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Texas Department of Housing and Community Affairs  
Manufactured Housing Board Meeting  
on August 10, 2004

Cary Yates, Chair

Valeri Stiers Malone, Member

Clement "Pete" Moreno, Member

**Texas Department of Housing and Community Affairs**  
**Manufactured Housing Board Meeting**  
**August 10, 2004**

**ROLL CALL**

	<u>Present</u>	<u>Absent</u>
Cary Yates, Chair	_____	_____
Valeri Stiers Malone, Member	_____	_____
Clement "Pete" Moreno, Member	_____	_____
Number Present	_____	
Number Absent		_____

\_\_\_\_\_, Presiding Officer

**MANUFACTURED HOUSING BOARD MEETING**  
**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**  
**507 Sabine, 4<sup>th</sup> Floor Boardroom, Austin, Texas 78701**  
**August 10, 2004                      9:00 a.m.**

**AGENDA**

**CALL TO ORDER, ROLL CALL**  
**CERTIFICATION OF QUORUM**

Chair  
Chair

The Board of the Manufactured Housing Division of the Texas Department of Housing and Community Affairs (TDHCA) will meet to consider and possibly act upon:

**ACTION ITEMS**

- |         |   |             |
|---------|---|-------------|
| Item 1. | Presentation, discussion and consideration to approve minutes of board meeting of May 18, 2004.   | Chair       |
| Item 2. | Presentation, discussion and consideration to approve memorial resolution regarding Jack Davis.   | Tim Irvine  |
| Item 3. | Presentation, discussion and consideration to approve the FY 2005 Operating Budget.   | Kassu Asfaw |
| Item 4. | Presentation, discussion and consideration to approve renewal of the administrative agreement between the Manufactured Housing Division and TDHCA.                        | Tim Irvine  |
| Item 5. | Presentation, discussion and consideration to approve the FY 2006 - 2007 Legislative Appropriations Request.  | Kassu Asfaw |
| Item 6. | Presentation, discussion and consideration to approve Bobbie Hill as an instructor for continuing education provided by Living Singles Ministries.                        | Tim Irvine  |
| Item 7. | Presentation, discussion and consideration to approve the PSIA's online continuing education course.  | Tim Irvine  |
| Item 8. | Presentation, discussion and consideration to approve adoption of amendments to §§80.201 and 80.209.  | Tim Irvine  |
| Item 9. | Presentation, discussion and consideration to approve a rule amendment to address the handling of SOLs on homes that are real property and are conveyed as real property. | Tim Irvine  |

**REPORT ITEMS**

- |         |                             |            |
|---------|-----------------------------|------------|
| Item 1. | Executive Director's Report | Tim Irvine |
| Item 2. | Update on SAA               | Cindy Bocz |

**EXECUTIVE SESSION**

- |         |   |       |
|---------|---|-------|
| Item 1. | Personnel Matters under Sec. 551.074, Texas Government Code relating to the budget. | Chair |
|---------|---|-------|

**RECONVENE**

Reconvene in public session and take action on any matters coming out of Executive Session.

**PUBLIC COMMENT**

Chair

**ADJOURN**

Chair

*To access this agenda or request information, please visit our website at [www.tdhca.state.tx.us](http://www.tdhca.state.tx.us) or contact Sharon Choate, TDHCA, 507 Sabine, Austin, Texas 78701, 512-475-2206, [sharon.choate@tdhca.state.tx.us](mailto:sharon.choate@tdhca.state.tx.us).*

*Individuals who require auxiliary aids, services or translators for this meeting should contact Gina Esteves, ADA Responsible Employee, at 512-475-3943 or Relay Texas at 1-800-735-2989 at least two days before the meeting so that appropriate arrangements can be made.*

*Agenda Action Item No. 1*

**MINUTES OF THE BOARD OF DIRECTORS**

**MANUFACTURED HOUSING DIVISION**

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**

On Tuesday, May 18, 2004, at 9:00 a.m. the Department held the regular meeting of the Board of Directors (the "Board") of the Manufactured Housing Division ("MHD") of the Texas Department of Housing and Community Affairs ("TDHCA") in the TDHCA board room on the 4<sup>th</sup> floor at 507 Sabine, Austin, Texas. Cary Yates presided. The following directors, constituting a quorum, were present: Cary Yates, Presiding Officer, Jack Davis, and Valeri Malone. Pete Moreno was absent. The following members of MHD staff were present: Tim Irvine, Cindy Bocz, Joe Garcia, Kassu Asfaw, James Hicks, Heidi Maldonado, Piper Smith, and Sharon Choate.

