

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 803

Short Title: Manufactured Housing License Amendments. (Public)

Sponsors: Representative Holliman.

Referred to: Finance.

March 21, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE MANUFACTURED HOUSING BOARD TO
3 CHARGE AND COLLECT A LATE FILING FEE FOR LICENSEES THAT
4 APPLY FOR RENEWAL OF THE LICENSE AFTER THE LICENSE HAS
5 EXPIRED AND TO ELIMINATE SUPPLEMENTAL LICENSING BY THE
6 MANUFACTURED HOUSING BOARD.

7 The General Assembly of North Carolina enacts:

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

9 "**§ 143-143.11. License required; application for license.**

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

15 (b) Application for the license shall be made to the Board at such time, in such
16 form, and contain information the Board requires, and shall be accompanied by the fee
17 established by the Board. The fee shall not exceed three hundred dollars (\$300.00) for
18 any license. In addition to the license fee, the Board may also charge an applicant a fee
19 to cover the cost of the criminal history record check required by G.S. 143-143.10A.
20 The Board may also charge a late filing fee not to exceed three hundred dollars
21 (\$300.00) for a licensee whose application for license renewal is late pursuant to
22 subsection (c) of this section.

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

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

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

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

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

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

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