

Texas Department of Housing and Community Affairs

MANUFACTURED HOUSING DIVISION

P. O. BOX 12489 Austin, Texas 78711-2489

(877) 313-3023 FAX: (512) 475-3506

Internet Address: www.tdhca.texas.gov/mh

The Manufactured Homeowner Consumer Claims Program

What is the Manufactured Homeowner Consumer Claims Program (Claims Program)?

- The Claims Program is a program administered by the Department to provide a remedy for damages resulting from prohibited conduct by a person licensed under Chapter 1201 of the Occupations Code. The claim must have resulted from a violation of:
 - the Texas Manufactured Housing Standards Act, Chapter 1201 of the Occupations Code;
 - Title 10, Texas Administrative Code, Chapter 80;
 - the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.);
 - a rule or regulation of the United States Department of Housing and Urban Development; or
 - Subchapter E, Chapter 17, Business & Commerce Code.

What do I need to do in order to collect from the Claims Program?

- File a consumer complaint with the Manufactured Housing Division of the Texas Department of Housing and Community Affairs (The Department).
- File the complaint before:
 - the second anniversary of the date the act or omission causing the damages or
 - the second anniversary of the date the act or omission is or could have been discovered.

What is eligible for compensation under the Claims Program?

- Actual reasonable costs and expenses up to \$35,000 in actual damages.
- No double or treble damages, punitive or exemplary damages are covered.
- Neither the Claims Program nor the Executive Director is liable if the Claims Program does not have the funds necessary to pay the actual damages.
- When the Claims Program does not have sufficient money to pay claimants, claims will be processed in the order in which the verified complaints are received.

Where do Claims Program funds come from?

- The Department is self-sustaining and operates from the monies it collects. After all operating expenses are paid, the Department is authorized to pay up to \$300,000 for consumer claims based on the availability of funds. Some claims paid by the Department are reimbursed by the license holder's bonding company enabling subsequent claims to be paid.