

ARKANSAS MANUFACTURED HOME COMMISSION

Enabling Laws

Act 62 of 2005, Act 909 of 2005
A.C.A §20-25-105

History and Organization

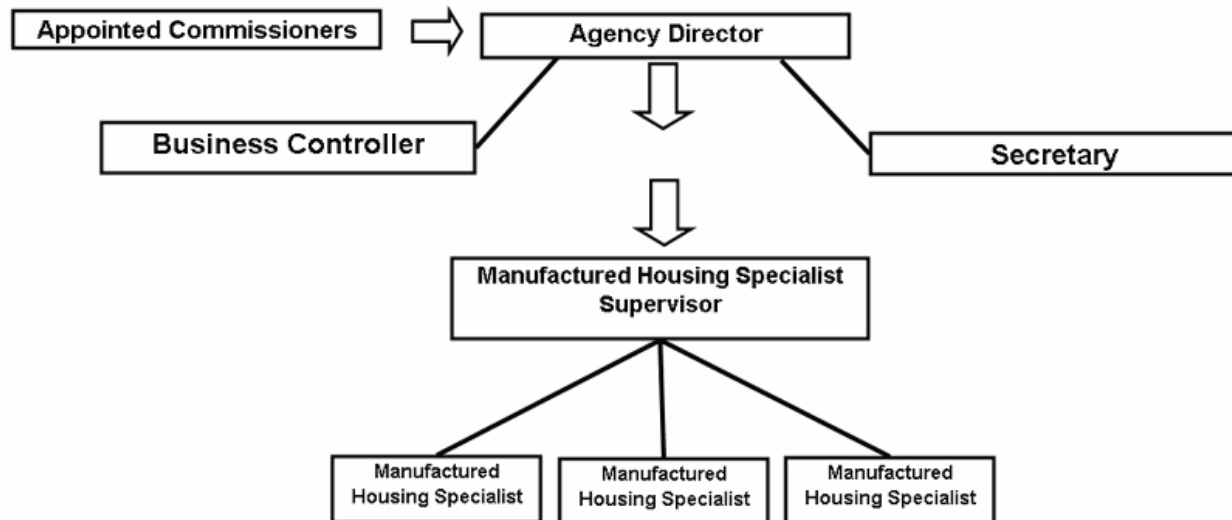
The Arkansas Manufactured Home Commission was established as a division of the Department of Health by Act 510 of 1973, and then became an independent State Agency through Act 419 of 1977.

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 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, Manufactured Housing Specialists, Business Controller, and Secretary.



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 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 is requesting Base Level for the 2007-2009 Biennium, as well as Capital Outlay totaling \$5,000 each year for the purchase of audio/video equipment to support the Commission's training program. As part of the Commission's request, DFA has recommended that the Commission reclassify its internet access from Data Processing to Operating Expense in compliance with generally accepted accounting protocols.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS MANUFACTURED HOME COMMISSION
FOR THE YEAR ENDED JUNE 30, 2005

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	4	1	5	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			5	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	1,100	Periodic Updates to Rules and Regulations

Department Appropriation

Historical Data

Agency Request and Executive Recommendation

Appropriation	2005-2006		2006-2007		2006-2007		2007-2008				2008-2009			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
089 Arkansas Manufactured Home	282,845	5	316,491	5	372,569	7	318,317	5	318,317	5	318,317	5	318,317	5
235 Investments & Claims	51,870	0	220,000	0	220,000	0	220,000	0	220,000	0	220,000	0	220,000	0
Total	334,715	5	536,491	5	592,569	7	538,317	5	538,317	5	538,317	5	538,317	5

Funding Sources		%		%		%		%		%		%		
Fund Balance	4000005	1,337,639	75.0	1,447,714	78.8		1,301,223	77.9	1,301,223	77.9	1,132,906	75.9	1,132,906	75.9
Federal Revenue	4000020	128,000	7.2	150,000	8.2		140,000	8.4	140,000	8.4	140,000	9.4	140,000	9.4
Special Revenue	4000030	316,790	17.8	240,000	13.0		230,000	13.7	230,000	13.7	220,000	14.7	220,000	14.7
Total Funds		1,782,429	100.0	1,837,714	100.0		1,671,223	100.0	1,671,223	100.0	1,492,906	100.0	1,492,906	100.0
Excess Appropriation/(Funding)		(1,447,714)		(1,301,223)			(1,132,906)		(1,132,906)		(954,589)		(954,589)	
Grand Total		334,715		536,491			538,317		538,317		538,317		538,317	

