



County Technical Assistance Service

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Certificate of Title

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Capitol Blvd. Suite 400
Nashville, TN. 37219
615-532-3555 phone
615-532-3699 fax
ctas@tennessee.edu
www.ctas.tennessee.edu

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Certificate of Title

Reference Number: CTAS-685

Manufactured homes which are not affixed to land, and those which are affixed to land owned by someone other than the owner of the manufactured home, are issued certificates of title. For manufactured homes that are affixed to the owner's land and for which an Affidavit of Affixation has been recorded, no certificate of title is necessary. For example, it is not necessary to issue a certificate of title for a new manufactured home purchased by a land owner to be affixed to that land if the owner is filing an Affidavit of Affixation with the register of deeds.

If a manufactured home is affixed to a parcel of real property with the same owner, upon filing an Affidavit of Affixation the owner is required to surrender the title for cancellation by providing the following documentation to the county clerk:

1. The certificate(s) of title to the manufactured home duly endorsed to show release of any lienholders; or if the manufactured home is new, the manufacturer's statement or certificate of origin; or if the manufactured home is not covered by a certificate of title and the owner is unable to produce the manufacturer's certificate of origin, a statement to that effect in the Affidavit of Affixation;
2. A certified copy of the deed to the real property to which the manufactured home has been affixed as recorded in the register's office; and
3. A certified copy of the Affidavit of Affixation recorded in the register's office.

T.C.A. § 55-3-128.

No fee is provided in the statute for either the county clerk or the state for the surrender of the certificate of title.

The surrender of the certificate of title is mandatory. The owner cannot continue to hold a certificate of title for the manufactured home after filing an Affidavit of Affixation with the register.

If the owner of a manufactured home who has surrendered the certificate of title later wants to have the title reissued (which may happen if the owner sells the manufactured home without selling the real property), this may be done by applying for a new certificate of title with the county clerk and providing the following:

1. An abstract of title showing legal ownership of the manufactured home and real property and any mortgages recorded on the real property;
2. For every lienholder shown on the title abstract, either a release of the lien or a lienor's statement that the lien is to be recorded on the certificate of title; and
3. Payment of the required fees for issuance of the certificate of title.

T.C.A. § 55-3-129.

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