The chairman called roll and declared the presence of a quorum. The minutes of the previous meeting were approved unanimously upon motion by Jack Davis and second by Valeri Malone.

Jim Hicks, Senior Investigator for Consumer Protection, presented a proposed order to be entered in the matter of TDHCA vs. Barbara's Berry Best Buy, Inc., dba Longhorn Manufactured Homes, Docket No. 332-03-3405. The State Office of Administrative Hearing's Proposal for Decision was approved unanimously upon motion by Jack Davis and second by Valeri Malone.

Mr. Hicks informed the Board that the proposal for decision in the matter of TDHCA vs. DJ Birdsell, Inc., dba Factory Direct Homes, Docket No. 332-04-2331 would be postponed because the Department received a motion from the respondent for a rehearing and the Department does not object to the request.

Tim Irvine presented to the Board, for discussion and possible approval, the publication for comment of proposed rules regarding provisions for correcting Statements of Ownership and Location. This was unanimously approved upon motion by Jack Davis and second by Valeri Malone.

Tim Irvine presented to the Board, for discussion and possible approval, the publication for comment of proposed rules regarding provisions to revise the Statement of Ownership and Location application form to allow retailers to report homes that are taken in trade and placed in inventory. This was unanimously approved upon motion by Valeri Malone and second by Jack Davis.

Tim Irvine presented the Executive Director's report: he informed the Board that the Manufactured Housing Division is in the process of preparing the Operating Budget for FY 2005; updating the Standard Operating Procedures; possibly re-entering the offering of IPIA (in

plant inspection agency) functions as a State Administrative Agency for HUD; and streamlining the Consumer Protection functions. He discussed the rulemaking process that is currently underway with an assembled group of interested people from the industry, trade associations, lenders, consumer advocates, and staff of interested legislators, looking at all the rules to see if any provisions should be considered for recommended revision.

There being no further business to come before the Board, the meeting was adjourned at 10:20 a.m.

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Sharon Choate  
Secretary

Approved:

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Cary Yates, Presiding Officer

*Agenda Action Item No. 2*

WHEREAS, on November 28, 2001, Governor Rick Perry appointed Jack Davis as a member of the Initial Board of the Manufactured Housing Division, and

WHEREAS, through his participation in board meetings and his unstinting devotion of time and interest he helped assure that this board would begin its life as an immediately effective board, devoted to serving the State of Texas, and

WHEREAS, through his candor and thoroughness he helped to set a tone for a board that was willing to question, to listen, and to make sound decisions,

It is hereby

RESOLVED, that the Board of the Manufactured Housing Division expresses its deep sorrow and sense of loss at the untimely death of its member, Jack Davis, on June 1, 2004, expresses its great thanks for his service and devotion, and conveys its condolences to his wife and children.

*Agenda Action Item No. 3*

**Texas Department of Housing and Community Affairs  
Historical Budget Analysis  
Manufactured Housing Division  
For FY 2004 and 2005**

