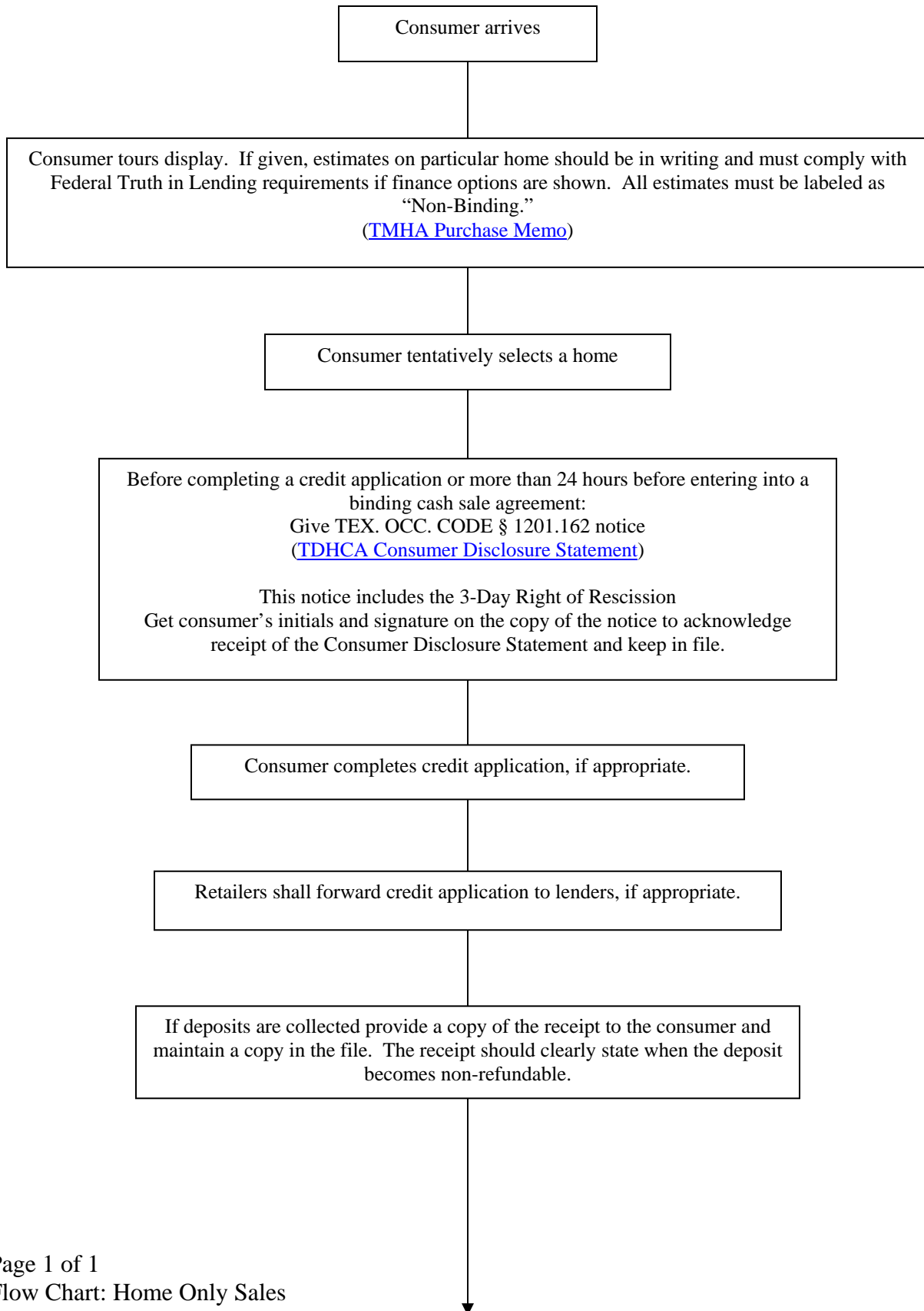


# NEW HOME SALES

(IN INVENTORY SALES)



Prior to entering into any sales agreement give:  
TEX. OCC. CODE § 1201.153 Formaldehyde Health Notice ([TDHCA Formaldehyde Notice](#)); have the customer sign the Installation Program Disclosure ([HUD Required Installation Program Disclosure to Consumer](#));  
and  
Get consumer's signature on the copy of the Formaldehyde Health Notice to acknowledge receipt.

When applicable, ensure the Third Party Closer Form is completed and sent to lender or appropriate third party.  
([TDHCA Instructions to Third Party Closer](#)).

