

Home Builders Licensure Board

Functional Analysis & Records Disposition Authority

**Revision
Presented to the
State Records Commission
July 26, 2006**

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Functional and Organizational Analysis of the Home Builders Licensure Board

Sources of Information

Representatives of the Home Builders Licensure Board

Code of Alabama 1975, Sections 34-14A-1 through 34-14A-18

Code of Alabama 1975, Section 41-20-1 through 41-20-16 (Sunset Law)

Code of Alabama 1975, Section 41-22-1 through 41-22-27 (Administrative Procedures Act)

Alabama Administrative Code, Chapters 465-X-1 through 465-X-7

Alabama Government Manual (2002), page 491

Home Builders Licensure Board Audit Reports

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

Historical Context of Function

The legislature created the Home Builders Licensure Board in 1992. The profession was not regulated prior to the creation of the board.

Agency Organization

The board consists of nine members, with at least one member from each of the state's congressional districts. The governor, the lieutenant governor, and the speaker of the House of Representatives each appoint three members. Appointments are made from a list of three qualified individuals for each position provided by the governing body of the Home Builders Association of Alabama. Seven of the nine members must be residential home builders, with at least five years of building experience, and bona fide residents of the state. One member must be a building inspector or building official of a city, county, or state entity. The final member must be a consumer of the general public not affiliated with a licensed home builder. Members serve staggered three-year terms and may be reappointed. The board elects annually from its members a chairman, vice chairman, and secretary/treasurer. Four members constitute a quorum. The board meets quarterly on the fourth Thursday of March, June, September, and December and at other times as the chairman may designate. A majority of the members of the board may call a special meeting. The board appoints an executive director and other staff members. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Home Builders Licensure Board is to screen and license applicants who engage in residential construction and remodeling in the state of Alabama, where the cost of the construction or remodeling exceeds \$10,000. The board is one of the agencies primarily involved in carrying out the Regulatory function of Alabama government. In the performance of its

mandated functions, the board may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** Code of Alabama 1975, Section 34-14A-11, authorizes the board to promulgate rules and regulations necessary for the administration of the home builders licensure law as codified in Code of Alabama 1975, Title 34-14A. This subfunction encompasses activities pertaining to the establishment and promulgation of rules and regulations, including due process, licensure procedures, and other official policies needed by the board for carrying out its duties and responsibilities. The rule making powers of the board are subject to the Alabama Administrative Procedures Act as codified at Code of Alabama, Sections 41-22-1 through 41-22-27.
- **Licensing.** Code of Alabama 1975, Section 34-14A-5, requires all residential home builders be licensed by the board annually unless otherwise exempted. Code of Alabama 1975, Section 34-14A-6, sets out seven exemptions to licensure by the board. The major exemptions apply to home builders in counties having populations of less than thirty-thousand (30,000), and to general contractors who held a valid general contractor's license issued prior to January 1, 1992. Code of Alabama 1975, Section 34-14A-7, charges the board with examining new and renewal applicants for licensure. Qualifications for licensure include experience, ability, character, business-related financial condition, ability and willingness to serve the public, and any other pertinent information the board may require. Following the submission of an application and supporting documents, the applicant is required to pass a written examination testing experience and ability, conducted by a third party under contract with the board. A licensee may also keep his/her license in an inactive status. No act for which a license is required may be performed under an inactive license. A licensee whose license expires may reactivate the expired license within a three-year period without examination.
- **Compensating.** Code of Alabama 1975, Section 34-14A-15, authorizes the board to establish and maintain a special revenue fund, known as the Home Builders Recovery Fund, to provide relief to consumers who sustain actual economic damages as the direct result of licensed home builders' conduct in violation of the board's enabling statute or administrative rules. The board collects thirty dollars (\$30.00) annually for the fund from each licensee. The board deposits the recovery fund fees into the state treasury. The recovery fund is available only to home owners. Payment for claims based on judgments or settlements against any licensee is limited to fifty thousand dollars (\$50,000) in the aggregate. Payment to any single claimant is limited to twenty-five thousand dollars (\$25,000).
- **Investigating Complaints or Violations.** In accordance with the board's Administrative Code, Chapter 465-X-5, the board may initiate investigations against a licensee, either on its own motion or upon the written complaint of any person. An investigative committee, consisting of a board member, the board's executive director, and the board's attorney, investigates the complaint to determine whether there is probable cause for disciplinary or enforcement proceedings. The board may enter into informal settlements

