



Manufactured Home Act

MANUFACTURED HOME REGULATION

B.C. Reg. 441/2003

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Consolidated Regulations of British Columbia

This is an unofficial consolidation.

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This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at www.bclaws.ca.

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Definitions and interpretation

1 (1) In this regulation:

“**Act**” means the *Manufactured Home Act*;

“**bunkhouse**” means a manufactured home owned or leased by an employer to provide sleeping accommodation for 2 or more employees during the term of their employment;

“**deposit**” means a deposit referred to in section 26 (1) (d) of the Act;

“**floating home**” means a structure designed to float and to provide residential accommodation;

“**manufacturer**” means a person who manufactures or builds manufactured homes in the ordinary course of their business;

“**manufactured home park**” means a manufactured home park as defined in the *Manufactured Home Tax Act*;

“**practising lawyer**” has the meaning in the *Legal Profession Act*;

“**practising notary**” means a member in good standing under the *Notaries Act*;

“**qualified supplier**” means a person designated by the registrar as a qualified supplier;

“**transmission**” means a change of ownership in a manufactured home

(a) under an order of a court,

(b) consequent on a change in the office of a personal representative or trustee,

(c) by survivorship under a joint ownership,

(d) by a sheriff's sale under the *Court Order Enforcement Act*, or

(e) effected by the operation of any other Act or law,

but does not include an amalgamation of 2 or more corporations;

“**travel or tourist trailer**” means a vehicle that is capable of being towed on its own wheels and undercarriage by a motor vehicle and is licensed or required to be licensed as a trailer under the *Motor Vehicle Act* for use on a highway.

(2) For the purposes of the Act, “**transfer**” includes a transmission.

[am. B.C. Reg. 13/2008, s. 1.]

Standards

2 For the purposes of sections 32 and 33 of the Act a newly built manufactured home must comply with the following standards:

(a) sections 70 and 72 of Part 1 (19th Edition) of C22.1-2002 Canadian Electrical Code of the Canadian Standards Association:

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- (b) CAN/CSA A277-01, Procedure for Certification of Factory Built Houses or the following portions of CAN/CSA Z240, MH Series-92, Mobile Homes:
- (i) CAN/CSA Z240.0.1-92, Definitions and General Requirements for Mobile Homes;
 - (ii) CAN/CSA Z240.1.1-92, Vehicular Requirements for Mobile Homes;
 - (iii) CAN/CSA Z240.2.1-92, Structural Requirements for Mobile Homes;
 - (iv) CAN/CSA Z240.3.1-92, Plumbing Requirements for Mobile Homes;
 - (v) CAN/CSA Z240.4.1-92, Installation Requirements for Gas Burning Appliances in Mobile Homes;
 - (vi) CAN/CSA Z240.5.1-92, Oil Installation Requirements for Mobile Homes;
 - (vii) CAN/CSA Z240.9.1-92, Requirements for Load Calculations and Duct Design for Heating and Cooling of Mobile Homes.

Registrar may require proof

- 3** The registrar may require proof in a form acceptable to the registrar of any of the following:
- (a) the authority of an agent;
 - (b) the name, address and occupation of a person named in any record submitted for filing;
 - (c) the registered name of a corporation named in any record submitted for filing;
 - (d) the execution of any record submitted for filing;
 - (e) any information contained in a record submitted for filing.

Exemptions

- 4** (1) A manufactured home of any of the following classes is exempt from the operation of the Act:
- (a) a floating home;
 - (b) a camper;
 - (c) a travel or tourist trailer;
 - (d) a park model trailer built to Canadian Standards Association standards in the CAN/CSA-Z241 series, Park Model Trailers;
 - (e) a manufactured home being transported in or through British Columbia
 - (i) from a manufacturer's place of business within British Columbia directly to a location outside British Columbia, or
 - (ii) from a location outside British Columbia directly to another location outside British Columbia.
- (2) If a manufactured home is used as a bunkhouse it is exempt from the operation of the Act during that use.

