. The register must contain the following for each mobile home and manufactured home in a mobile home community:
    - (1) The name of the owner of the mobile home or manufactured home at the time the entry is made, as shown on the title to the mobile home or manufactured home.
    - (2) The vehicle identification number of the mobile home or manufactured home.
    - (3) Beginning after **September 30, 2020**, a copy of the title held by the owner of the mobile home or manufactured home at the time the entry is made.

# Permits

- Request original state issued titles for review in issuing permits
  - Increases accuracy
  - Prevents fraud
  - Lienholder can fax copy if held by bank
- Stamp all permits with an embossed seal
  - Prevents fraud
  - Included in IC 6-1.1-7-10

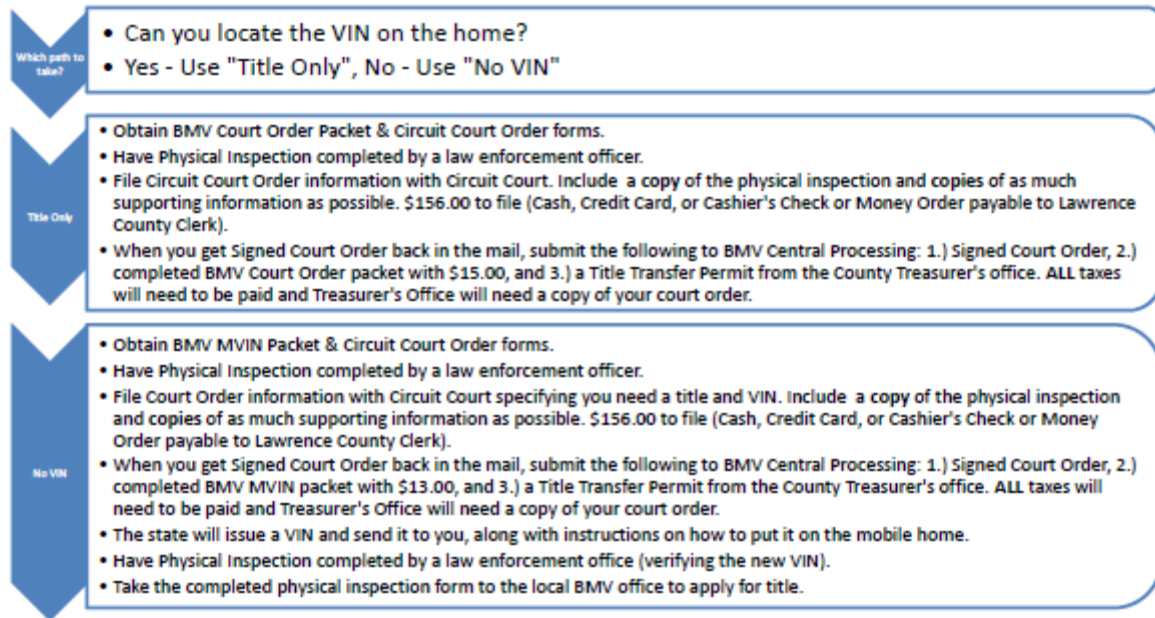
- Issue permit without a title for a court order title
  - Permit now has this as an option – DLGF Form 7878 (Rev R8/11-17)
  
- Mobile home manufacturers are now required to get a moving permit. You will typically get a C of O. Even though the home is not on your tax roles, this gives you the information to begin the taxation process on the new home.

- Notify other counties when you issue a moving permit outside your county
  - Verify if your assessor is already doing this
  - Consider sending the notification from your office, if not. Or in addition to the assessor communication
  
- Hand out Form 1 (DLGF Form 23341) for return to the County Assessor after a manufactured home has been moved.

# How to get a Court Ordered Title

- Which process should I use?
  - With a VIN
  - Without a VIN
  - Abandoned Home
    - 9-22-1.5 – private landowner
    - 9-11-1.7 – manufactured home community

# How to get a MH title



Forms available at Lawrence County Treasurer's Office or at Bedford License Branch  
Lawrence County Assessor – 812-275-5405  
Lawrence County Treasurer – 812-275-2431  
Bedford License Branch – 812-275-7926, 615 X Street, Bedford, Indiana

Rev. 7/11/16

# Helpful practices

- Input your permit information into an Excel spreadsheet
- Complete your permit as an online .pdf form (save the form from DLGF website in.gov -> Forms -> DLGF Forms -> Assessment Forms -> Form 7878 Mobile Home Permit)
- Utilize your system notes to track permit information on the parcel

- Scan permit and/or title copies into your tax or assessment software
- Send a VIN Request Letter to all manufactured home owners who have not provided a VIN number to the Assessor – Lawrence County improved from 816 (2014) to 389 (2018) mobile homes missing VIN's
- Track the same home from one owner to the next by using the same parcel number but for the last 2 digits e.g. ##-#####-00, ##-#####-01, ##-#####-02, etc.



