

ARKANSAS MANUFACTURED HOME COMMISSION

Enabling Laws

Act 81 of 2007
Act 1010 of 2007
A.C.A. §20-25-105

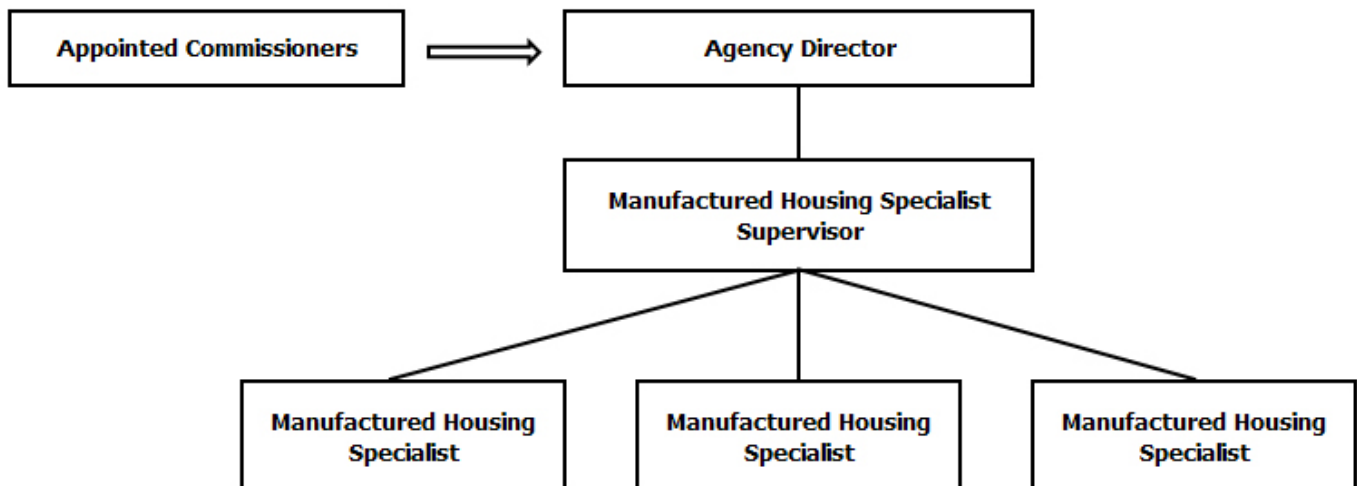
History and Organization

The Arkansas Manufactured Home Commission was established as a division of the Department of Health by Act 510 of 1973, and then became an independent State Agency through Act 419 of 1977.

The Commission has been approved by the Department of Housing and Urban Development to enforce the Federal Manufactured Home Construction and Safety Standards and the Federal Manufactured Home Procedural and Enforcement Regulations.

The Commission is responsible for regulating the manufactured housing industry by requiring manufacturers and dealers to be certified with the Commission and installers and salespersons to be licensed by the Commission. Other responsibilities include the monitoring of manufactured home dealer lots, mandatory continuing education classes for persons performing installations, participation in the National Plant monitoring quality control audits, establishing and enforcing installation standards, and on-site home inspections. Additionally, the Commission handles consumer complaints relating to the structural defects in the home and the blocking/anchoring of manufactured homes within the State of Arkansas. The Commission has an inspection program for new manufactured homes.

The Commission consists of 10 Arkansas Manufactured Home Commissioners appointed by the Governor to oversee the Agency. The Agency staff includes the Manufactured Housing Commission Director, Manufactured Housing Specialist Supervisor, and Manufactured Housing Specialists.



Agency Commentary

The Arkansas Manufactured Home Commission became an independent state agency through Act 419 of 1977. The Commission is a special revenue funded agency and receives its support entirely through industry fees. By cooperative agreement with the Department of Housing and Urban Standards, the Commission administers the Federal Manufactured Home Construction and Safety Standards and the Federal Manufactured Home Procedural and Enforcement Regulations for the State of Arkansas. Additionally, the Commission certifies manufacturers, retailers, and installers of manufactured housing. The Commission conducts continuing education classes for installers and enforces State standards for the installation of manufactured housing. The Commission has an inspection program for new manufactured homes.