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- (3) Section 25 of the Act does not apply to a manufactured home
- (a) the ownership of which is registered in the name of a manufacturer and the location of which on the register is the manufacturer's lot or the manufactured home dealer's lot,
 - (b) the ownership of which is registered in the name of a manufactured home dealer and the location of which on the register is the dealer's lot or the manufacturer's lot, or
 - (c) that is located on a manufactured home dealer's lot and the ownership of which is registered in the name of a person who, under a transport permit, transported the manufactured home to the dealer's lot.

Registrar's exemptions

- 5** (1) For the purposes of section 21 of the Act, the registrar may exempt a manufactured home from the operation of the Act or any provision of it if
- (a) the manufactured home is located on and intended to be attached to land, each lessor-owner or other secured party with a security interest in the manufactured home who registered a financing statement in the personal property registry under the *Personal Property Security Act* using the registration number assigned under the Act consents to the exemption application and
 - (i) at least one registered owner of the manufactured home is registered in the land title office as an owner of the fee simple interest in the land, or
 - (ii) at least one registered owner of the manufactured home is registered in the land title office as a tenant pursuant to a lease for a term of not less than 3 years,
 - (b) the manufactured home is no longer capable of being used for residential accommodation, or
 - (c) the circumstances are such that the registrar considers it practicable to exempt the home from the operation of some or all of the provisions of the Act for a specified period of time.
- (2) An application for an exemption under subsection (1) (a) filed electronically must be submitted on behalf of the registered owner of the manufactured home by a practising lawyer, a practising notary or other qualified supplier.
- (3) A person who submits an application for an exemption under subsection (2) on behalf of the registered owner of the manufactured home must retain, for a period of 7 years, the original of or an image of the original of
- (a) the application, and
 - (b) any supporting documents.

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- (4) The records retained under subsection (3) may be kept in electronic, microfilm, paper or other format, if the format allows copies to be made by means of a computer terminal or other electronic technology.
 - (5) A person who retains records under subsection (3) must, within 7 days and on payment of copying charges and charges for certified copies or for providing evidence of records, provide copies of those records or evidence to any person who requests them during normal business hours, at the address set out in the exemption application.
 - (6) If an application for exemption is not filed electronically under subsection (2), the registered owner must submit for filing the completed application, accompanied by any other record the registrar requires.

Notices of transfer

- 6 (1) A notice of transfer in relation to a sale evidenced by an instrument of transfer executed by a registered owner of the manufactured home may be filed electronically.
- (2) A notice of transfer referred to in subsection (1) must
 - (a) be submitted on behalf of the registered owner of the manufactured home by a practising lawyer, a practising notary or other qualified supplier, and
 - (b) set out the date of execution of the instrument of transfer.
- (3) A person who submits a notice of transfer under subsection (2) on behalf of the registered owner of the manufactured home must retain, for a period of 7 years, the original of or an image of the original of
 - (a) the instrument of transfer, and
 - (b) the notice of transfer.
- (4) The records retained under subsection (3) may be kept in electronic, microfilm, paper or other format, if the format allows copies to be made by means of a computer terminal or other electronic technology.
- (5) A person who retains records under subsection (3) must, within 7 days and on payment of copying charges and charges for certified copies or for providing evidence of records, provide copies of those records or evidence to any person who requests them during normal business hours, at the address set out in the notice of transfer.
- (6) If a notice of transfer referred to in subsection (1) is not filed electronically under that subsection, the registered owner must submit for filing with the completed notice of transfer the original instrument of transfer, or a certified copy of the instrument, accompanied by any other record the registrar requires.
- (7) If a notice of transfer is in relation to a transfer to a person as a co-owner with the transferor, the notice must state whether the co-owners are tenants in common or

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joint tenants and, if they are tenants in common, the respective fractional interest held by each tenant in common.