- Meet with manufactured home court owners, assessors, BMV and other partners

# Clean up one parcel, one taxpayer, one tax set at a time!

- Make a plan
  - Most recent judgments
  - Still assessing
  - Several outstanding on same home
  - Contact landowner for updated info

## PERSONAL PROPERTY MOBILE HOME TAX SALE WORKPLAN

Date Due	Responsibility	Date Completed	Task
Pre-January	Treasurer/SRI	7-24-18	Work with SRI to obtain <b>contract</b> to conduct mobile home tax sale
Pre-January	Treasurer/Assessor	Ongoing	Work diligently to <b>clean up</b> county personal property mobile home records
January	Treasurer/MVP	1-19-18	MVP – <b>Determine delinquent personal property</b> - Go -> Delinquents -> Personal Delinquent Processing -> Determine Eligibility -> Select all tax sets -> Begin
January	Treasurer/MVP	1-19-18	MVP – <b>Create Demand Listing</b> - Go -> Delinquents -> Personal Delinquent Processing -> Demand listing -> Select all tax sets -> Begin (this step may be done repeatedly and would be done at various times through the sale process)
January	Treasurer/MVP	1-19-18	MVP – <b>Create Courtesy letter</b> - Go -> Delinquents -> Personal Delinquent Processing -> Courtesy letter -> Select all tax sets -> Begin <ul style="list-style-type: none"> <li>• Include MH sale verbiage</li> <li>• Include TREC's verbiage</li> <li>• Consider label for tax statement envelope "Eligible for the 2018 mobile home tax sale"</li> </ul>
After May 10 and before August 1	Treasurer/MVP	6-28-18	MVP – <b>Apply demand fees</b> - Go -> Delinquents -> Personal Delinquent Processing -> Apply Fees (Input Demand Fee (\$8.00 for certified/\$5.00 for Certificate of Mailing)) -> Review Excluded codes information -> Select all tax sets -> Begin
After May 10 and before August 1	Treasurer/MVP	6-28-18	MVP – <b>Create Demand Notice</b> – Go -> Delinquents -> Personal Delinquent Processing -> Demand notice -> review and select available party types, excluded codes, exclude appeal and print date -> Select all tax sets -> Begin <ul style="list-style-type: none"> <li>• Include MH notice language per IC 6-1.1-23.5-5</li> <li>• Include MH fees from SRI</li> <li>• Include total delinquent amount through current Spring</li> <li>• Include deadline for payment (60 days)</li> </ul>
Following creation of Notice	Treasurer/BMV	8/30/18	BMV – Request <b>interested party title research</b> from the BMV. The interested party list is to be compiled with addresses, in Microsoft Excel format, and delivered to SRI for noticing. Contact Katie Day, Contracts Administrator, 317-232-0657, <a href="mailto:Kday2@bmv.in.gov">Kday2@bmv.in.gov</a> , (Manager is June Monroe, Grants and Agreements Manager, 317-232-0616, <a href="mailto:jmonroe@bmv.in.gov">jmonroe@bmv.in.gov</a> )

## PERSONAL PROPERTY MOBILE HOME TAX SALE WORKPLAN

Following creation of Notice	Treasurer/Assessor	7-6-18 8-22-18	<b>Review mobile homes on demand listing</b> to determine if homes still exist before sale. Remove/correct information as needed. (see <b>Create Demand Listing</b> above)
Following creation of Notice	Treasurer	10-5-18	<b>Review listing periodically</b> to determine if a notice should be placed on remaining homes. It is not required by statute, but helpful as an additional type of contact. It also communicates the delinquency to those living in the house, but not receiving notices (e.g. renters) (see <b>Create Demand Listing</b> above)
60 days following Courtesy Letter	Treasurer/MVP	8-29-18	MVP – <b>Apply tax sale fees</b> to delinquent mobile homes Currently a script process with Emily at MVP. Fees would include county fee, SRI fee, BMV title fees, advertising fee, etc.
60 days following Courtesy Letter	Treasurer/MVP	8-28-18	<b>Remove Certification flag</b> from each MH parcel. Pull up parcel in maintenance, go to Identification tab, delete entry from “Demand” field, save parcel. Follow this process for each parcel ( <b>keep mobile home listing</b> )
60 days following Courtesy Letter	Treasurer/MVP	8-29-18	MVP – <b>Certification</b> – Go -> Delinquents -> Personal Delinquent Processing -> Certification - Complete Recorded Book, Certified Date, Excluded codes and Exclude appeal information -> Select all -> Begin (this is for parcels other than mobile homes)
Immediately following Certification	Treasurer/MVP	8-29-18	<b>Add Certification flag</b> from each MH parcel. Pull up parcel in maintenance, go to Identification tab, choose “eligible” from “Demand” field, save parcel. Follow this process for each parcel
Immediately at Certification	Treasurer/SRI	8-29-18	<b>Send Extract file</b> to SRI following Certification - Go -> Interfaces -> Extract Interface -> Select all tax sets -> Input file location and select Include personal properties only -> Begin
30 days before application for judgment	SRI	8-31-18	SRI – <b>Individual Notice</b> . Mail notices via certified mail at least 30 days before application for judgment can be made (Certified & First-Class Mail) <u>Owner of record and interested parties</u> . If both notices are returned, skip tracing necessary. Notice must indicate that objections are due to the court by the application date and that the county treasurer is entitled to receive all pleadings, motions, petitions and other filings related to the application for judgment and order for sale. <b>Wednesday, August 29, 2018</b>

