

# **Alabama Manufactured Housing Commission**

## **Functional Analysis & Records Disposition Authority**

**Revision  
Presented to the  
State Records Commission  
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# **Functional and Organizational Analysis of the Alabama Manufactured Housing Commission**

## **Sources of Information**

### **Representative of the Alabama Manufactured Housing Commission**

Kathy Crowder, Records Liaison, Alabama Manufactured Housing Commission

Code of Alabama 1975, Sections 24-4A-1 through 24-4A-7, 24-5-1 through 24-5-14, 24-5-30 through 24-5-34, 24-6-1 through 24-6-4

Alabama Administrative Code, Chapters 535-X-10, 535-X-11, 535-X-12, 535-X-13, 535-X-14, 535-X-15, 535-X-16, & 535-X-17

Code of Federal Regulations, Title 24, Parts 3282 and 3283

Alabama Manufactured Housing Commission Audit Report (1992-1996)

Alabama Government Manual (1994)

Government Records Division, State Agency Files (1985-ongoing)

## **Agency Organization**

The Alabama Manufactured Housing Commission (hereafter referred to as the commission) is composed of nine advisory only members, six of whom are appointed by the governor for one, two, and three year initial terms as industry and consumer representatives; and three governmental representatives, one appointed by the President Pro Tempore of the Senate, one appointed by the Speaker of the House of Representatives, and one appointed by the Lieutenant Governor. All of the governmental representatives serve for the initial terms of their elected office. Appointed members are eligible for reappointment. A chairman, elected by members of the commission every two years, presides over its meetings. The chairman may not serve for more than two consecutive terms. The commission meets on call of the chairman at least four times per year. The commission's day-to-day operations are carried out by an administrator and other support staff members. Currently, the commission has thirty-four full-time staff members. An organizational chart is attached.

## **Agency Function and Subfunctions**

The Alabama Manufactured Housing Commission was created by the Alabama Legislature in 1985 to provide a comprehensive manufactured housing and building program with respect to construction, transportation, site location or manufacturing standards for such structures. The commission staff members perform all the duties and exercises all authorities relative to manufactured/modular buildings (offices, classrooms, restaurants, etc.) and manufactured housing (mobile homes) previously vested in the fire marshal's division of the Department of Insurance. In addition, the commission participates, as the State Administrative Agency (SAA),

in the Federal Standards Enforcement Program to ensure all manufactured buildings/homes are built in compliance with International, and/or National Building Codes, and/or the National Manufactured Housing Construction and Safety Standards Act. This commission is one of the agencies responsible for performing the Regulatory Function of Alabama government. In the performance of its mandated function, the commission may engage in the following subfunctions.

- **Approving Plans for Constructing Manufactured Buildings.** This subfunction involves the commission staff members' effort in reviewing project design plans and quality control manuals submitted by manufacturers for approval and certification to construct manufactured buildings, such as offices, classrooms, and restaurants. Once the plans are approved by the commission, manufacturers order an insignia for their units. The commission staff may inspect a manufacturing facility to confirm that construction of a unit conforms to the approved plans. The commission renews all approved plans annually upon receipt of a renewal fee.
- **Licensing Manufacturers, Retailers, and Salespersons of Manufactured Homes/Manufactured Buildings.** The commission is authorized to process license applications for construction of manufactured homes/manufactured buildings by manufacturers, the sale of manufactured homes/manufactured buildings by retailers, and persons employed as salespersons by retailers. Applications for a manufacturer's, retailer's, and salesperson's license are handled through the commission's office in Montgomery. There are no specific qualification requirements for manufacturers' and retailers' licenses except bonding and insurance; and their licenses are valid for one year and renewable by the first day of each calendar year. Salespersons' licenses require the completion of a training course and are valid for one year. Salespersons are required to complete refresher training every two years.
- **Certifying Installation Personnel.** This subfunction reflects the commission's mandate to ensure that all manufactured buildings and manufactured homes are installed only by people certified by the commission. Each certified installer must complete an initial training course and a refresher course on installation every two years after initial certification. All certifications are subject to annual renewal.
- **Investigating Violations and Instituting Proceedings in Appropriate Cases.** The commission is obligated, upon receipt of inspection reports or written consumer complaints alleging any violation of the rules and regulations of the Commission, to investigate the case and collect evidence. The commission conducts disciplinary hearings to impose penalties if the violation is substantiated.
- **Participating in the Federal Standards Enforcement Program.** The Code of Alabama, Section 24-5-13.1, authorizes the commission to enter into contracts with the

United States Department of Housing and Urban Development (HUD) to provide services in the enforcement of the National Manufactured Housing Construction and Safety Standards Act. As the State Administrative Agency (SAA), the commission performs certain inspection and monitoring activities and prepares various monthly program statistical reports to HUD.

- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

**Managing the Agency:** Activities include internal office management activities common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records, and managing information systems and technology.