- (8) If a notice of transfer is in relation to a transfer to more than one person, whether or not as co-owners with the transferor, the notice must state whether the transferees are, in relation to each other, tenants in common or joint tenants and, if they are tenants in common, the respective fractional interest held by each tenant in common.
- (9) If a notice of transfer is in relation to a transfer by a co-owner as a joint tenant, the notice must state
 - (a) that the transferee is a tenant in common, and
 - (b) the fractional interest held by each tenant in common.
- (10) Subsection (9) does not apply if all of the co-owners have transferred their interests to a single transferee or to 2 or more transferees as joint tenants.
- (11) If a notice of transfer is in relation to a transfer from an owner to a lessee owner, the name of both the owner and the lessee owner must be given on the notice.

Transmission on death

- 7 (1) If a transmission results from the death of a registered owner of a manufactured home, the personal representative of the deceased registered owner may submit for filing a notice of transfer, accompanied by a certified copy of the grant of probate or letters of administration issued from the court that made or resealed the grant.
- (2) Despite subsection (1), if the fair market value of the estate is \$25 000 or less, an executor named in the will of the deceased registered owner may submit for filing a notice of transfer, accompanied by
 - (a) an affidavit, in a form satisfactory to the registrar, from each executor named in the will of the deceased, that
 - (i) the executor is named in the will attached to the affidavit, and believes that the will is a true copy of the last will and testament of the deceased, including any codicil to it, and that it was not revoked by the testator during the testator's lifetime or by operation of law before the testator's death,
 - (ii) the executor has personal knowledge of the affairs of the deceased, has searched the deceased's effects in order to ascertain whether there are any debts or liabilities for which the estate may be liable, and believes that the debts and liabilities of the deceased have been fully paid, and
 - (iii) with the exception of insurance policies payable to named beneficiaries and jointly held assets, the total market value of the estate, including the manufactured home, does not exceed \$25 000, and
 - (b) a death certificate or a certified copy of a death certificate for the deceased.

- (3) If an executor submits a notice of transfer under subsection (2), at the same time the executor must submit a notice of the transfer from the executor to the beneficiary.

[am. B.C. Reg. 10/2005.]

Transmission on death – surviving joint tenant

- 8** (1) Despite section 7, if a manufactured home has been registered in the name of 2 or more persons as joint tenants and a transmission results from the death of one of the joint tenants, a surviving joint tenant may apply to have the deceased removed from the register as an owner by
- (a) submitting electronically for filing the notice of transfer, or
 - (b) submitting for filing, other than electronically, the notice of transfer, accompanied by a death certificate for the deceased joint tenant or a certified copy of the death certificate.
- (2) A notice of transfer submitted electronically under subsection (1) must be submitted on behalf of the surviving joint tenant by a practising lawyer, a practising notary or qualified supplier.
- (3) A person referred to in subsection (2) who submits electronically a notice of transfer on behalf of a surviving joint tenant must retain, for a period of 7 years, the original of or an image of the original of
- (a) the notice of transfer, and
 - (b) the death certificate for the deceased joint tenant or a certified copy of that death certificate.
- (4) The records retained under subsection (3) may be kept in electronic, microfilm, paper or other format, if the format allows copies to be made by means of a computer terminal or other electronic technology.
- (5) A person who retains records under subsection (3) must, within 7 days and on payment of copying charges and charges for certified copies or for providing evidence of records, provide copies of those records or evidence to any person who requests them during normal business hours at the address set out in the notice of transfer.

[en. B.C. Reg. 13/2008, s. 2.]

