

FLOW CHART FOR USED RETAIL HOME SALES

Used home must have seal or label attached.
In accordance with TEX. OCC. CODE § 1201.206(c), not later than the 60th day after each subsequent sale or transfer, the seller or transferor shall provide to the Department a completed application for the issuance of a new statement of ownership and location. The sale of a used manufactured home should not be pursued without proper title.

If Cash Sale

Consumer arrives

Consumer tours display. If given, estimates on particular home should be in writing and must comply with Federal Truth in Lending requirements if finance options are shown. All estimates must be labeled as "Non-Binding."
[\(TMHA Purchase Memo\)](#)

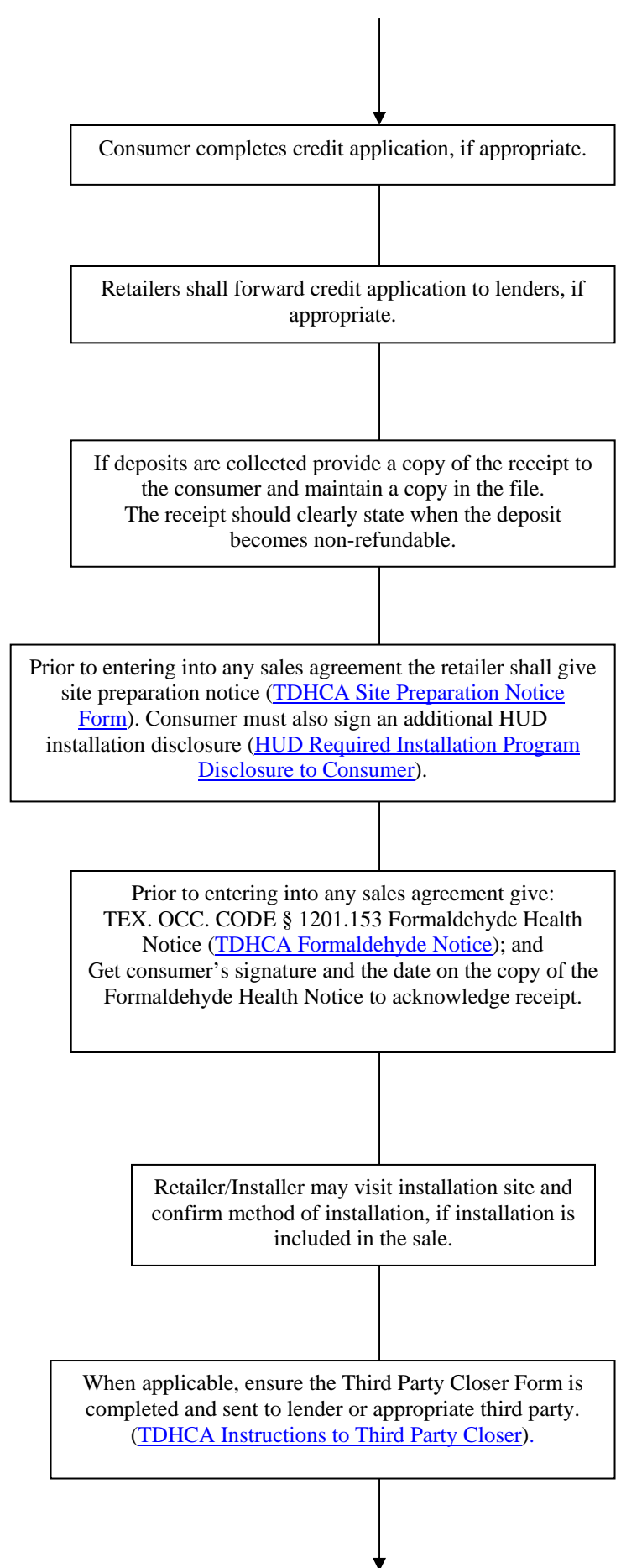
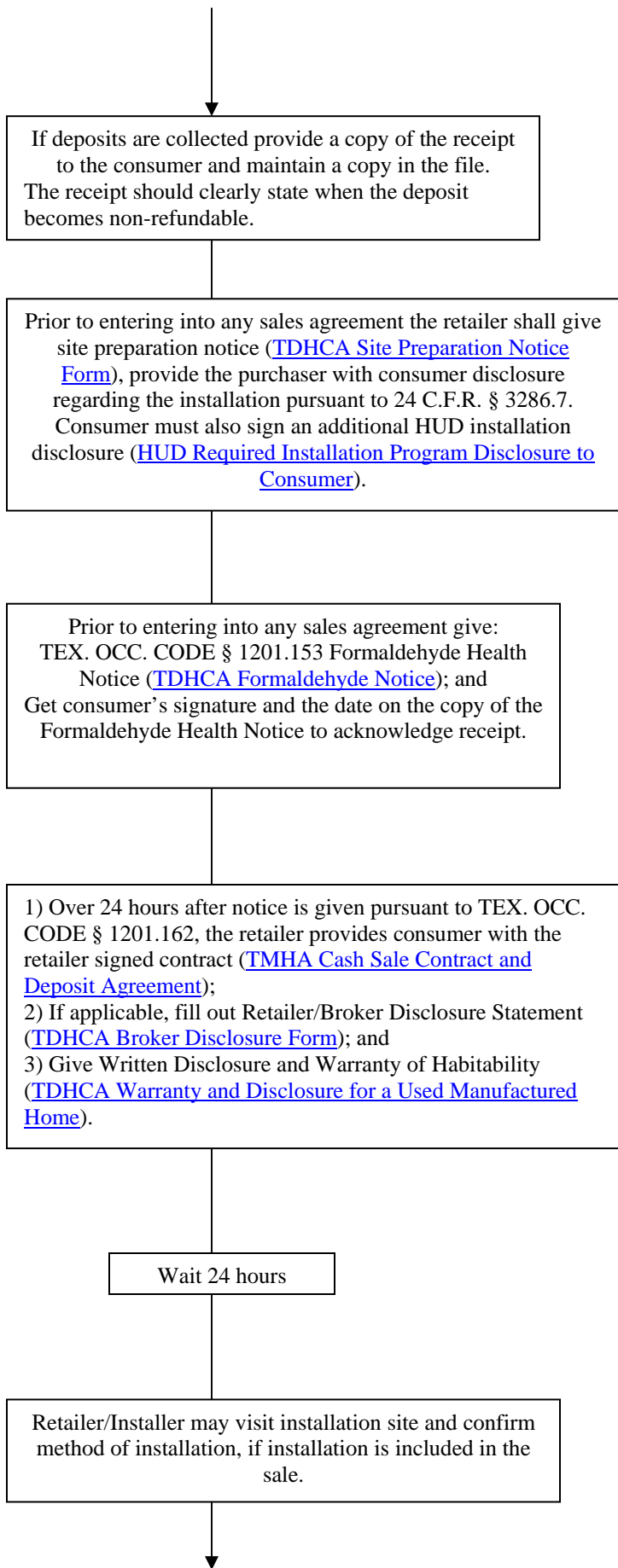
Before completing a credit application or more than 24 hours before entering into a binding cash sale agreement:
Give TEX. OCC. CODE § 1201.162 Disclosure by Retailer and Lender Notice ([TDHCA Consumer Disclosure Statement](#)). This notice includes the 3-Day Right of Rescission and the required wind zone notice. Get consumer's initials and signature on the copy of the notice.
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.