**Managing Finances:** Activities involved in managing finances may include the following: budgeting (preparing and reviewing the budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

**Managing Human Resources:** Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

**Managing Properties, Facilities, and Resources:** Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

# **Analysis of Record Keeping System and Records Appraisal of the Alabama Manufactured Housing Commission**

## **Agency Record Keeping System**

The commission's record keeping system relies on both paper and electronic records. At this time the agency creates a paper copy of all electronic records. The commission operates its electronic record keeping system through the Information Services Division of the Finance Department. Staff members utilize ten IBM personal computers to maintain databases for licensees and certified installers. Applications are routinely backed up on diskettes by individual users and backups are stored onsite in the commission's office.

## **Records Appraisal**

The following is a discussion of the two major categories of records created and/or maintained by the commission: Temporary Records and Permanent Records.

**I. Temporary Records.** Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the division are discussed below:

- **State Administrative Agency Reports.** As required under 24 CFR 3282.554, the commission submits a number of monthly reports to the U.S. Department of Housing and Urban Development (HUD). These reports provide statistical data on the number of plants producing mobile homes, number of complaints received and resolved, number of facilities / mobile homes inspected by the commission staff for compliance with law or for any investigations, number of plants submitting plans for notification / correction, and number of final determination made. As a usual practice, the commission maintains a copy of these reports along with supporting documentation for reference. They do not possess any significant historical value and should be disposed of after one audit review by the Examiners of Public Accounts.
- **State Plan Application Files.** In order to participate as the State Administrative Agency under the federal standards enforcement program, the commission submits applications to the United States Department of Housing and Urban Development for approval. These are files created by the commission to document the application process.
- **Manufactured Building Design Plan Files.** These files consist of manufactured building project design plans and quality control manuals submitted by manufacturers for review and approval by the commission staff. Also included are notarized letters from manufacturers stating the buildings will be built according to the approved plans, insignia requests, inspection reports, complaint records, renewal notices, shipping data, and other

correspondence. Since these files may be used as supporting documentation in legal proceedings, they should be preserved for a reference period after the plans cease to be effective.

- **Manufactured Home Manufacturer, Retailer, and Salesperson Licensure Files.** Included in these files are original applications, copies of licenses, monthly statistical reports submitted by licensees, complaint records, correspondence, and annual renewal notices. They are retained for long-term for administrative reference needs. When the commission is notified that a manufacturer is no longer operating a business, the file is extracted and then placed in the closed file location for a short reference period.
- **Manufactured Building / Modular Home Manufacturer, Retailer/Leasing Company Licensure Files.** Included in these files are original applications, copies of licenses, monthly statistical reports submitted by licensees, complaint records, correspondence, and annual renewal notices. They are retained long-term for administrative reference needs. When the commission is notified that a dealer is no longer in business, the file is extracted and then placed in the closed file location for a short reference period.
- **Manufactured Building / Manufactured Home Installer Certification Files.** These files document the certification process for installers. Records found in these files include applications, certification course examinations, monthly reports submitted by installers, complaint records, copies of certificates, annual renewal notices, and correspondence. Since installers who fail to renew their certifications are entitled to renew their certifications anytime by paying a late penalty fee, these files must be maintained long term after the certification has lapsed.

**II. Permanent Records.** The Government Records Division recommends the following records as permanent.

**Approving Plans for Constructing Manufactured Buildings:**

Permanent records documenting this subfunction are listed under the Administering Internal Operations subfunction.

**Licensing Manufacturers, Retailers, and Salespersons of Manufactured Homes/Manufactured Buildings:**

Permanent records documenting this subfunction are listed under the Administering Internal Operations subfunction.

**Certifying Installation Personnel:**

Permanent records documenting this subfunction are listed under the Administering

Internal Operations subfunction.

**Investigating Violations and Instituting Proceedings in Appropriate Cases:**

Permanent records documenting this subfunction are listed under the Administering Internal Operations subfunction.

**Participating in the Federal Standards Enforcement Program:**

The commission currently creates no permanent records under this subfunction.

**Administering Internal Operations:**

- **Meeting Minutes of the Alabama Manufactured Housing Commission.** According to Code of Alabama, Section 24-6-3 (3), the commission is required to meet at the call of the chairman monthly, or twelve times per year. The meeting minutes document proposed and executed proceedings of the commission. Topics on meeting agenda may include program activities, violations / complaints, staff problems, receipts and disbursement, and other related issues, such as audit findings / recommendations by the Examiners of Public Accounts. These minutes should be preserved as the key archival documentation of the commission's work. The commission currently creates no permanent records under this subfunction.
- **Web Sites.** The commission maintains a web site at: [www.amhc.state.al.us](http://www.amhc.state.al.us). Information on the web site includes the commission's mandate, various forms, contact telephone numbers, and training opportunities for licensees. The disposition statement calls for retaining a "snap shot" of complete web site information annually or as often as significant changes are made to the site.



**Permanent Records List**  
**Alabama Manufactured Housing Commission**

**Administering Internal Operations:**

1. Meeting Minutes of the Alabama Manufactured Housing Commission
2. Web Sites

# Alabama Manufactured Housing Commission Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Alabama Manufactured Housing Commission. The RDA lists records created and maintained by the Alabama Manufactured Housing Commission in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the commission to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

## Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Manufactured Housing Commission's records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and

have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, *but are not limited to*, telephone call-back messages, drafts of ordinary documents not needed for their evidential value, copies of material sent for information purposes but not needed by the receiving office for future business, and internal communications about social activities. They may be disposed of without documentation of destruction.

