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CONSUMER PROTECTION FOR OREGON MOBILE HOME OWNERS

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Oregon State University Extension Service

Mobile homes are used by many families to provide low-cost housing. Over 20,000 mobile homes were manufactured in Oregon in 1973—many of these will be purchased by Oregonians. Mobile home owners have indicated some dissatisfaction with the mobile home itself, with the setting up of mobile homes, the mobile home parks where they are located, and the moving of the home from one location to another. Laws have been passed in Oregon, and State Agencies have been identified to administer these laws that provide protection for the owner of a mobile home.

Dealers, manufacturers, and industry associations that are connected with the mobile home industry are also concerned with helping consumers who have a legitimate complaint about their mobile homes.

Consumers with complaints about mobile homes may contact the following agencies or associations:

Consumer Warranty Act—Mobile Home Owners

The Oregon Legislature in 1973 enacted a law concerned with WARRANTIES ON NEW CONSUMER GOODS which applies to mobile homes. The bill goes into effect January 1, 1974, and applies only to mobile homes and goods manufactured after that date. This law is concerned with expressed (written) warranties and implied warranties that are created not by any statement of writing, but exist because the retailer is in the business of selling a certain type of goods and the manufacturer is in the business of manufacturing a certain type of goods.

The Oregon law provides that the manufacturer's implied warranties run directly to the consumer—it opens a direct avenue for litigation between the buyer of a mobile home and the manufacturer in the event the durability of a mobile home is questioned.

The law provides that:

- 1) If a mobile home is sold without a written warranty, the sale carries an implied warranty which is valid for 12 months.
- 2) If a written warranty is provided for the mobile home, the law states that the written warranty will affect the length of time that the implied warranty is in effect—for example, if the written warranty provides for six months coverage, the responsibility for the mobile home ends after six months.
- 3) A manufacturer may disclaim the implied warranty by informing the buyer before the sale that:
 - the product is being sold “as is”
 - the entire risk as to the quality and performance of the mobile home is with the buyer
 - the buyer must assume the risk of all if the product is defective

This must be done in a conspicuous manner and done before the sale is completed.

- 4) A manufacturer who provides a written warranty must either maintain sufficient repair and service facilities within the state to fulfill the warranty or pay the dealers to fulfill terms of the product.
- 5) A written warranty must be written in readily understood language.
- 6) If service and repair facilities are maintained in the state, they provide the buyer with information about where they can get service and repair.
- 7) Service or repairs must be begun within a reasonable period of time.
- 8) A manufacturer, distributor, or retailer who makes an express warranty and maintains a service repair facility in Oregon, must provide the buyer with the name and address of all such service and repair facilities *at the time of sale.*

AGENCY

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Health Division
Department of Human Resources
716 State Office Building
Portland, Oregon 97201
Telephone: 229-5955

Mobile home parks, sanitation of the parks, and provision for certain kinds of facilities—i.e., awnings, patios, driveways, mail service, and play areas for children.

Consumer Protection Division
Department of Justice
1133 SW Market St.
Portland, Oregon 97201
Telephone: 229-5522

Misrepresentation or fraud involved in the sale of a mobile home—including advertising.

Mobile Home and Recreational
Vehicle Section
Department of Commerce
617 Chemeketa St. NE
Salem, Oregon 97310

Approval of mobile homes sold in Oregon—plans submitted are checked and approved according to plumbing, heating, electrical, and structural standards administered by the department.

Division of Consumer Services
Department of Commerce, Box 444
Salem, Oregon 97310
Telephone: 378-4320

Inspection of consumer complaints—plumbing, electrical, heating, and structural systems.

Mobile homes must be constructed to code specifications, and will be issued an Oregon insignia of compliance before they can be sold or used in Oregon.

Motor Vehicle Department
Department of Transportation
1905 Lana Avenue NE
Salem, Oregon 97310

Hiring a mover and installer to transport mobile homes from one location to another.

Licensing of mobile home dealers—they can revoke licenses of dealers.

Permits for moving of mobile homes—copies of permits provided to owners and assessors of two counties concerned. Permits issued only when taxes are paid.

Setting up of mobile homes by dealers.

Issuance of certificates of title for mobile homes. To obtain must have manufacturers certificate of origin—including year, model, year of manufacture, make, and identification number.

ORGANIZATION

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Beaver State
Mobilhome Owners League, Inc.
P. O. Box 416
Beaverton, Oregon 97005
Telephone: 646-3589

Concerned with all problems relating to mobile home living such as legislation, construction, warranty, zoning, and land use, abuses by repair, alteration, cleaning, or roof dressing operations. Will accept complaints and handle, or refer to the proper agency. Does not concern itself with management-tenant problems.

Mobile Home Dealers Association
3000 Market Street Plaza
Suite 413
Salem, Oregon 97301
Telephone: 364-2470

Is concerned with arbitration of disputes between the dealers and the purchasers of mobile homes.



OREGON STATE UNIVERSITY

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