



STATE OF ARIZONA
DEPARTMENT OF HOUSING
1110 WEST WASHINGTON, SUITE 280
PHOENIX, ARIZONA 85007
(602) 771-1000 WWW.AZHOUSING.GOV
FAX: 602-771-1002

GUIDANCE ON NEW LAW EXEMPTION FOR LICENSURE TO SELL NEW OR USED MANUFACTURED HOMES

Arizona Revised Statute § 41-4028 provides exemptions from licensing requirements through the Department of Housing's Office of Manufactured Housing. HB2072 was signed by Governor Ducey on March 21, 2017 and becomes **effective on August 9, 2017**. A full summary of the Bill is available through the link below:

<http://www.azleg.gov/legtext/53leg/1R/laws/0025.htm>

- A summary of the changes brought by this Bill are:

New changes to the exemptions allow Real Estate Brokers and Real Estate Salesmen licensed through the Arizona Department of Real Estate to do either of the following:

1. Licensed Real Estate Broker or Real Estate Salesman may act as an agent for the sale of a **new or used** manufactured home, or a mobile home located in a mobile home Park IF that Real Estate licensee is acting as an agent for a home that is being offered for sale by a licensed Manufactured Housing Dealer.
 - *NOTE:* Only a licensed Manufactured Housing Dealer may write the contract for the sale of a new or used manufactured home, or a mobile home being offered for sale by the Manufactured Housing Dealer.
 2. Licensed Real Estate Broker or Real Estate Salesman may act on behalf of a private party (homeowner) for the sale of a **used** manufactured home and mobile home located in a mobile home Park. The Real Estate licensee remains subject to the Department of Real Estate's licensure requirements.
- Licensed Real Estate Brokers or Real Estate Salesmen may still sell used manufactured homes or mobile homes located on private property IF:
 - The used manufactured/mobile home is installed on real property and is listed in the purchase contract for the transfer of an interest in the real property executed by its owner; or
 - An affidavit of affixture has been recorded against a used manufactured/mobile home so that it is considered real property.