## **Records Disposition Requirements**

This section of the RDA is arranged by subfunctions of the Alabama Manufactured Housing Commission and lists the groups of records created and/or maintained by the commission as a result of activities and transactions performed in carrying out these subfunctions. The commission may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

### ■ **Approving Plans for Constructing Manufactured Buildings**

Manufactured Building Design Plan Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the manufacturer fails to renew its plans.

### ■ **Licensing Manufacturers, Retailers, and Salespersons of Manufactured Homes/Manufactured Buildings**

Manufactured Home Manufacturer, Retailer, and Salesperson Licensure Files.

Disposition: Temporary Record. Retain 5 years after the end of the year in which the license lapses.

Manufactured Building / Modular Home Manufacturer, Retailer/Leasing Company Licensure Files.

Disposition: Temporary Record. Retain 5 years after the end of the year in which the license lapses.

### ■ **Certifying Installation Personnel**

Manufactured Building / Manufactured Home Installer Certification Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the license lapses.

■ **Investigating Violations and Instituting Proceedings in Appropriate Cases**

Complaint Records

Disposition: Temporary Record. Retain 5 years after the end of the year in which the license lapses.

■ **Participating in the Federal Standards Enforcement Program**

State Administrative Agency Reports

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report.

■ **Administering Internal Operations**

**Managing the Agency:**

MEETING MINUTES OF THE ALABAMA MANUFACTURED HOUSING COMMISSION

Disposition: PERMANENT RECORD.

Administrative Procedures Rule Filings

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Register of Administrative Procedures Rule Filings

Disposition: Retain in office (Code of Alabama 1975, Section 41-22-6)

State Plan Application Files

Disposition: Temporary Record. Retain until the termination of participation in the Federal Standards Enforcement Program.

Legal Case Files

Disposition: Temporary Record. Retain 10 years after the case is closed.

Routine Correspondence/Memoranda

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the commission's approved RDA (copies of transmittal forms to the Archives and the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copies of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

WEB SITES

Disposition: PERMANENT RECORD. RETAIN A "SNAP SHOT" OF COMPLETE WEB SITE INFORMATION ANNUALLY OR AS OFTEN AS SIGNIFICANT CHANGES ARE MADE TO THE SITE.

Computer systems documentation (hardware/ software manuals and diskettes, warranties, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the board and all permanent records have been migrated into a new system.

**Managing Finances:**

Records documenting the preparation of a budget package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, ledgers, and funds deposited outside the state treasury.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business either within or outside the state, and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

Disposition: Retain in office (Code of Alabama 1975, Section 41-16-24).

Audit Reports

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Attorney Billing Files

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the last transaction occurred.

**Managing Human Resources:**

Job Recruitment Materials

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Position Classification Files

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting employee disciplinary actions (reprimands, demotions, transfers,

terminations, appeals, and administrative hearings)  
Disposition: Temporary Record. Retain 3 years following decision.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)  
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations  
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Employee Flexible Benefits Plan Files  
Disposition: Temporary Record. General information -- Retain until superseded.  
Other (applications, correspondence) -- Retain 6 years after termination of participation in program.

State Employee Injury Compensation Trust Fund Files  
Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Equal Employment Opportunity Commission Case Files  
Disposition: Temporary Record. Retain 3 years.

**Managing Properties, Facilities, and Resources:**

Semiannual Inventory Lists  
Disposition: Retain in office. (Code of Alabama 1975, Section 36-16-8 [1]).

Transfer of State Property Forms (SD-1) (Agency copies)  
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files  
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property  
Disposition: Temporary Record. Retain until return of item to property manager.

Real Property Leasing/Renting Records  
Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Facilities/Building Security Records (including visitor logs)  
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

#### Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

#### Building Maintenance Work Orders

Disposition: Temporary Record. Retain 1 year.

## **Approval of Records Disposition Authority**

By signing this agreement the Alabama Manufactured Housing Commission acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Alabama Manufactured Housing Commission will designate a managerial position as the commission's records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the commission, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, submitting an annual report on records management activities to the State Records Commission in April of each year, and ensuring the regular implementation of the commission's approved RDA.
- Permanent records in the Alabama Manufactured Housing Commission's custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur commission-wide on a regular basis--for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The commission should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the commission chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Alabama Manufactured Housing Commission agrees to allow the staff of the State Records Commission or the Examiners of Public Accounts to examine the condition of



the permanent records maintained in the custody of the commission and to inspect records destruction documentation. Government Records Division archivists are available to train the staff in RDA implementation and otherwise assist the commission in implementing its records management program.

This records disposition authority is hereby adopted.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Jimmy B. Sloan, Administrator  
Alabama Manufactured Housing Commission

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Edwin C. Bridges, Chairman  
State Records Commission