with the licensee or may take formal disciplinary actions, including a formal disciplinary hearing if necessary. If a licensee has committed fraud or deceit in obtaining a license or has committed gross negligence, incompetence, or misconduct in the practice of residential home building, the board may suspend or revoke the license and /or impose an administrative fine.

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

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 Home Builders Licensure Board

Agency Record Keeping System

The Home Builders Licensure Board currently operates a hybrid record keeping system composed of paper-based record keeping and a computer system.

Paper-based Systems: Most of the board's records are created and maintained in paper form.

Computer Systems: The board maintains a heterogeneous local area network (LAN) environment consisting of Microsoft Windows XP and Windows 7 operation systems. All desktop workstations are connected to the network hub utilizing 10Base-T technology. The server is a Dell PowerEdge SC440 server running alongside an external, Unitrend's disc-utilized Data Protection Unit. Data backups are performed nightly and discs are rotated on a weekly basis. Disc backups are stored in a secure elemental-proof safe. (Updated on March 29, 2010)

The board maintains the following databases, created in D-base, on its server:

- (1) Home Builders Licensure Database: created and used to maintain licensure information on all active and inactive licensees. Staff members use the database to print licenses and generate annual rosters of licensees.
- (2) Testing Database: created and used to maintain information on applicants approved for testing for licenses. The database is used to generate examination notifications and record examination scores.
- (3) Compliance Database: created and used to track consumer complaints and compliance officers' investigations. The database is also used as a case tracking system for lawsuits brought by consumers against licensees.
- (4) Check Sheet Database: created and used to assist in the processing of new and renewal applications submitted by home builders. The database is used to document certain statistics such as the number of renewal applications received, the number of incomplete renewal applications, and the number of letters generated to applicants.
- (5) Applicants Database: created and used to maintain general information on individuals and entities desiring to obtain a license. Information in the database is utilized to generate mailing labels for the application package sent to everyone seeking a license.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Home Builders Licensure Board: 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 board are discussed below:

- **Home Builders Licensure Files.** The board is responsible for examining and licensing applicants as home builders. These files serve as evidence of the scope of a licensee's professional practice in this state, from initial licensing to the final separation. A typical licensure file may contain a completed application form, financial statement, credit report, evidence of a successful examination, and renewal documents. Since a licensee who is holding an expired license may reactivate his/her license within a three-year period, the board must maintain expired licensure files for a minimum of three years. The board maintains files with disciplinary action for 15 years after licensure file has been closed and 6 years for files with no disciplinary action.

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

Promulgating Rules and Regulations:

- **Meeting Minutes of the Board.** The board generally meets every month except July and November. Meeting minutes are the core documentation of the board's policy making and other program related functions. (RDA page 3-2) **(Bibliographic Title: Meeting Minutes)**

Licensing:

- **Rosters of Licensees.** Code of Alabama 1975, Section 34-14A-9, requires the board to prepare and publish annually a roster of all licensees that contains names of the board members; current home builders licensure law, as codified in the Code of Alabama 1975, Section 34-14A-1 et seq; the administrative rules and regulations promulgated by the board; various licensure forms; and the names of all individuals/corporations licensed by the board. Information contained in the roster includes the licensee's name, address, and license number. The roster provides the best source of information on the membership of the licensed home builders in this state. (RDA page 3-3) **(Bibliographic Title: Rosters of Licensees)**

Compensating:

Permanent records providing summary documentation of this subfunction are found in the Meeting Minutes of the Board as described in the Promulgating Rules and Regulations subfunction.

