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## Manufactured Home Dealer Program

The Manufactured Home Dealer Program oversees three functions relating to manufactured home sales in Wisconsin: 1) Licensing of new manufactured home dealers and renewing current licensed dealers; 2) Regulation of manufactured home dealers and salespersons; and 3) The investigation and resolution of manufactured home consumer complaints.

### **Licensing**

A license is required if two or more manufactured homes are sold in a calendar year. To be licensed as a manufactured home dealer, the licensee must submit an application packet and meet the requirements set forth in Wisconsin State Statute s. 101.951 and Wisconsin Administrative Code SPS 305. Some of the requirements a new manufactured home dealer must meet are:

- ◆ Submit either a bond or a financial statement showing a net worth for a Non-Broker of at least \$50,000. The minimum net worth or bond for a Broker is \$25,000.
- ◆ There must be at least one licensed salesperson.
- ◆ Establish a permanent business location.
- ◆ Establish an office in which the business records are kept.
- ◆ If you carry and display inventory, display a sign with business name.
- ◆ Display lots are not required for manufactured home dealers, but if provided, must be within the same block or directly across the street from the main business location.
- ◆ Establish a repair service facility to service manufactured homes offered for sale. If a repair service facility is not provided, a Service Agreement Form must be submitted.
- ◆ If the business property is not owned, a copy of the four-year lease must be submitted.

The information provided is reviewed and an inspection of the business facilities may be ordered. If approved, a four-year license is issued and dealers are provided with copies of applicable state regulations governing manufactured home sales.

A currently licensed manufactured home dealer who wants to renew a license must complete a renewal packet consisting of updating the four-year license application, financial statement or bond, salesperson/representative license application, and a service agreement. This information will be reviewed and is subject to approval or denial by the Department of Safety and Professional Services.

### **REGULATION**

The regulation of manufactured home dealers falls under Wisconsin State Statute s. 101.951 and Wisconsin Administrative Code SPS 305.

§ 101.91, Subchapter V, defines the basic vocabulary relating to mobile home dealers. It also covers the regulation of manufactured home dealers and salespersons, including provisions for denial, suspension, or revocation of a license. Examples include the material misstatement in the application for a license or the willful failure to comply with any written agreement with any retail buyer. The warranty and disclosure requirements for new primary housing units are also described, including corrective action on the part of the manufacturer and dealer for defects which become evident within one year from the delivery date. The primary housing unit owner must have given notice to the manufacturer or dealer not later than one year and ten days after the delivery date and at the address set forth in the warranty.

SPS 305.323 regulates financial eligibility and requirements. An applicant may submit either a financial statement or a bond. For example, a new mobile home dealer must have a net worth of at least \$50,000 for a Non-Broker and \$25,000 for a Broker. This code also covers Manufactured Home Retailer Trade Practices, Facilities and Records. It includes advertising and sales representation, selling agreements, purchase contracts, facility/record requirements, and the disclosure of the condition of the manufactured home. An example is the implementation of the purchase contract whereby any changes to the purchase contract after signing by the purchaser or subsequent to acceptance by the retailer must be initialed by all parties on all copies.

SPS 305.02 and 305.06, respectively, regulates the licensing fees and periods for dealers and salespersons. Dealer fees are as follows: four-year mobile home dealer main business office license \$215, salesperson license \$31 each, and branch license \$215.

### **Complaints**

The Department of Safety and Professional Services also receives manufactured home complaints from both consumers and manufactured home dealers. The complaint process involves the completion of a Department of Safety and Professional Services complaint form and submission of copies of the necessary paperwork, such as the purchase contract, disclosure label, and warranty. From this point, an investigation is conducted and a resolution is determined. Where appropriate, there may be formal action, such as a fine, denial, suspension, or revocation of the mobile home dealer or salesperson license. The complaint form may be found on the Web: <http://dsps.wi.gov/sb/SB-DivForms.html#manfhome>

### **Other Regulations**

Manufactured home manufacturers are licensed by the DSPS Credentialing Unit. Their contact number is 608-261-8467.

Landlord/tenant issues are regulated by the Department of Agriculture, Trade and Consumer Protection. Their contact number is 800-422-7128.