The Commission is requesting Base Level for the 2009-2011 Biennium, as well as Capital Outlay totaling \$32,000 each year. \$5,000 for the purchase of audio/video equipment to support the Commission's training program, and \$27,000 to replace a vehicle when necessary in FY10 or FY11.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS MANUFACTURED HOME COMMISSION

FOR THE YEAR ENDED JUNE 30, 2007

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	2	1	3	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			3	100 %

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
Rules and Regulations	ACA 20-25-106	N	N	250	Periodic Updates to Rules and Regulations

Department Appropriation Summary

Historical Data

Agency Request and Executive Recommendation

Appropriation	2007-2008		2008-2009		2008-2009		2009-2010						2010-2011					
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
089 Arkansas Manufactured Home - Operations	232,897	5	324,851	5	327,226	5	336,252	5	363,252	5	363,252	5	340,297	5	367,297	5	367,297	5
235 Investments & Claims	92,275	0	220,000	0	220,000	0	215,000	0	220,000	0	220,000	0	215,000	0	220,000	0	220,000	0
Total	325,172	5	544,851	5	547,226	5	551,252	5	583,252	5	583,252	5	555,297	5	587,297	5	587,297	5

Funding Sources		%		%		%		%		%		%		%		%		%
Fund Balance 4000005	1,323,758	76.7	1,401,550	77.7			1,259,699	75.8	1,259,699	75.8	1,259,699	75.8	1,111,447	73.4	1,079,447	72.8	1,079,447	72.8
Federal Revenue 4000020	93,000	5.4	93,000	5.2			93,000	5.6	93,000	5.6	93,000	5.6	93,000	6.1	93,000	6.3	93,000	6.3
Special Revenue 4000030	309,964	18.0	310,000	17.2			310,000	18.6	310,000	18.6	310,000	18.6	310,000	20.5	310,000	20.9	310,000	20.9
Total Funds	1,726,722	100.0	1,804,550	100.0			1,662,699	100.0	1,662,699	100.0	1,662,699	100.0	1,514,447	100.0	1,482,447	100.0	1,482,447	100.0
Excess Appropriation/(Funding)	(1,401,550)		(1,259,699)				(1,111,447)		(1,079,447)		(1,079,447)		(959,150)		(895,150)		(895,150)	
Grand Total	325,172		544,851				551,252		583,252		583,252		555,297		587,297		587,297	

Agency Position Usage Report

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Total	Total	Filled	Unfilled			Total	Total	Filled	Unfilled	
7	5	0	5	2	28.57 %	5	3	2	5	0	40.00 %	5	3	2	5	0	40.00 %

Analysis of Budget Request

Appropriation: 089 - Arkansas Manufactured Home - Operations

Funding Sources: SHM - Manufactured Homes Standard Fund

The Arkansas Manufactured Home Commission monitors manufactured home dealer lots and mandatory continuing education classes for persons performing installations, participates in the National Plant monitoring quality control audits, establishes and enforces installation standards, and conducts on-site home inspections. The Commission is funded by receipt of fees charged by the Agency, as authorized by A.C.A. § 20-25-101 et seq.

Base Level salaries for classified positions reflect the recommendations of the Pay Plan Study and unclassified positions reflect similar adjustments in line item salaries. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include board member Stipend payments and Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Commission's Change Level Request of \$27,000 each year in Capital Outlay provides for one vehicle to be replaced if necessary in FY10 or FY11. The Commission is also reallocating budget within the Operating Expenses line item to properly classify expenditures.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 089 - Arkansas Manufactured Home - Operations