Agency Position Usage Report

FY2004-2005						FY2005-2006						FY2006-2007					
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			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
7	5	0	5	2	28.57%	7	5	2	7	0	28.57%	7	5	0	5	2	28.57%

Analysis of Budget Request

Appropriation: 089 - Arkansas Manufactured Home

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 Arkansas Code § 20-25-101 et seq.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to the Social Security Tax maximum income limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Commission is requesting Base Level for the 2007-09 biennium, with the exception of a Reallocation of \$2,500 from Data Processing to Operating Expense for the Commission's Internet Access to achieve compliance with generally accepted accounting protocols.

The Executive Recommendation provides for the Agency Request.

Appropriation

Appropriation: 089 Arkansas Manufactured Home
Funding Sources: SHM - Manufactured Homes Standard Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	179,110	183,559	225,434	183,559	183,559	183,559	183,559	183,559	183,559
#Positions	5	5	7	5	5	5	5	5	5
Personal Services Matching 5010003	63,280	56,344	70,547	58,170	58,170	58,170	58,170	58,170	58,170
Operating Expenses 5020002	35,578	63,538	63,538	63,538	66,038	66,038	63,538	66,038	66,038
Conference & Travel Expenses 5050009	264	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
Professional Fees 5060010	3,000	3,050	3,050	3,050	3,050	3,050	3,050	3,050	3,050
Data Processing 5090012	1,613	2,500	2,500	2,500	0	0	2,500	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	282,845	316,491	372,569	318,317	318,317	318,317	318,317	318,317	318,317
Funding Sources									
Fund Balance 4000005	151,933	173,035		166,544	166,544	166,544	138,227	138,227	138,227
Federal Revenue 4000020	128,000	150,000		140,000	140,000	140,000	140,000	140,000	140,000
Special Revenue 4000030	175,947	160,000		150,000	150,000	150,000	140,000	140,000	140,000
Total Funding	455,880	483,035		456,544	456,544	456,544	418,227	418,227	418,227
Excess Appropriation/(Funding)	(173,035)	(166,544)		(138,227)	(138,227)	(138,227)	(99,910)	(99,910)	(99,910)
Grand Total	282,845	316,491		318,317	318,317	318,317	318,317	318,317	318,317

Change Level by Appropriation

Appropriation: 089-Arkansas Manufactured Home

Funding Sources: SHM - Manufactured Homes Standard Fund

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	318,317	5	318,317	100.0	318,317	5	318,317	100.0
C04	Reallocation	0	0	318,317	100.0	0	0	318,317	100.0

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	318,317	5	318,317	100.0	318,317	5	318,317	100.0
C04	Reallocation	0	0	318,317	100.0	0	0	318,317	100.0

Justification

C04	DFA has recommended that the Commission reclassify \$2,500 in each fiscal year for its internet access from Data Processing to Operating Expense in compliance with generally accepted accounting protocols.
-----	--

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

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

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses 5020002	2,889	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	34,950	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Claims 5110015	14,031	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	51,870	220,000	220,000	215,000	220,000	220,000	215,000	220,000	220,000
Funding Sources									
Fund Balance 4000005	1,185,706	1,274,679		1,134,679	1,134,679	1,134,679	999,679	994,679	994,679
Special Revenue 4000030	140,843	80,000		80,000	80,000	80,000	80,000	80,000	80,000
Total Funding	1,326,549	1,354,679		1,214,679	1,214,679	1,214,679	1,079,679	1,074,679	1,074,679
Excess Appropriation/(Funding)	(1,274,679)	(1,134,679)		(999,679)	(994,679)	(994,679)	(864,679)	(854,679)	(854,679)
Grand Total	51,870	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		2007-2008	Pos	Cumulative	% of BL	2008-2009	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		2007-2008	Pos	Cumulative	% of BL	2008-2009	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 is requesting Capital Outlay totaling \$5,000 each year for the purchase of audio/video equipment to support the Commission's training program.
-----	--