



## Manufactured Home Dealer Licensing Information & Instructions: Who Needs a License?

Ohio Law as referenced in the Ohio Revised Code (O.R.C.) Chapter 4781.16 indicates that a Manufactured Home Dealer license is required if you are selling more than five homes in a 12-month period.

### Requirements for Obtaining a Manufactured Home Dealer License

- Application to Deal in Manufactured Homes (REPL-17-0024):** The application must be typed or legibly printed in ink. All blocks must be completed and all questions must be answered on the application, including the home address and Social Security number of the owner, all partners, corporate officers, members and trustees. Vendor numbers can be obtained by contacting your County Auditor's office. The Federal Tax ID Number or Employer Identification Number (EIN) can be obtained by contacting the Internal Revenue Service at [www.irs.gov](http://www.irs.gov) or 800-829-4933.
- An Approved Physical Inspection of Retail Location:** An on-site inspection of the premises will be conducted by a Division of Real Estate & Professional Licensing staff member to determine if the location meets **all** of the physical requirements. Once a license is issued, the dealership is subject to random inspections, including inspection of pertinent records. See business establishment guidelines on pages 2 and 3.
- Photographs of the Lot, Office and Sign:** No inspection will be scheduled until photographs are received. At the time of application, the applicant must provide clear photographs (via mail or email) of the location showing:
  - 1) The lot.
  - 2) The office (inside and outside).
  - 3) Business name sign, including any registered trade names. No applicant shall be issued a license unless the application shows the business for which the license is sought is equipped with a suitable sign that is properly maintained, prominently displayed and permanent, and identifies the ownership of said business in the same name in which the application is filed. Sign letters identifying the business shall be no less than six inches high.
  - 4) Hours posted on the exterior of the office.
- Bureau of Criminal Identification & Investigation (BCI&I):** Ohio residents who are owners, all partners, the president of a corporation, all members owning 10 percent or more and all trustees **MUST** be electronically fingerprinted and **have the results forwarded** to the Division, 77 South High Street, 20<sup>th</sup> Floor, Columbus, OH 43215. Visit <http://www.ohioattorneygeneral.gov/Business/Services-for-Business/WebCheck/Locations> for a complete listing of electronic fingerprinting locations in Ohio.

**Only out-of-state** applicants may submit a fingerprint card and exemption form in lieu of having their prints electronically scanned. Please contact the Division at 614-466-4100 to obtain a fingerprint card and an exemption form.

**NOTE:** Manufactured Home Broker applicants are not required to submit fingerprints.

**Limited background checks being run by the Division are for licensing purposes specifically addressed in Ohio Administrative Code 4781.11.**

## **Limited Liability Company Applicants**

Electronic fingerprints are required on **each**:

- Individual and/or;
  - Member owning 10 percent or more of the business making application. If no members own 10 percent or more of the business making application, then the electronic fingerprint is required on each officer elected to represent those members. If a corporation is listed as a member of the limited liability, the president of the corporation and the individual signing the application, if applicable, must submit an electronic fingerprint. If a trust is listed as a member, the Trustee of the trust must submit an electronic fingerprint.
- Two or More Dealers Operating at the Same Location:** A Certification of Compliance form (REPL-17-0031), must be filed with the Division when two or more dealerships are engaged in business at the same place. A copy must also be filed with the Articles of Incorporation at the Secretary of State's office. The form certifies that all dealers agree to be jointly, severally and personally liable for all liabilities arising from their engaging in business at the same location. The facility shall be open and attended by at least one licensed salesperson from **each** of the dealerships, or by the dealer principal from **each** of the dealerships operating from that place. Dealerships operating from the same place should not be a method by which one of the dealerships may violate dealer law, including not being appropriately staffed or attended, or engaging in wholesale only activities.
- Certified Copies (Secondary Locations):** A dealer may have more than one place of business **in the same county**, and may make application for what the R.C. refers to as "secondary locations" of the license for each additional place of business operated. This is referred to as a secondary location license. An application for certified copy (REPL-17-0024) must be submitted for each location. The application must be accompanied by photographs of the location (see photograph requirements on page 1), and appropriate fees. If you intend to sell new manufactured homes at this location, you must also submit a statement of franchise (REPL-17-0021) for each new make of manufactured homes to be offered for sale. Additional locations must also meet all physical requirements. **NOTE:** Additional locations in different counties require a new dealer application (REPL-17-0022).
- If a dealer license is lost, mutilated, or destroyed, a duplicate permit may be obtained by applying for a duplicate permit (REPL-17-0024), and paying the appropriate fee.
- Notice of Franchise Agreements on Statement of Franchise Form for Applicants Selling New Only:** Applicants for a new manufactured home dealer must submit a Statement of Manufacturer/Distributor Franchise (REPL-17-0021) for each new make of manufactured home to be offered for sale, certifying that the dealership has a franchise agreement with a manufacturer or distributor of manufactured homes to sell certain makes of "new" manufactured homes.
- A \$25,000 surety bond must accompany the dealer's application** (sample form attached).
- Net worth – per the application form (REPL-17-0022), you must attest to \$75,000 net worth.**

