

322B.2 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "*Department*" means the state department of transportation.
2. "*Home*" means a manufactured home, mobile home, or modular home.
3. "*Manufactured home*" means a factory-built structure built under the authority of 42 U.S.C. § 5403, that is required by federal law to display a seal required by the United States department of housing and urban development, and was constructed on or after June 15, 1976.
4. "*Manufactured or mobile home distributor*" means a person who sells or distributes manufactured or mobile homes to manufactured or mobile home retailers.
5. "*Manufactured or mobile home manufacturer*" means a person engaged in the business of fabricating or assembling manufactured or mobile homes.
6. "*Manufactured or mobile home retailer*" means a person who, for a commission or other thing of value, sells, exchanges, or offers or attempts to negotiate a sale or exchange of an interest in a home or who is engaged wholly or in part in the business of selling homes, whether or not the homes are owned by the retailer. "*Manufactured or mobile home retailer*" does not include any of the following:
 - a. A receiver, trustee, administrator, executor, guardian, attorney, or other person appointed by or acting under the judgment or order of a court to transfer an interest in a home.
 - b. A person transferring a home registered in the person's name and used for personal, family, or household purposes, if the transfer is an occasional sale and is not part of the business of the transferor.
 - c. A person who transfers an interest in a home only as an incident to engaging in the business of financing new or used homes.
 - d. A person who exclusively sells modular homes.
7. "*Mobile home*" means a structure, transportable in one or more sections, which exceeds eight feet in width and thirty-two feet in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to one or more utilities. A "*mobile home*" is not built to a mandatory building code, contains no state or federal seals, and was built before June 15, 1976.
8. "*Modular home*" means a factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa state building code for modular factory-built structures, as adopted pursuant to section 103A.7, and displays a seal issued by the state building code commissioner.
9. "*New home*" means a home that has not been sold at retail.
10. "*Preowned home*" means a home that has been previously sold at retail.
11. "*Retailer's inventory*" means homes offered for sale at the retailer's licensed address or at any mobile home park or land-leased community so long as the title of the home is in the retailer's name and the home is not being occupied.
12. "*Sell at retail*" means to sell a home to a person who will devote it to a consumer use.

[C81, § 322B.2]

88 Acts, ch 1134, § 68; 98 Acts, ch 1126, §1, 2; 99 Acts, ch 188, §15; 2001 Acts, ch 153, §2; 2001 Acts, ch 176, §66, 82; 2004 Acts, ch 1086, §61