

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH70198-LKf-115 (3/9)

Short Title: Manufactured Housing License Amendments. (Public)

Sponsors: Representative Holliman.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE MANUFACTURED HOUSING BOARD TO
CHARGE AND COLLECT A LATE FILING FEE FOR LICENSEES THAT
APPLY FOR RENEWAL OF THE LICENSE AFTER THE LICENSE HAS
EXPIRED AND TO ELIMINATE SUPPLEMENTAL LICENSING BY THE
MANUFACTURED HOUSING BOARD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-143.11 reads as rewritten:

"§ 143-143.11. License required; application for license.

(a) It shall be unlawful for any manufactured home manufacturer, dealer, salesperson, or set-up contractor to engage in business as such in this State without first obtaining a license from the Board, as provided in this Article. The fact that a person is licensed by the Board as a set-up contractor or a dealer does not preempt any other licensing boards' applicable requirements for that person.

(b) Application for the license shall be made to the Board at such time, in such form, and contain information the Board requires, and shall be accompanied by the fee established by the Board. The fee shall not exceed three hundred dollars (\$300.00) for any license. In addition to the license fee, the Board may also charge an applicant a fee to cover the cost of the criminal history record check required by G.S. 143-143.10A. The Board may also charge a late filing fee not to exceed three hundred dollars (\$300.00) for a licensee whose application for license renewal is late pursuant to subsection (c) of this section.

(c) In the application, the Board shall require information relating to the matters set forth in G.S. 143-143.13 as grounds for refusal of a license, and information relating to other pertinent matters consistent with safeguarding the public interest. All of this information shall be considered by the Board in determining the fitness of the applicant.

1 (d) All licenses shall expire, unless revoked or suspended, on June 30 of each
2 year following the date of issue.

3 (e) Every licensee shall, on or before the first day of July of each year, obtain a
4 renewal of a license for the next year, by application, accompanied by the required fee.
5 Upon failure to renew, a license automatically expires. The license may be renewed at
6 any time within one year upon payment of the renewal ~~fee~~ and a late fee. If the
7 renewal application is received postmarked after June 30 of the year of renewal, the
8 licensee shall submit a late fee in addition to the renewal fee in order to be eligible to
9 renew the license.

10 ~~(f) Supplemental licenses shall be issued for each place of business, operated or~~
11 ~~proposed to be operated by the licensee, that is not contiguous to other premises for~~
12 ~~which a license is issued. The fee for a supplemental license shall be established by the~~
13 ~~Board and shall not exceed three hundred dollars (\$300.00), provided that no~~
14 ~~supplemental license shall be required for a place of business operated by a licensee that~~
15 ~~is used exclusively for storage.~~

16 (g) Notwithstanding the provisions of subsection (a), the Board may provide by
17 rule that a manufactured home salesperson will be allowed to engage in business during
18 the time period after making application for a license but before such license is granted.

19 (h) As a prerequisite to obtaining a license under this Article, a person may be
20 required to pass an examination prescribed by the Board that is based on the Code, this
21 Article, and any other subject matter considered relevant by the Board."

22 **SECTION 2.** This act is effective when it becomes law.