

**STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
MANUFACTURED HOUSING DIVISION
2550 CERRILLOS ROAD, P.O. BOX 25101
SANTA FE, NM 87504
TELEPHONE NO.: (505) 476-4770**

**APPLICATION FOR MANUFACTURER LICENSE
APPLICATION FEE
Manufacturer I - \$500.00
Manufacturer II - \$400.00
NCS/BCS PLANT # _____**

APPLICANT DOING BUSINESS AS A:

SOLE OWNER ___ PARTNERSHIP ___ CORPORATION ___ SUBSIDIARY ___

DATE: _____

BUSINESS NAME: _____

Social Security No.: _____ **Date of Birth:** _____

a) If partnership, the members of the partnership are: _____

b) If corporation: Name and location of principal office:

Address

City & State

Zip Code

(Area Code) (Telephone No.)

Please submit a copy of the Articles of Incorporation with the application.

c) If subsidiary: Name and location of principal office:

Address

City & State

Zip Code

(Area Code) (Telephone No.)

Name and location of parent company's principal office:

Address

City & State

Zip Code

(Area Code) (Telephone No.)

LOCATION OF BUSINESS: _____
Address

City & State

Zip Code

(Area Code) (Telephone No.)

MAILING ADDRESS: _____
Street or P.O. Box

City & State

Zip Code

NOTE: THE DIVISION WILL NOT ACCEPT INCOMPLETE APPLICATIONS.

1. Are you familiar with the Manufactured Housing Act and the Regulations?
YES _____ NO _____
2. Have you previously been licensed in the State of New Mexico or in any other state?
YES _____ NO _____ If yes, give name: _____
License No.: _____ Date of Licensing: _____
Date License surrendered: _____
Reason: _____
3. Name and address of your approved Design Approval Primary Inspection Agency (DAPIA) and In Production Inspection Agency (IPIA).
DAPIA _____
IPIA _____
4. Are there any judgments, liens or suits pending or recorded against applicant?
YES _____ NO _____ If yes, attach details – including date of suit or lien filed, date of judgment or recording of lien; amount of liability, if any.
5. Name and title of person with authority to resolve consumer complaints:

PLEASE SUBMIT THE FOLLOWING:

6. Certificate of Qualifying Party form, signed and notarized (form attached).
7. Financial statement signed and notarized (sample form may be used as a guide).
8. A properly executed consumer protection bond in the amount of \$50,000.00 underwritten by a corporate surety company authorized to conduct business in New Mexico and otherwise meeting all requirements of Section 60-14-6 N.M.S.A. 1983 Comp. (sample form may be used).
9. Copy of manufacturer warranty, per Section 14.12.2.34 NMAC of the Regulations (sample form may be used as a guide).
10. Ten (10) copies of your Manufacturers Installation Manuals.
11. If you are an out-of-state corporate manufacturer, complete the attached affidavit (consent to Service of Process).
12. Each Manufacturing Plant is required to submit a written report to the N.M. Manufactured Housing Division. The report must contain the following information: a. N.M. license number and name; b. the serial number and H.U.D. label number assigned to the home, and; c. the name of the retailer to whom the homes are delivered. The report must be filed by the fifteenth (15th) of the month following the shipment month.

NOTE: ANY CHANGES SHALL BE REPORTED IMMEDIATELY TO THE DIVISION.

I HEREBY CERTIFY that this application contains no willful misrepresentation and the information given by me is true and complete to the best of my knowledge and belief. I am aware that should investigation at any time disclose any such misrepresentation or falsification, that my application will be rejected. If already licensed at time of such investigation and disclosure, my license is subject to suspension or revocation for such misrepresentation or falsification.

SIGNED: _____ TITLE: _____
DATE: _____

CAUTION: You may not engage, or perform, as a Manufactured Housing Manufacturer until your license has been issued.

CERTIFICATE OF QUALIFYING PARTY

NAME OF PERSON TO QUALIFY: _____

BUSINESS ADDRESS: _____

CITY & STATE _____

QUALIFYING FOR: _____

(Name of Firm)

CHECK ONE:

Manufacturer _____ Installer (MHD-1) _____ Repairman (MHD-2) _____

Installer/Repairman (MHD-3) _____

I do hereby certify that I am the Qualifying Party of the above named applicant for a New Mexico Manufactured Housing Division license. That as such Qualifying Party, I will be a regular and bona fide (employee/proprietor/corporate officer/partner) for the above named applicant and that I will have active and direct supervision and control of all operations necessary to secure full compliance with all provisions of the Act, being Sections 60-14-1 et. Seq., NMSA, 1983 Comp., and the Regulations adopted pursuant thereto by the Manufactured Housing Division.

I further certify that by signing below, I assume full responsibility for the compliance with provisions of Section 60-14-1, et seq., NMSA, 1983 Comp., and the Regulations adopted pursuant thereto by the Manufactured Housing Division, and that if for any reason I become disassociated, or for any reason cease to be the Qualifying Party of the above applicant, I will within thirty (30) days notify the office of the Manufactured Housing Division in writing.

I hereby certify under the penalty of perjury that the foregoing is true and correct and certify to the truth and accuracy of all supplementary statements, answers and representations attached hereto and made a part of this application.

NOTE: This certificate of qualification is not transferable to another person.

SIGNATURE: _____

STATE OF _____ X

COUNTY OF _____ X

_____ first being duly sworn upon oath and deposes and says that he has/they have read and signed the foregoing Certificate and that the matters and things stated in said Certificate are true and correct.

Sworn to and subscribed before me, the undersigned authority, on this _____ day of _____, 20____.

