

FAX AND E-MAIL BROADCAST - July 14, 2004
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TO ALL ATTORNEYS AND TITLE COMPANIES

As a result of the passage of [Senate Bill 1414](#), the following statute was amended and became effective June 10, 2004.

[Section 319.261](#) (2), The title to the mobile home may be retired by the department if the owner of the real property records the following documents in the official records of the clerk of court in the county in which the real property is located:

- (a) The original title to the mobile home shall include a description of the mobile home, including model year, make, width, length, and vehicle identification number, and a statement by any recorded lienholder on the title that the security interest in the home has been released, or that such security interest will be released upon retirement of the title as set forth in this section.

Note: This deleted the requirement that the manufacturer's certificate of origin be recorded with the clerk of the court in order for the department to retire a title to a mobile home. Therefore, **a mobile home must be titled and registered prior to being retired.**

- (3) The clerk of court, upon receipt of the documents set forth in subsection (2), shall record said documents against the real property and provide a copy of the recorded title to the owner of the real property with a copy of all the documents recorded pursuant to subsection (2).
- (6) The owner of the real property with a recorded and retired title shall file an application with the department to issue a new title to the mobile home, if the mobile home is to be removed from the real property. The department shall issue a new title upon receipt of an application from the owner of the real property containing the following information:
 - (a) An affidavit signed by the owners of the land and all secured parties and other lienholders consenting to the removal of the home.
 - (b) A certification from a title insurance company listing the owners and all secured parties and other lienholders, which is dated within 10 days of the date of application for a new title under this subsection.

For more information, access the DMV Procedure on retiring mobile home titles at: <http://casey.hsmv.state.fl.us/Intranet/dmv/Manuals/DMVProcedures/BTR/tl/TL-39.pdf> .