

11 NCAC 08 .0905 LICENSING

(a) Any person employed by a dealer whose occupational activity is that of selling on behalf of the retail dealership shall be licensed as a salesperson. Each salesperson's license shall be conspicuously displayed at all times by the dealership employing the salesperson.

(b) The following shall not be required to be licensed as a manufactured housing dealer:

- (1) Receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under the judgment or order of any court;
- (2) Public officials while performing their official duties;
- (3) Persons disposing of manufactured homes acquired for their own use, provided that said home is not used for the purpose of avoiding the provisions of G.S. 143-143.11;
- (4) Licensed real estate salesmen or brokers who negotiate or sell a manufactured home for any individual who is the owner of not more than three manufactured homes;
- (5) Banks and finance companies who sell repossessed manufactured homes who do not maintain a sales lot or building with one or more employed retail salespersons.

(c) Licenses shall be issued by the Board whenever the application is in compliance with the applicable laws and regulations. Such license shall entitle the licensee to conduct the specified business for a period of one year from date of issuance or the first day of July, whichever is earlier. The Board may, if it deems necessary, cause an investigation to be made to ascertain if all the requirements set forth in the application are true and shall not issue a license to the applicant until it is satisfied as to the accuracy of the application.

(d) Manufactured housing manufacturers, dealers, and set-up contractors shall conspicuously display their licenses at all times at their place of business.

(e) Whenever a bond is required by G.S. 143-143.12, before any license shall be issued by the Board, the applicant shall deliver to the Board a corporate surety bond, cash bond or fixed value equivalent. The bond shall be to the Board and in favor of any person who shall suffer any loss as a result of any violation of the law or administrative rules governing manufactured housing. The bond shall be for the license period and a new bond or proper continuation certificate shall be delivered to the Board at the beginning of each license period. The bond for one type of license may not be considered as the bond for another type of license.

(f) License fees are as follows:

- (1) three hundred dollars (\$300.00) per Certificate of Origin plant for manufactured housing manufacturers;
- (2) two hundred fifty dollars (\$250.00) per county of operation for manufactured housing dealers;
- (3) one hundred dollars (\$100.00) per county for supplemental manufactured housing dealer locations;
- (4) twenty-five dollars (\$25.00) for retail manufactured housing salesperson; and
- (5) two hundred fifty dollars (\$250.00) per business location for set-up contractors.

*History Note: Authority G.S. 143-143.10; 143-143.11;
Legislative Objection Lodged Eff. December 22, 1982;
Eff. January 1, 1983;
Amended Eff. January 4, 1994; June 1, 1990; April 1, 1990; April 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*