**D R A F T**

Budget Categories	FY 04 Budget (a)	FY 05 Budget (b)	Variance (b-a)	Percentage Change
Salaries and Wages	\$ 2,792,739	\$ 2,660,460	\$ (132,279)	-4.7%
Payroll Related Costs	675,998	666,115	\$ (9,883)	-1.5%
Travel In-State	200,000	200,000	-	0.0%
Travel Out-of State	0	0	-	0.0%
Home Owner Consumer Claims ( Rider # 18 )	100,000	100,000	-	0.0%
Professional Fees	31,000	31,000	-	0.0%
Materials and Supplies	65,000	65,000	-	0.0%
Repairs/Maintenance	56,000	56,000	-	0.0%
Printing and Reproduction	28,000	28,000	-	0.0%
Rental/Lease	358,393	358,393	-	0.0%
Membership Dues	0	0	-	0.0%
Registration Fees	500	500	-	0.0%
Employee Tuition	0	0	-	0.0%
Advertising	200	200	-	0.0%
Freight/Delivery	5,000	5,000	-	0.0%
Temporary Help	30,000	30,000	-	0.0%
Furniture/Equipment	0	0	-	0.0%
Communications/Utilities	125,000	125,000	-	0.0%
Capital Outlay	10,000	10,000	-	0.0%
State Office of Risk Management	10,000	10,000	-	0.0%
Subtotal	4,487,830	4,345,668	(142,162)	-3.2%
Indirect Support	500,000	500,000	-	0.0%
<b>Total Manufactured Housing</b>	<b>\$ 4,987,830</b>	<b>\$ 4,845,668</b>	<b>\$ (142,162)</b>	<b>-2.9%</b>
FTE's	61	64	3.00	4.9%
<b>Method of Finance:</b>				
General Revenue	2,320,073	2,264,943	(55,130)	-2.4%
Appropriated Receipts	2,278,291	2,345,345	67,054	2.9%
Federal Funds	389,466	235,380	(154,086)	-39.6%
<b>Total, Method of Finance</b>	<b>\$ 4,987,830</b>	<b>\$ 4,845,668</b>	<b>\$ (142,162)</b>	<b>-2.9%</b>

**Texas Department of Housing and Community Affairs  
 Manufactured Housing Division  
 Operating Budget Allocation to Direct Strategies  
 For FY 2005**

<b>Description</b>	<b>Expenditures</b>	<b>E.1.1. Titling &amp; Licensing</b>	<b>E.1.2. Installation Inspection</b>	<b>E.1.3. Complaints Enforcement</b>	<b>Total Budget</b>
Salaries and Wages	2,660,460	825,756	907,222	927,482	2,660,460
Payroll Related Costs	666,115	206,749	227,146	232,219	666,115
Travel In-State	200,000	62,076	68,200	69,723	200,000
Travel Out-of State	0	0	0	0	0
Home Owner Consumer Claims ( Rider # 18 )	100,000	31,038	34,100	34,862	100,000
Professional Fees	31,000	9,622	10,571	10,807	31,000
Materials and Supplies	65,000	20,175	22,165	22,660	65,000
Repairs/Maintenance	56,000	17,381	19,096	19,523	56,000
Printing and Reproduction	28,000	8,691	9,548	9,761	28,000
Rental/Lease	358,393	111,238	122,213	124,942	358,393
Membership Dues	0	0	0	0	0
Registration Fees	500	155	171	174	500
Employee Tuition	0	0	0	0	0
Advertising	200	62	68	70	200
Freight/Delivery	5,000	1,552	1,705	1,743	5,000
Temporary Help	30,000	9,311	10,230	10,459	30,000
Furniture/Equipment	0	0	0	0	0
Communications/Utilities	125,000	38,798	42,625	43,577	125,000
Capital Outlay	10,000	3,104	3,410	3,486	10,000
State Office of Risk Management	10,000	3,104	3,410	3,486	10,000
	<b>\$ 4,345,668</b>	<b>\$ 1,348,812</b>	<b>\$ 1,481,881</b>	<b>\$ 1,514,975</b>	<b>\$ 4,345,668</b>
FTE's		25	18.4	20.6	64
<b>Method of Finance:</b>		<b>General Revenue</b>	<b>Appropriated Receipts</b>	<b>Federal Funds</b>	<b>Total</b>
Strategy One:	1,348,812	589,850	656,394	102,568	1,348,812
Strategy Two:	1,481,881	754,119	670,048	57,714	1,481,881
Strategy Three:	1,514,975	687,266	776,898	50,811	1,514,975
	<b>\$ 4,345,668</b>	<b>\$ 2,031,235</b>	<b>\$ 2,103,340</b>	<b>\$ 211,093</b>	<b>\$ 4,345,668</b>
<b>Indirect Support:</b>		<b>F.1.1.</b>	<b>F.1.2.</b>	<b>F.1.3.</b>	<b>Total</b>
Central Administration	260,000	260,000			260,000
Information Resource Technologies			160,000		160,000
Operating Support				80,000	80,000
	<b>\$ 260,000</b>	<b>\$ 260,000</b>	<b>\$ 160,000</b>	<b>\$ 80,000</b>	<b>\$ 500,000</b>
<b>Method of Finance:</b>					
Appropriated Receipts	<b>\$ 260,000</b>	<b>\$ 260,000</b>	<b>\$ 160,000</b>	<b>\$ 80,000</b>	<b>\$ 500,000</b>