Investigating Complaints or Violations:

- **Complaint and Violation Investigation Files with Probable Cause Finding.** When the board’s attorney has determined, after investigation, that a licensee violated one or more of the board’s rules and/or statutes, he/she will prepare a statement of charges and proceed with a disciplinary action, including formal hearings conducted by a hearing officer. These records have permanent value, providing a disciplinary history of individual members and historical documentation on the disciplinary occurrences and procedures within the membership of the board. (RDA page 3-3) **(Bibliographic Title: Complaint and Violation Investigation Files with Probable Cause Finding)**

Administering Internal Operations:

- **Fourth Quarter Performance Reports (Annual Reports).** In accordance with Code of Alabama, Section 34-14A-10, the board must submit to the governor annually a report of its transactions for the preceding year. Code of Alabama 1975, Section 41-19-11, mandates that each state agency submit a quarterly performance report (EBO Form No.10) to the Department of Finance every quarter. In lieu of a separate annual report, the board submits its fourth quarter performance report to the governor. (RDA page 3-3) **(Bibliographical Title: Quarterly Performance Reports)**
- **Information and Promotional Publications.** These materials may consist of various publications, such as pamphlets, designed to promote and advertise services performed by the board for the public. Currently, the board produces only one pamphlet entitled “Don’t Get Nailed: What You Should Know Before You Hire a Contractor.” (RDA page 3-3) **(Bibliographical Title: State Publications)**
- **Website.** The board has a website at www.hblb.state.al.us. Information on the website includes home builders related law, rules, and regulations; board members and staff; board meeting dates; new application packets; searchable database; and disciplinary actions. The website should be preserved as it serves as an important medium for communication with the public (RDA page 3-5) **(Bibliographic Title: Website)**
- **Inventory Lists.** The Code of Alabama 1975, Section 36-16-8[1] requires that “. . . All [state agency] property managers shall keep at all times in their files a copy of all inventories submitted to the Property Inventory Control Division, and the copies shall be subject to examination by any and all state auditors or employees of the Department of Examiners of Public Accounts.” These files need to be maintained in the agency’s office. (RDA pg. 3-8)

Permanent Records List Home Builders Licensure Board

Promulgating Rules and Regulations:

1. Meeting Minutes of the Board

Licensing

1. Rosters of Licensees

Investigating Complaints or Violations:

- *1. Complaint and Violation Investigation Files with Probable Cause Finding

Administering Internal Operations:

- *1. Fourth Quarter Performance Reports (Annual Reports)
2. Informational and Promotional Publications
3. Website
- *4. Inventory List

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency. (ADAH staff members are available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.)

Home Builders Licensure Board 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 Home Builders Licensure Board. The RDA lists records created and maintained by the Home Builders Licensure Board in carrying out its mandated functions and subfunctions. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Home Builders Licensure Board 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 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 Home Builders Licensure Board's records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records 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 other short-term records that do not materially document the work of an agency may be disposed of under 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; and (2) transitory records, which are temporary records created for 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. Other items that may be disposed of without destruction documentation include:

(1) catalogs, trade journals, and other publications received that require no action and do not document government activities; and (2) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete.

Records Disposition Requirements

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

■ Promulgating Rules and Regulations

MEETING MINUTES OF THE BOARD

Disposition: PERMANENT RECORD.

Recordings of Meetings

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

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)

■ Licensing

ROSTERS OF LICENSEES

Disposition: PERMANENT RECORD.

Home Builders Licensure Files with Disciplinary Action

Disposition: Temporary Record. Retain 15 years after licensure file has been closed.

Home Builders Licensure Files with No Disciplinary Action

Disposition: Temporary Record. Retain 6 years after licensure file has been closed.

Home Builders Licensure Database

Disposition: Temporary Record. Retain for useful life

Testing Database

Disposition: Temporary Record. Retain data until examination results are recorded in the licensure files.

Check Sheet Database

Disposition: Temporary Record. Retain for useful life.