Transmission under *Personal Property Security Act*

- 9** (1) If a transmission results from the sale of the manufactured home as a result of the exercise of the rights of a secured party under section 55 (6) or 59 of the *Personal Property Security Act*, the notice of transfer must be accompanied by
- (a) an affidavit, in a form satisfactory to the registrar, from the secured party or receiver who caused the sale to be made,
 - (i) that the secured party had, before the sale, a valid security interest in the manufactured home given by the registered owner of the manufactured home,

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- (ii) that the registered owner's interest in the manufactured home has been sold in compliance with section 55 (6) or section 59 of the *Personal Property Security Act*, and
 - (iii) containing the personal property registry base registration number that relates to the financing statement or financing change statement filed in relation to the manufactured home,
- (b) a statement from the transferee, in a form satisfactory to the registrar, that the transferee was the purchaser at the sale and, as such, is entitled to be registered as the owner of the manufactured home, and
- (c) if a receiver has been appointed,
 - (i) a notice of appointment of the receiver signed by the secured party, or
 - (ii) a certified copy of the court order appointing the receiver.
- (2) If a transmission results from the operation of section 61 of the *Personal Property Security Act*, the notice of transfer must be accompanied by an affidavit from the transferee, in a form satisfactory to the registrar,
 - (a) that the transferee had, before the exercise of the transferee's rights under section 61 of the *Personal Property Security Act*, a valid security interest in the manufactured home given by the registered owner of the manufactured home,
 - (b) that the transferee is entitled to be registered as the owner of the manufactured home as a result of the operation of section 61 of the *Personal Property Security Act*, and
 - (c) containing the personal property registry base registration number that relates to the financing statement or financing change statement filed in relation to the manufactured home.

[am. B.C. Reg. 64/2021, s. 3.]

Transmission under court order

- 10** If a transmission has been made under a court order, the notice of transfer must be accompanied by a certified copy of the court order.

Transmission other than under sections 7 to 10

- 11** Unless a transmission is under sections 7 to 10, a person who submits a notice of transfer in relation to a transmission effected by the operation of an Act or law must indicate in the notice the Act or law under which the transmission occurred or which otherwise provided for the transmission.

Transport permits

- 12** (1) If the registrar issues a transport permit, the registrar must enter on the register the new location described in the permit as the location of the manufactured home.

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- (2) If the manufactured home in respect of which a transport permit has been issued is not transported to the specific location described in the permit, the owner must submit to the registrar for filing a report, in the form established by the registrar, specifying the new location of the manufactured home or informing the registrar that the manufactured home was not moved.
 - (3) A report under subsection (2) must be submitted for filing within 3 days of the earlier of
 - (a) the day the manufactured home was transported to the new location, or
 - (b) the day the transport permit expires.
 - (4) If the location of a manufactured home differs from the location on the register, the owner must
 - (a) submit for filing a report with the registrar in the form established by the registrar that discloses that fact,
 - (b) provide the registrar with any other information the registrar considers necessary, and
 - (c) pay the transport permit application fee.
 - (5) On the filing of a report under subsection (2) or (4), the registrar must
 - (a) enter on the register the new location of the manufactured home, and
 - (b) give written notice of the new location to all secured parties.

Requirement of applicants who are individuals

- 13** If the Act or this regulation requires that a record submitted to the registrar set out the name of a person who is an individual, the record must provide the name as follows:
- (a) the individual's surname;
 - (b) the individual's first given name if the individual has a first given name;
 - (c) the individual's second given name if the individual has a second given name.

Verification statement

- 14** (1) If a record is filed under the Act, the registrar may provide to the submitting party confirmation of the information filed.
- (2) If application is made for a transport permit by a person other than the person recorded on the register as the registered owner of the manufactured home, the registrar may provide confirmation of the issuance of a transport permit to the person recorded on the register as the registered owner.

Decals

- 15** (1) The registered owner of a manufactured home must affix the decal issued under section 5 or 6 of the Act to a position on the manufactured home authorized by the registrar.

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- (2) If an interior or exterior decal affixed to a manufactured home is stolen, lost, defaced, mutilated or destroyed, the registered owner of a manufactured home must obtain from the registrar a decal of the appropriate class and must affix that decal to the home.

