

1978 WL 34602 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 15, 1978

**\*1 RE: Opinion request**

Michael W. Battle, Esquire  
Legal Counsel  
Division of General Services  
300 Gervais Street  
Columbia, South Carolina 29201

Dear Mike:

I have recently had the opportunity to review your letter of July 28, 1978, and the enclosed Memorandum regarding § 27-39-260 of the Code of Laws of South Carolina, 1976, as amended by Act 106 of 1977. I am in complete accord with your conclusion that Act 106 does not alter in any manner the priorities or mechanics of who pays whom and when. Section 27-39-260 provides the individual who holds a security interest perfected prior to the time the mobile home was moved on to the landlord's property the prior interest. The Act also provides a procedure by which the landlord can distress the rent and pay off prior perfected security interest.

I would advise that holders of perfected security interest proceed in accordance with [§ 36-9-503 of the 1976 Code](#) to obtain possession after default of the mobile home secured by the perfected security interest.

If this Office can be of further assistance, please feel free to call on us.

Very truly yours,

Edwin E. Evans  
Assistant Attorney General

1978 WL 34602 (S.C.A.G.)

---

End of Document

© 2017 Thomson Reuters. No claim to original U.S. Government Works.