If Installment Sale

Consumer arrives

Consumer tours display. If given, estimates on particular home should be in writing and must comply with Federal Truth in Lending requirements if finance options are shown. All estimates must be labeled as "Non-Binding."
[\(TMHA Purchase Memo\)](#)

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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.



Close contract by signing the purchase agreement. Consumer's 3-Day Right of Rescission begins. 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](#))

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](#))

Retailer/Installer may choose to, (1) identify site, (2) contact utility companies, (3) arrange for mover and installer, and (4) verify site preparation.

The retailer shall send completed application for Statement of Ownership and Location (SOL) and the appropriate fee to TDHCA not later than the 60th day after the date of the retail sale ([TDHCA SOL Application](#)).

1) Over 24 hours after notice is given pursuant to TEX. OCC. CODE § 1201.163, retailer provides consumer with the retailer signed contract ([TMHA Retail Installment Sales Contract Security Agreement and Disclosure Statement](#)), and the Lender's Loan Commitment Letter;
2) If applicable, fill out Retailer/Broker Disclosure Statement ([TDHCA Broker Disclosure Form](#)); and
3) Give written disclosure and warranty of habitability ([TDHCA Warranty and Disclosure for a Used Manufactured Home](#)).

Wait 24 hours

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

Once loan conditions are met, consumer signs purchase agreement. At this point any deposit that has been collected becomes a down payment on the manufactured home.

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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](#))

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1) Verify Site Status – Landlord Waiver, etc.
 2) If the sale does not include installation provide information to consumer on hiring a licensed installer.
 3) If installation is included in the sale, provide installation warranty to consumer pursuant to TEX. OCC. CODE § 1201.361 ([TMHA Installer's Limited Warranty Secondary and Used Home Installation](#)).
 3) Install Home
 4) Send completed Notice of Installation ([TDHCA Notice of Installation-Form T](#)) and appropriate fee, not later than the 7th day (3rd day for probationary installers) after installation is completed to TDHCA.

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Complete 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](#))

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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.
 Have consumer sign verification of receipt of notices and warranties ([TMHA Receipt of Notices and Warranties](#))

Retailer/Installer must (1) inspect the site, (2) arrange for mover and installer.
 If there are problems with the site affecting the installation and consumer refuses to correct them Retailer should get them to sign a completed [TDHCA "Notice of Informed Consent" form](#).

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 60th 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.

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 2) If the sale does not include installation provide information to consumer on hiring a licensed installer.
 3) If installation is included in the sale, provide installation warranty to consumer pursuant to TEX. OCC. CODE § 1201.361. ([TMHA Installer's Limited Warranty Secondary and Used Home Installation](#))
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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.