## PERSONAL PROPERTY MOBILE HOME TAX SALE WORKPLAN

30 days before application for judgment	SRI/Treasurer	9-4-18	<b>Posting Notice.</b> Post a copy of the tax sale notice/list at a public place of posting at least 30 days before application for judgment can be made <b>Wednesday, August 29, 2018</b>
30 days before application for judgment	SRI/Treasurer	9-7-18	<b>General Notice.</b> Publish notice (IC 5-3-1-4) at least 30 days before application for judgment can be made <b>Wednesday, August 29, 2018</b> . Be aware of notification window to provide publication to newspaper (e.g. Times Mail is 5 days)
At least 7 days after General Notice	SRI/Treasurer	9-14-18	<b>Listing Publication #1.</b> Once at least 7 days after the General Notice. <b>Wednesday, September 5, 2018.</b>
At least 7 days after Listing Publication #1	SRI/Treasurer	9-21-18	<b>Listing Publication #2.</b> Once at least 7 days after Listing Publication #1 <b>Wednesday, September 12, 2018.</b>
No less than 30 days after Individual Notice	SRI/Treasurer	10-15-18	<b>Application for Judgment and Order</b> is delivered to the court not less than 30 days after Individual notice is sent. The application is to be delivered on <b>October 9, 2018.</b>
At least 15 days before advertised date of the auction	SRI/Treasurer/Judge		At least 15 days before the advertised date of the auction, the <b>court must examine the list, Wednesday October 24, 2018,</b> is the first day the court can sign the list.
At least 7 days before date of the auction	Treasurer/Judge	none	<b>Objection hearing</b> must be at least seven days before the date of the auction. Objection hearing target date <b>October 17, 2018</b> (October 23 <sup>rd</sup> is latest date per statute)
Personal Property Mobile Home Sale	SRI/Treasurer	10/31/18	<b>Conduct the personal property mobile home tax sale Target Date – Wednesday, October 31, 2018</b>
Receive payments	Treasurer		<b>Sale Date – Post payments</b> according to IC 6-1.1-23.5-15 (includes instructions for surplus funds).
Complete title paperwork	Treasurer		<b>Date of sale with each buyer</b> <ul style="list-style-type: none"> <li>• Provide Bill of Sale (SRI form from sale)</li> </ul>

## PERSONAL PROPERTY MOBILE HOME TAX SALE WORKPLAN

			<ul style="list-style-type: none"> <li>• Complete Application for Certificate of Title for a Vehicle – State of Indiana form 205 (R9/7-16)</li> <li>• Complete Physical Inspection of a Vehicle or Watercraft – State of Indiana form 39530 (R6/11-17)</li> <li>• Complete Application for Special ID Number (only use if no VIN is found)</li> <li>• Obtain buyer's driver's license copy</li> <li>• (if mobile home dealer) complete Dealer ST108E (BMV)</li> </ul>
Secure VIN information	Buyer/Treasurer		<p><b>IF VIN is not found</b> during the physical inspection, send the completed BMV form 12907 – Application for Special Identification Number Vehicle or Watercraft along with fee of \$13 to BMV</p>
Apply for title	Treasurer/BMV		<p><b>Provide the following to the BMV:</b></p> <ul style="list-style-type: none"> <li>• Application for Certificate of Title – State of Indiana form 205</li> <li>• Physical Inspection of a Vehicle or Watercraft - State of Indiana form 39530 (R6/11-17)</li> <li>• Mobile Home permit State of Indiana form 7878</li> <li>• Copy of new owners Bill of Sale</li> <li>• Copy of new owners driver's license</li> <li>• Payment of \$15.00</li> </ul> <p>Packets should be submitted to:  <a href="mailto:kari.washabaugh@indiana.gov">Kari Washabaugh</a>            Bureau of Motor Vehicles            100 N. Senate Ave Rm N483            Indianapolis, IN 46204</p>

# Lawrence County MH Tax Sale – IC 6-1.1-23.5

- Statistics

- 497 delinquent mh's totaling \$43,008.06 – 11-14-17

- 128 delinquent mh's at certification 8-29-18

- 27 delinquent mh's on sale date, 10-31-18

- 6 mh's sold in the sale

- Stumbling blocks
  - Many corrections to assessment records – mh tore down, mh moved, wrong mh, etc.
  - Timing of mh file with interested party information from BMV (now automated)



- Keys to success
  - Many years of cleanup
  - Courtesy letter in January
  - Continuous engagement in process – must be 100% committed to sale
  - Excellent partnership with assessor MH deputy
  - Posting of notice on remaining mh's close to sale date (not required)
  - Partnership with BMV on titling process of sold mh's
  - Partnership with SRI



“You can’t go back and change the beginning, but you can start where you are and change the ending.”

– C.S. Lewis