Applicants Database

Disposition: Temporary Record. Retain for useful life.

Unused Licensure Cards

Disposition: Temporary Record. Retain for useful life. If the licensure cards are destroyed before the audit, the agency must maintain a listing of the numbers of all unused licensure cards that were destroyed.

■ **Compensating**

Home Builders Recovery Fund Claim Files – Paid

Disposition: Temporary Record. Retain 15 years after the file has been closed.

Home Builders Recovery Fund Claim Files – Unpaid

Disposition: Temporary Record. Retain 6 years after the file has been closed.

■ **Investigating Complaints and Violations**

COMPLAINT AND VIOLATION INVESTIGATION FILES WITH PROBABLE CAUSE FINDING

Disposition: PERMANENT RECORD. Retain in Office.

Complaint and Violation Investigation Files with No Probable Cause Finding

Disposition: Temporary Record. Retain 6 years after the file has been closed.

Compliance Database

Disposition: Temporary Record. Retain for useful life.

Subpoena Files

Disposition: Temporary Record. Retain 6 years after the file has been closed.

■ **Administering Internal Operations**

Managing the Agency:

FOURTH QUARTER PERFORMANCE REPORTS (ANNUAL REPORTS)

Disposition: PERMANENT RECORD.

INFORMATIONAL AND PROMOTIONAL PUBLICATIONS

Disposition: PERMANENT RECORD.

WEBSITE

Disposition: PERMANENT RECORD. PRESERVE A COMPLETE COPY OF WEBSITE ANNUALLY OR AS OFTEN AS SIGNIFICANT CHANGES ARE MADE.

Routine Correspondence

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

Administrative Reference Files (materials not created by the agency, collected and used only as reference sources of information)

Disposition: Temporary Record. Retain for useful life.

Bad Check Files

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

Telephone Logs

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

Mail or Parcel Service Pickup/Delivery Receipts

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

Printing Service Request Files

Disposition: Temporary Record. Retain for useful life.

Printing Negatives and Plates

Disposition: Temporary Record. Retain until obsolete.

Records documenting the implementation of the agency's RDA (copies of transmittal forms to the Archives or 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.

Copy of RDA

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

System Documentation(hardware/software manuals and diskettes, warranties)

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 in the agency and all permanent records have been migrated to a new system.

Managing Finances:

Records documenting the preparation of a budget request 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, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury; including bank statements, deposits slips, and canceled checks

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

Audit Reports

Disposition: Temporary Record. Retain 6 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 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

- a. Original bid records maintained in the purchasing office of the agency for contracts over \$7500
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.
- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

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.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Position Classification Files

Disposition: Temporary Record. Retain 3 years after position is reclassified.

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 hours worked, leave earned, and leave taken

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

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 sick leave donations

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

Records of final leave status (cumulative leave)

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

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

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

Section/Division Personnel Files

Disposition: Temporary Record. Retain until separation of an employee from the agency.

Records documenting the employee appeal to the Personnel Board of formal reprimands, personnel suits, demotions, transfers, or terminations

Disposition: Temporary Record. Retain 5 years following decision of Personnel Board.

Worker Compensation Injury and Settlement Reports

Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the transaction occurred. (Code of Alabama 1975, Section 25-5-4).

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.

Employee Administrative Hearings Files

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

Managing Properties, Facilities, and Resources:

INVENTORY LISTS

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

Letters of Transmittal

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

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 3 years after 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.

Vehicle and Equipment Maintenance Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the property is sold or replaced.

Requirement and Recommendations for Implementing the Records Disposition Authority

Under the Code of Alabama 1975, Section 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Home Builders Licensure Board (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in July of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, 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, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should 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 agency-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 agency 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 agency 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 staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the

agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on July 26, 2006.

Edwin C. Bridges, Chairman, by Tracey Berezansky
State Records Commission

Date

Receipt acknowledged:

J.R. Carden, Jr., Executive Director
Home Builders Licensure Board

Date