2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 102

BY REPRESENTATIVE COUSSAN

PROPERTY: Requests the Louisiana State Law Institute to study provisions of law and make recommendations regarding modular homes

1	A CONCURRENT RESOLUTION
2	To urge and request the Louisiana State Law Institute to study provisions of law on property
3	in order to make recommendations regarding the classification of modular homes as
4	movable or immovable property, and to develop the legal procedure for their
5	attachment to land, and securing them as loan collateral, and to report its findings to
6	the Louisiana Legislature no later than February 1, 2019.
7	WHEREAS, a modular home by definition is different and distinct from a
8	manufactured home and a mobile home; and
9	WHEREAS, modular homes, like mobile homes and manufactured homes, are sold
10	and located on property, and the property upon which a modular home is located may or may
11	not be owned by the owner of the modular home; and
12	WHEREAS, state laws have not been updated to provide for how and when modular
13	homes are classified as either titled movable property or immovable property, and
14	specifically, R.S. 9:1149.3 provides for the immobilization of manufactured homes and
15	mobile homes, but does not clearly address the immobilization of modular homes; and
16	WHEREAS, it is important to modular home purchasers, sellers, and lenders that the
17	laws clearly provide the process in which modular homes are secured by a lender's mortgage
18	or security interest in order to facilitate the financing of purchases.
19	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
20	urge and request the Louisiana State Law Institute to study provisions of law in order to
21	make recommendations regarding the classification of modular homes as movable or

- 1 immovable property, and to develop the legal procedure for their attachment to land and
- 2 securing them as loan collateral, and to report its findings and recommendations to the
- 3 Louisiana Legislature no later than February 1, 2019.
- 4 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge
- 5 and request the Louisiana State Law Institute to include representatives of the office of
- 6 motor vehicles, the Louisiana Clerks of Court Association, the Louisiana Manufactured
- 7 Housing Association, the Louisiana Bankers Association, the Louisiana Association of
- 8 Independent Land Title Agents, and the Louisiana Land Title Association, to the extent not
- 9 already included in the study group.
- 10 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
- 11 director of the Louisiana State Law Institute.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 102 Engrossed	2018 Regular Session	Coussan
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Requests the Louisiana State Law Institute to make recommendations regarding modular homes and their classification as movable or immovable property, to develop the legal procedure for their attachment to land and securing them as loan collateral, and to report its finding to the legislature.

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Civil Law and</u> <u>Procedure to the original bill:</u>
- 1. Change the request <u>from</u> preparing proposed legislation <u>to</u> making recommendations.