Deposits

- 16** (1) A collector must not, as a condition of issuing a certificate under section 25 (2) of the Act, require the applicant to pay a deposit unless the manufactured home in respect of which the request is made has been assessed in the name of the owner, separately from the land on which it is located, and placed on the assessment roll of the taxing authority for the current year.
- (2) The deposit must be an amount equal to the greater of
- (a) the sum of \$75, or
 - (b) the amount of taxes imposed or levied on the manufactured home, less the Provincial home owner grant under the *Home Owner Grant Act*, if any, levied on the manufactured home in the immediately preceding taxation year.
- (3) Interest on a deposit must be paid or credited by the taxing authority as follows:
- (a) in a municipality other than the City of Vancouver, at the rate prescribed under section 239 (2) of the *Community Charter* from the date of payment to the first tax penalty date stated in, or established by, a bylaw under section 234 or 235 of the *Community Charter*;
 - (b) in the City of Vancouver, at the rate stated in, or established by, a bylaw under section 412 of the *Vancouver Charter*;
 - (c) in a rural area, at the rate and by the method prescribed under section 13 (1) of the *Taxation (Rural Area) Act*.
- (4) If it is subsequently determined that the deposit paid to the collector exceeds the difference between the total amount of taxes levied on the manufactured home and the grant under the *Home Owner Grant Act*, the taxing authority must, on request, pay the excess to the person who paid the deposit.

[am. B.C. Reg. 215/2017, Sch. 2, s. 1.]

Receipt for deposit

- 17** If a deposit has been paid to a collector under section 26 (1) (d) of the Act, the collector must issue a receipt for the payment and include with the receipt an application for a grant under the *Home Owner Grant Act* in the form prescribed under that Act.

[en. B.C. Reg. 215/2017, Sch. 2, s. 2.]

Certificate must be issued

- 18** The collector must not decline to issue a certificate under section 25 (2) of the Act if a manufactured home

- (a) has not been separately assessed and placed on the assessment roll of the taxing authority for the current year, or
- (b) has been assessed as an improvement affixed to land.

Manner of filing records with registrar

- 19** (1) Subject to subsection (2), unless otherwise allowed or required by the registrar, a record that is to be filed with the registrar must be submitted for filing in paper format.
- (2) Unless otherwise allowed or required by the registrar, the following records must be submitted for filing with the registrar in an electronic format that is compatible with the technical requirements of the registrar:
- (a) a notice of transfer in relation to a sale, submitted for filing under section 6;
 - (b) an application for exemption in relation to a manufactured home located on land, submitted for filing under section 5;
 - (c) a notice of ownership submitted for filing by a manufacturer;
 - (d) a transport permit application.

Search under section 20 of the Act

- 20** Unless otherwise allowed or required by the registrar, a search under section 20 of the Act must be conducted in electronic format.

Abbreviated information

- 21** (1) For the purposes of any record submitted for filing under this regulation, an abbreviation set out in Column 2 of Schedule 2 may be used instead of the information set out opposite that abbreviation in Column 1.
- (2) For the purposes of any information entered onto the register by registry staff, an abbreviation set out in Column 2 of Schedule 2 may be used instead of the information set out opposite that abbreviation in Column 1.

Fees

- 22** The fees in Schedule 1 are prescribed for the purposes of the Act.

SCHEDULE 1

[am. B.C. Regs. 190/2008; 112/2010, s. 13.]