1) At least 24 hours before the final close, the retailer provides consumer with a completed, retailer signed contract ([TMHA Retail Installment Sales Contract](#)) and the Lender's Loan Commitment Letter if applicable;

If the sale involves a manufactured home at a location other than the retail location, provide contractually in the sales transaction that the identified bond applies to the sale

2) Give customer a copy of:

- i.) The manufacturer's warranty pursuant to TEX. OCC. CODE § 1201.351;
- ii.) The retailer's warranty pursuant to TEX. OCC. CODE § 1201.352 ([TMHA Retailer's Limited Warranty on New Home Installation](#));
- iii.) The warranties given by the manufacturers of appliances or equipment included with the home;
  - a) If A/C is installed, provide notice of air conditioning installation as provided on the installation checklist. ([TDHCA Installation Checklist](#))
- iv.) The name and address of the manufacturer or retailer to whom the consumer is to give notice of a warranty service request;
- v.) On new homes only, provide the Consumer Insulation Information form ([TMHA Consumer Insulation Information](#))

Wait 24 hours

After 24 hours, consumer may accept retailer's offer.  
After 72 hours without consumer acceptance, retailer may withdraw offer.

Once the loan conditions are met between the retailer and consumer, the consumer signs the contract and all other required forms.  
At this point any deposit that has been collected becomes a down payment on the manufactured home.  
Have consumer sign verification of receipt of notices and warranties ([TMHA Receipt of Notices and Warranties](#))  
Make copies of all signed or initialed forms for retailer files.

Pursuant to 24 C.F.R. § 3288.5, at the time of signing a contract for sale or lease for a manufactured home, the retailer must provide the purchaser with a retailer notice. This notice may be in a separate document from the sales contract or may be incorporated clearly in a separate section on consumer dispute resolution information at the top of the sales contract.

The notice must include the following language: “The U.S. Department of Housing and Urban Development (HUD) Manufactured Home Dispute Resolution Program is available to resolve disputes among manufacturers, retailers, or installers concerning defects in manufactured homes. Many states also have a consumer assistance or dispute resolution program. For additional information about these programs, see sections titled "Dispute Resolution Process" and "Additional Information - HUD Manufactured Home Dispute Resolution Program" in the Consumer Manual required to be provided to the purchaser. These programs are not warranty programs and do not replace the manufacturer's or any other person's warranty program.”

OR

Have consumer sign dispute resolution disclosure ([HUD Disclosure to Consumer Regarding Dispute Resolution](#))

Have consumer sign financing disclosure form ([Disclosure to Consumer if Financing Does Not Close – Possible need to vacate](#))

Consumer 3-Day Right of Rescission begins. If lending terms have changed from those shown on commitment letter, a new 24-hour cooling off period is required before completing the final close and a new 3-Day Right of Rescission begins after the closing.

Retailer/Installer must (1) prepare the site, (2) arrange for mover and installer.

1) Send package to lender with applicable documents, if financed; and  
2) Send completed application for Statement of Ownership and Location (SOL) to TDHCA not later than the 60<sup>th</sup> day after the date of the retail sale ([TDHCA SOL Application](#)). For new home SOL applications, you must include the manufacturer’s Certificate of Origin.

1) Install Home  
2) Send completed Notice of Installation ([TDHCA Notice of Installation-Form T](#)) and appropriate fee, not later than the 7<sup>th</sup> day (3<sup>rd</sup> day for provisional installers) after installation is completed to TDHCA. Maintain a copy in the file.  
3) For new home sales, send to the manufacturer the Manufactured Home Information Card and maintain in records the date the information card was mailed.  
4) Make sure installation warranty is provided to consumer pursuant to TEX. OCC. CODE § 1201.361.

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graph TD; A[ ] --> B["If the new home underwent any alterations, maintain in records a complete list of all alterations with DAPIA approval if alterations were completed by a TDHCA licensee."]; B --> C["Upon final closing, check file to verify completion of all forms and disclosures required by 10 TEX. ADMIN. CODE § 80.32 and any other documents required by lender. The file for each sale shall contain a completed Retail Monitoring Checklist on the prescribed form, together with copies of all completed, executed, and signed applicable documents for 6 years in a Texas location. (TDHCA Retail Monitoring Checklist)"]; style A fill:none,stroke:none;
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If the new home underwent any alterations, maintain in records a complete list of all alterations with DAPIA approval if alterations were completed by a TDHCA licensee.

Upon final closing, check file to verify completion of all forms and disclosures required by 10 TEX. ADMIN. CODE § 80.32 and any other documents required by lender. The file for each sale shall contain a completed Retail Monitoring Checklist on the prescribed form, together with copies of all completed, executed, and signed applicable documents for 6 years in a Texas location. ([TDHCA Retail Monitoring Checklist](#))

**PLEASE NOTE: All documents signed by consumer must be dated and the original or a copy must be kept in the file for no less than six years after the date of sale.**