My Commission Expires: _____

Signature of Notary: _____

THIS FORM IS TO BE ATTACHED AND BECOME PART OF THE APPLICATION FOR LICENSE.

NOTE: A SEPARATE FORM MUST BE USED FOR EACH QUALIFYING PARTY.

AFFIDAVIT

STATE OF _____X

COUNTY OF _____X

CONSENT TO SERVICE OF PROCESS

Pursuant to the licensing provisions of the Manufactured Housing Act of New Mexico and the regulations of the Manufactured Housing Division, the undersigned licensee does hereby waive the usual service of process in connection with all claims, matters or causes of action which may be filed or brought against it in the State of New Mexico for alleged violations of the Manufactured Housing Act or consumer complaints in connection therewith and does hereby agree to accept service of any such complaint or cause of action by registered or certified mail to be addressed and delivered to the herein below named chief executive office of the corporation. Said licensed does hereby further agree to appear and answer any such complaint or cause of action within twenty (20) days from and after the date of actual receipt of service by certified or registered mail; if licensee fails to appear and answer within such time, the licensee shall be in default and the licensee may not thereafter object to any order or judgment which may be entered against it. Said consent shall continue in full force and effect until all claims, matters or causes of action filed are resolved or until two (2) years after the licensee has terminated or whichever period is later.

The foregoing statement and agreements are made under oath and I certify and swear that such are true and correct.

OFFICER TO BE SERVED

(Name)

(Title)

(Name of Mfg. Licensee)

(Business Address) (City, State) (Zip)

Sworn to and subscribed before me, the undersigned authority, on this _____ day of _____, 20__.

My Commission Expires: _____

Signature of Notary: _____

**STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
MANUFACTURED HOUSING DIVISION**

CONSUMER PROTECTION BOND OF

_____**DEALER**
_____**INSTALLER OR REPAIRMAN**

_____**MANUFACTURER**
_____**BROKER**

BOND NO.: _____

KNOW ALL MEN BY THESE PRESENTS, that we, _____
as Principal and the _____ a corporation organized
under the laws of _____, and authorized to transact the business of
of surety ship in the STATE OF NEW MEXICO, as Surety, are held and firmly bound unto the
State of New Mexico Manufactured Housing Division, as Oblige, in the just and full sum of
_____ DOLLARS (\$ _____), for which sum, well
and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and
assignees, jointly and severally, firmly by these present.

THE CONDITION OF THIS OBLIGATION is that, if it is determined in a proceeding before the
Manufactured Housing Division that Principal has violated a provision or provisions of the
Manufactured Housing Act or Regulations thereunder pertaining to _____ of
manufactured homes, and that such violation has resulted in monetary loss to a consumer of a
manufactured home, then Principal shall indemnify said consumer against this loss within thirty
(30) days of said determination becoming final.

Surety may at any time cancel this bond by giving sixty (60) days written notice to the New
Mexico Manufactured Housing Division. Surety remains liable, however, for any defaults under
this bond committed prior to the expiration of the sixty-day period, for a period of two (2) years
after said expiration period.

SIGNED, SEALED AND DATED, this _____ day of _____, 20____.

Principal

Surety

MODEL LETTER TO BE FOLLOWED BY FINANCIAL INSTITUTION
(Typed on their letterhead)

Date:

State of New Mexico
Regulation & Licensing Department
Manufactured Housing Division
725 St. Michael's Drive, P.O. Box 25101
Santa Fe, NM 87504
(505) 827-7070

This is to certify that _____
(Company Name & Address)

has deposit with this institution _____

(in savings account number/certificate of deposit number) _____

in the amount of _____.

This is being held to meet the bonding requirements of the New Mexico Manufactured Housing Division pursuant to Section 60-14-6, et. seq., NMSA, 1983 Comp., as amended, and the Regulations adopted pursuant thereto by the Manufactured Housing Division.

It is hereby agreed:

- (1) that their deposit is neither assignable or transferable;
- (2) that the principle may not be withdrawn without the express written authorization of the Manufactured Housing Division;
- (3) that the interest accruing on said principle may be withdrawn upon the request and at the direction of the certificate of deposit owner; and
- (4) that the form of the deposit may be changed provided that the Manufactured Housing division is notified in writing, thirty (30) days prior to the proposed change.

Very truly yours,

Bank Office
Title

State of _____ X
County of _____ X

Sworn to and subscribed before me, the undersigned authority, on
this _____ day of _____, 20____.

My Commission Expires: _____

Signature of Notary: _____

LIMITED POWER OF ATTORNEY

STATE OF _____X
COUNTY OF _____X

Know all men by these presents that I, _____, the undersigned, of _____, City of _____, do hereby make, constitute, and appoint the New Mexico Manufactured Housing Division as my true and lawful attorney in fact for me and in my name for the limited and sole purpose hereinafter stated.

That upon certification by a regularly constituted quorum of the Manufactured Housing Division that the undersigned has been found to be in violation of the Manufactured Housing Act (Sections 60-14-6, et. seq., NMSA, 1983 Comp., as amended), or the Regulations adopted thereunder, that damages have been ascertained as a direct result of such violation(s), and that the determination of liability by the Manufactured Housing Division has become final, to draw upon monies deposited with an F.D.I.C Financial Institution

(Bank Name & Address)
designated as (savings accounts/certificate of deposit number) _____ to a maximum amount of _____ as recompense for such damages.

BY: _____

(Title)

State of _____X

County of _____X

Sworn to and subscribed before me, the undersigned authority, on this _____ day of _____, 20__.

My Commission Expires: _____

Signature of Notary: _____