FEES

Item	Description	Fee
1	Notice of ownership	\$50
2	Replacement decal	\$10
3	Transport permit application	\$25
4	Notice of transfer	\$50

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Schedule 2

Item	Description	Fee
5	Caution/continuation	\$20
6	Search of the register	
	(a) by persons other than government personnel	
	(i) if combined with a search of the Personal Property Registry and no fee is charged under the <i>Personal Property Security Act</i>	\$12*
	(ii) in any other case	\$7*
	(b) conducted by government personnel	
	(i) if combined with a search of the Personal Property Registry and no fee is charged under the <i>Personal Property Security Act</i>	\$15
	(ii) in any other case	\$10
7	Certification of any record	\$25
8	Copies of documents (uncertified)	50¢
		for each page supplied
9	Tax sale notice	NC
10	Filing a record for which no other fee is charged	\$15
11	Exemption order, except exemption orders respecting destroyed manufactured homes	\$50
12	Fee for priority service	\$100

* In addition to a fee marked by an asterisk, a further operator fee of \$1.50, plus any tax imposed under Part IX of the *Excise Tax Act* (Canada) on the operator fee, may be charged for any transaction done by electronic means from a location outside a government office or at a government office by a person who is not a government employee.

SCHEDULE 2

Column 1	Column 2
<i>Name</i>	<i>Abbreviation</i>
Corporation	CORP
Incorporated, Incorporée	INC
Limited	LTD
Limitée	LTEE
Non Personal Liability	NPL
<i>Location</i>	<i>Abbreviation</i>
Block	BK
District Lot	DL
Fractional	FR
Group	GP
Indian Reserve	IR
Legal Subdivision	LS
Lot	L
Range	R

Column 1	Column 2
Right of Way	R/W
Section	SEC
Statutory Right of Way	SRW
Township	TP
Kamloops Division of Yale District	KDYD
Kootenay District	KD
New Westminster District	NWD
Osoyoos Division Yale District	ODYD
Peace River District	PRD
Queen Charlotte District	QCD
Similkameen Division of Yale District	SDYD
Yale Division of Yale District	YDYD
North	N
West	W
South	S
East	E
North East	NE
North West	NW
South East	SE
South West	SW
Quarter	QTR, 1/4
Half	1/2
Kilometre (s)	KM
Mile(s)	MI
Number	NO
Apartment	APT
Avenue	AVE
Boulevard	BLVD
Circle	CIR
Corner	COR
Court	CT
Crescent	CRES
Drive	DR
Highway	HWY
Place	PL
Road	RD
Rural Route	RR
Street	ST
Suburban Service	SS
Canada	CAN

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Schedule 2

Column 1	Column 2
<i>Provinces</i>	<i>Abbreviation</i>
Alberta	AB
British Columbia	BC
Manitoba	MB
New Brunswick	NB
Newfoundland	NF
Northwest Territories	NT
Nova Scotia	NS
Ontario	ON
Prince Edward Island	PE
Quebec	PQ
Saskatchewan	SK
Yukon	YT
<i>States</i>	<i>Abbreviation</i>
Alabama	AL
Alaska	AK
Arkansas	AR
Arizona	AZ
California	CA
Colorado	CO
Connecticut	CT
Delaware	DE
District of Columbia	DC
Florida	FL
Georgia	GA
Guam	GU
Hawaii	HI
Idaho	ID
Illinois	IL
Indiana	IN
Iowa	IA
Kansas	KS
Kentucky	KY
Louisiana	LA
Maine	ME
Maryland	MD
Massachusetts	MA
Michigan	MI
Minnesota	MN
Mississippi	MS

Column 1	Column 2
Missouri	MO
Montana	MT
Nebraska	NE
Nevada	NV
New Hampshire	NH
New Jersey	NJ
New Mexico	NM
New York	NY
North Carolina	NC
North Dakota	ND
Ohio	OH
Oklahoma	OK
Oregon	OR
Pennsylvania	PA
Puerto Rico	PR
Rhode Island	RI
South Carolina	SC
South Dakota	SD
Tennessee	TN
Texas	TX
Utah	UT
Vermont	VT
Virginia	VA
Washington	WA
West Virginia	WV
Wisconsin	WI
Wyoming	WY
<i>Descriptions</i>	<i>Abbreviation</i>
Bedroom	BDRM
Living Room	LR
Serial Number	SN