Funding Sources: SHM - Manufactured Homes Standard Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2009-2010			2010-2011		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	145,101	191,524	190,968	197,241	197,241	197,241	200,648	200,648	200,648
#Positions		5	5	5	5	5	5	5	5	5
Personal Services Matching	5010003	49,634	56,739	59,670	62,423	62,423	62,423	63,061	63,061	63,061
Operating Expenses	5020002	36,255	66,038	66,038	66,038	66,038	66,038	66,038	66,038	66,038
Conference & Travel Expenses	5050009	407	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
Professional Fees	5060010	1,500	3,050	3,050	3,050	3,050	3,050	3,050	3,050	3,050
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	27,000	27,000	0	27,000	27,000
Total		232,897	324,851	327,226	336,252	363,252	363,252	340,297	367,297	367,297
Funding Sources										
Fund Balance	4000005	42,616	128,077		131,226	131,226	131,226	122,974	95,974	95,974
Federal Revenue	4000020	93,000	93,000		93,000	93,000	93,000	93,000	93,000	93,000
Special Revenue	4000030	225,358	235,000		235,000	235,000	235,000	235,000	235,000	235,000
Total Funding		360,974	456,077		459,226	459,226	459,226	450,974	423,974	423,974
Excess Appropriation/(Funding)		(128,077)	(131,226)		(122,974)	(95,974)	(95,974)	(110,677)	(56,677)	(56,677)
Grand Total		232,897	324,851		336,252	363,252	363,252	340,297	367,297	367,297

The FY09 Budget amount in Regular Salaries exceeds the authorized amount due to salary adjustments during the 2007-2009 biennium.

Change Level by Appropriation

Appropriation: 089 - Arkansas Manufactured Home - Operations

Funding Sources: SHM - Manufactured Homes Standard Fund

Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	336,252	5	336,252	100.0	340,297	5	340,297	100.0
C01	Existing Program	27,000	0	363,252	108.0	27,000	0	367,297	107.9
C04	Reallocation	0	0	363,252	108.0	0	0	367,297	107.9

Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	336,252	5	336,252	100.0	340,297	5	340,297	100.0
C01	Existing Program	27,000	0	363,252	108.0	27,000	0	367,297	107.9
C04	Reallocation	0	0	363,252	108.0	0	0	367,297	107.9

Justification

C01	The Commission requests Capital Outlay totaling \$27,000 each year of the biennium. This request is to replace a vehicle if and when necessary in FY10 or FY11.
C04	The Commission is reallocating budget within the Operating Expense commitment item.

Analysis of Budget Request

Appropriation: 235 - Investments & Claims

Funding Sources: THR - Manufactured Housing Recovery Fund

The Arkansas Manufactured Home Commission's Investment and Claims appropriation is funded by receipt of fees from license renewals by manufacturers, dealers, and installers. Funds collected are subsequently paid out in the form of actual costs of repairs to qualifying homeowners and as refunds for businesses that cease operations.

The Commission's Change Level Request of \$5,000 each year in Capital Outlay provides for audio/video equipment to support the Commission's vendor training program.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 235 - Investments & Claims

Funding Sources: THR - Manufactured Housing Recovery Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			2009-2010			2010-2011		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	0	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Conference & Travel Expenses	5050009	0	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Refunds/Reimbursements	5110014	49,500	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Claims	5110015	42,775	135,000	135,000	135,000	135,000	135,000	135,000	135,000	135,000
Capital Outlay	5120011	0	5,000	5,000	0	5,000	5,000	0	5,000	5,000
Total		92,275	220,000	220,000	215,000	220,000	220,000	215,000	220,000	220,000
Funding Sources										
Fund Balance	4000005	1,281,142	1,273,473		1,128,473	1,128,473	1,128,473	988,473	983,473	983,473
Special Revenue	4000030	84,606	75,000		75,000	75,000	75,000	75,000	75,000	75,000
Total Funding		1,365,748	1,348,473		1,203,473	1,203,473	1,203,473	1,063,473	1,058,473	1,058,473
Excess Appropriation/(Funding)		(1,273,473)	(1,128,473)		(988,473)	(983,473)	(983,473)	(848,473)	(838,473)	(838,473)
Grand Total		92,275	220,000		215,000	220,000	220,000	215,000	220,000	220,000

Change Level by Appropriation

Appropriation: 235 - Investments & Claims
Funding Sources: THR - Manufactured Housing Recovery Fund

Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	215,000	0	215,000	100.0	215,000	0	215,000	100.0
C01	Existing Program	5,000	0	220,000	102.3	5,000	0	220,000	102.3

Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	215,000	0	215,000	100.0	215,000	0	215,000	100.0
C01	Existing Program	5,000	0	220,000	102.3	5,000	0	220,000	102.3

Justification

C01	The Commission requests Capital Outlay totaling \$5,000 in each year of the biennium. This request is for the purchase of audio/video equipment to support the Commission's vendor training program.
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