

Fair Lending: Manufactured Housing

What is a manufactured home?

A manufactured home is a structure formerly known as a mobile home. It is built to the Manufactured Home Construction and Safety standards set by HUD and displays a red certification label on the outside of each transportable section. The certification is available only to those homes manufactured after June 15, 1976, when the standards were implemented and cannot be received for any constructed prior to this date.

The structure is built in a manufacturing plant and transported in one or more sections on a permanent chassis. In the State of Idaho, manufactured housing constitutes real property if the running gear is removed and (1) it becomes permanently attached to a foundation, and (2) the owner records, with the county recorder's office in the county where the home is located, a statement of intent to declare it as real property. (Idaho Code § 63-304.)

The structure must be transportable in one or more sections which, when in traveling mode, is at least 8 feet wide and at least 40 feet long, or when put together is at least 320 square feet and which is built on a permanent chassis and intended to be used as a dwelling with or without a foundation. (Idaho Code § 28-9-102 (53).)

The Fair Housing Act and Fair Lending Act apply to manufactured housing the same as they apply to apartments and more traditional homes. More information regarding these statutes is available at www.idaholegalaid.org.

Lenders can not discriminate on the types of loans available to help finance the purchase of a manufactured home based on any of the protected classes, including: race, color, religion, sex, national origin, familial status (the presence or number of children in a household) or disability.

Manufactured housing standards are created and enforced by HUD. HUD provides two types of consumer protection. The borrower must sign a HUD Placement

Certificate agreeing that the home has been installed and set-up to their satisfaction by the retailer before the lender can give the loan proceeds to the retailer. After moving in, the borrower can call HUD at (800) 927-2891 to get assistance about the problems with construction of the home.

Financing Options

There are several alternatives to financing a manufactured home.

- The most common method is through a retail installment contract through the retailer.
- Government insured loans:
 - Fair Housing Administration (Title I & II)
 - Veterans Administration
 - Rural Housing Services under the U.S. Department of Agriculture
- Private lending institutions may also have loans available if the home does not qualify for other loans.

What can I do ?

The following are resources you may contact for questions and information regarding housing discrimination:

- Consumers, realtors, housing providers, and lenders may contact the Fair Lending/Fair Housing Legal Advice Line by calling Idaho Legal Aid Services, Monday through Friday, 9:00 a.m. to 12:00p.m., M.T., (208) 345 0106 in Boise calling area, or statewide toll-free 1-866-345-0106, or (TTY) 1-800-245-7573.
- En Español llamada gratis estatal, 1-866-945-2591 o 454-2591 en el área local de llamadas en Caldwell.
- Idaho Legal Aid Services Inc. (ILAS)
1447 S. Tyrell Lane, Boise, ID 83706
208-345-0106 in Boise
1-866-345-0106 (toll-free)
www.idaholegalaid.org
- Visit the Idaho Legal Aid Services website (above) for fair lending and fair housing information and materials.

- **Intermountain Fair Housing Council**

(208) 383-0695 in Boise -or-
1-800-717-0695 (toll-free)

- **U.S. Department of Housing and Urban Development (HUD)**

Seattle and Washington DC
1-800-669-9777
1-800-927-9275 (TDD) *or*

- **FHEO Hub Office**

909 1st Ave, Ste 205, OAE
Seattle, WA 98104
(800) 877-0246 or (206) 220-5170
TDD: (206) 220-5185
FAX: (206) 220-5447

If you wish to file a complaint against a lender you may do so by calling HUD at the number above or by filling out an online form found at:

http://portal.hud.gov/hudportal/HUD?src=/topics/housing_discrimination

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