



Ohio Manufactured Home Commission

Ohio Manufactured Homes Commission
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MANUFACTURED HOME DEALER LICENSING INFORMATION & INSTRUCTIONS WHO NEEDS A LICENSE?

Ohio Law as referenced in ORC 4781.16 requires that a manufactured home dealer license must be obtained if you are selling more than five (5) homes in a twelve month period. Failure to abide by Chapter 4781 of the ORC is subject to fines of up to \$1,000 per day per violation.

REQUIREMENTS FOR OBTAINING A NEW or USED MANUFACTURED HOME DEALER LICENSE

- Application to Deal in Manufactured Homes** (OMHC 4320): The application must be typed or legibly printed in ink. All blocks must be completed and all questions answered on the application, including the home address and social security number of the owner, all partners, corporate officers, members, and trustees.
- An Approved Physical Inspection of Retail Location:** An on-site inspection of the premises will be conducted by an Ohio Manufactured Homes Commission (OMHC) staff member to determine if the location meets ALL 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 page 2 and 3.
- Photographs of the Lot, Office, and Sign:** No inspection will be scheduled until photos 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 their application shall show the business for which the license is sought is equipped with a suitable sign, properly maintained and 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 (6") 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% or more and all trustees **MUST** be electronically fingerprinted and **have the results forwarded** to the Ohio Manufactured Homes Commission, Licensing Dept., 5100 Parkcenter Avenue, Suite 103, Dublin, OH 43017. Visit <http://www.ohioattorneygeneral.gov/Business/Services-for-Business/WebCheck/Webcheck-Community-Listing> for a complete listing of electronic fingerprinting locations in Ohio.
NOTE: Only Out-of-State applicants may submit a fingerprint card and exemption form in lieu of having their prints electronically scanned. Please contact the OMHC Licensing Dept. at 614-734-6010 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 OMHC is for licensing purposes specifically addressed in OAC 4781-11 only.

Limited Liability Company Applicants

Electronic Fingerprints are required on each:

- Individual and/or;
- Member owning 10% or more of the business making application. If no members own 10% 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, Trustee of the trust.

- Two or More Dealers Operating at the Same Location:** A Certificate of Compliance form OMHC 4347, must be filed with this office 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 Ohio Revised Code 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, form OMHC 4335, must be submitted for each location. The application must be accompanied by photographs of the location (see photograph requirements on the first page), and appropriate fees. If you intend to sell new manufactured homes at this location, you must also submit a statement of franchise; form OMHC 4319, 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 are not certified copies; therefore a new dealer application, form OMHC 4320, is required.

If a dealer license is lost, mutilated, or destroyed, a duplicate permit may be obtained by submitting an application for duplicate permit, form OMHC 4335, and the appropriate fee.

- Notice of Franchise Agreements on OMHC Statement of Franchise Form for Applicants Selling New Only:** Applicants for a new manufactured home dealer, must submit a Statement of Manufacturer/Distributor Franchise, form OMHC 4319, 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 (OMHC 4320), you must attest to \$75,000 net worth.**

Note: If you require dealer plates, they must be obtained from the Bureau of Motor Vehicle (BMV). Please visit their web site at 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 office 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 as, 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 considered 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 this chapter 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 thirty 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 Commission's investigation reveals that the dealer applicant's local area would be better served, the Commission may grant the applicant a manufactured housing dealer license if the applicant has substantially complied with the provisions laid forth in this chapter.

(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 three thousand five hundred square feet, not including driveways, with adequate ground cover of a hard surface (gravel, concrete, etc.) 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 one hundred eighty 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:

- (1) Desk;
- (2) Chair;
- (3) Filing cabinet;
- (4) Electric lighting sufficient for an office;
- (5) Heating sufficient for an office;
- (6) Telephone, 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. 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 Commission to deal in manufactured homes. This disclosure shall include the actual name of the authorized licensee as provided by the applicant to the Commission. 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 and 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 LICENSE ****

It can take up to eight weeks to issue a license once an application is received in our office. However, if the application is incomplete, including missing documentation; such as, photos, background check, etc., expect further delays.