**Note:** If you require dealer plates, they must be obtained from the Bureau of Motor Vehicles (BMV). Please visit their website at [www.OhioAutoDealers.com](http://www.OhioAutoDealers.com) or call the Dealer Licensing Section at 614-752-7636.

## **Manufactured Housing Dealer Business Establishment Guidelines**

- (A) A manufactured housing dealer shall have an established place of business that is permanent in nature with office equipment and supplies that are sufficient to assist in conducting the business of selling manufactured housing year-round. The office shall have, at minimum, a landline telephone number (not a cellular phone) in service at all times that is listed in the local telephone directory and answered in the name of the manufactured housing dealer, electric lighting and heating that is sufficient and reasonable for a retail office environment. An established place of business that is used for selling manufactured housing shall be used exclusively for that purpose even though its facility is located in a manufactured home park or complex and even though rent and other activities related to operating a manufactured home park takes place at the same location. The dealer's established place of business in a manufactured home park shall be staffed by someone licensed and regulated under R.C. Chapter 4781 who could reasonably assist any retail customer with or without an appointment, but such established place of business need not satisfy office size, display lot size, and physical barrier requirements as referenced in this chapter.

- (B) The office shall be clearly identified, easily accessible, and open to the public, a minimum of 30 hours a week, at least six of which shall occur Monday through Friday. The office shall be kept neat and orderly at all times, and shall not be used as storage or other utility area. The office shall be separate from a personal residence. If the dealership is located in a manufactured home park, posted office hours must be adhered to, however, the salesperson is allowed to be out of the office during posted office hours if there are instructions on the door on how to reach the salesperson. The salesperson must be available to reasonably assist customers with or without an appointment. The office for dealerships located in manufactured home parks can be in a model home or an office. If, however, the Division's investigation reveals that the dealer applicant's local area would be better served, the Division may grant the applicant a manufactured housing dealer license if the applicant has substantially complied with the provisions laid forth in R.C. Chapter 4781.
- (C) The business hours shall be legible and posted in a conspicuous place near the entrance of the office.
- (D) An established place of business which shall include a lot of at least 3,500 square feet, not including driveways, with adequate ground cover of a hard surface (such as gravel or concrete) to prevent the collection of dust, mud, water, or other unsightly conditions.
- (E) The display lot must be separated from any other business or residence with a permanent physical barrier that is sufficient to deter normal vehicular and pedestrian traffic. The barrier may not be able to be moved or removed.
- (F) A permanent office of at least 180 square feet of usable office area, located on the display lot, which shall be kept in a neat and orderly fashion. The office must include the following:
  - a. Desk
  - b. Chair
  - c. Filing cabinet
  - d. Electric lighting sufficient for an office
  - e. Heating sufficient for an office
  - f. Telephone (landline), in service at all times, listed and answered in the dealership's name
  - g. A sign showing the exact name of the business as it appears on the application
- (G) In the event the manufactured housing dealer is located in a manufactured home park, the signage can be in the name of the manufactured home park. The manufactured housing dealer shall also provide sufficient disclosure to all purchasers and potential purchasers that the manufactured housing dealer is licensed by the Division to deal in manufactured homes. This disclosure shall include the actual name of the authorized licensee as provided by the applicant to the Division. At the time of application, the applicant must provide clear photographs (via mail or email) of the location showing: (1) the lot, (2) the office (inside and outside), and (3) business name sign, including any registered trade names. No applicant shall be issued a license unless their application shall show the business for which the license is sought is equipped with a suitable sign, properly maintained, prominently displayed, and permanent, identifying the ownership of said business in the same name in which the application is filed. Sign letters identifying the business shall be no less than six inches high.
- (H) The office shall be staffed at all posted hours by an owner, partner, officer or licensed salesperson.

**\*\* Processing Time for Your Dealer's License \*\***

Results of criminal background checks may take several weeks. If an application is incomplete or missing documentation such as photos or background check, processing will be further delayed.