**Manufactured Housing Division  
Revenue Summary and Projections  
For FY 2004-05**

<b>FEE TYPE</b>	<b>FY 2004 Act/Est (c)</b>	<b>FY 2005 Projected (d)</b>	<b>Variance (d-c)</b>	<b>Percentage Change</b>
Training	66,000	75,000	9,000	14%
Titles	4,659,025	4,895,000	235,975	5%
Licenses	960,713	959,400	(1,313)	0%
Inspections	1,240,000	1,589,120	349,120	28%
Admin. Penalties	43,000	40,000	(3,000)	-7%
Public Information	3,000	3,000	-	0%
Returned Check Charge	1,200	1,200	-	0%
	<b>6,972,938</b>	<b>7,562,720</b>	<b>589,782</b>	<b>8%</b>
<b>Federal Funds:</b>				
Floors Shipped	420,840	151,200	(269,640)	-64%
Floors Produced	118,698	45,000	(73,698)	-62%
Federal Inspection Reimbursement	7,009	7,200	191	3%
	<b>546,547</b>	<b>203,400</b>	<b>(343,147)</b>	<b>-63%</b>
<b>Total</b>	<b>\$ 7,519,485</b>	<b>\$ 7,766,120</b>	<b>\$ 246,635</b>	<b>3%</b>

*\* Note: The assumptions for FY 2005 revenues use the actuals/estimates for FY 2004 and modified historical trends.*

**Texas Department of Housing and Community Affairs  
 Manufactured Housing Division  
 Budget and Expense Status  
 From September to August  
 For FY 2004**

<b>Budget Categories</b>	<b>Annual Budget (a)</b>	<b>*1 YTD Act/Est Expenses Sep - Aug (b)</b>	<b>YTD Variance Sep - Aug (a-b)</b>	<b>Remaining Budget As of August</b>
Salaries and Wages	\$ 2,792,739.00	2,598,945	193,794	193,794
Payroll Related Costs	675,998	496,555	179,443	179,443
Travel In-State	200,000	158,558	41,442	41,442
Travel Out-of State	0	0	0	0
Home Owner Consumer Claims ( Rider # 18 ) *2	100,000	82,359	17,641	17,641
Professional Fees	31,000	6,812	24,188	24,188
Materials and Supplies	65,000	47,929	17,071	17,071
Repairs/Maintenance	56,000	24,472	31,528	31,528
Printing and Reproduction	28,000	8,358	19,642	19,642
Rental/Lease	358,393	384,160	(25,767)	(25,767)
Membership Dues	0	0	0	0
Registration Fees	500	1,704	(1,204)	(1,204)
Employee Tuition	0	0	0	0
Advertising	200	0	200	200
Freight/Delivery	5,000	1,368	3,632	3,632
Temporary Help	30,000	14,641	15,359	15,359
Furniture/Equipment	0	97	(97)	(97)
Communications/Utilities	125,000	123,821	1,179	1,179
Capital Outlay	10,000	7,000	3,000	3,000
State Office of Risk Management	10,000	11,245	(1,245)	(1,245)
Subtotal	4,487,830	3,968,024	519,806	519,806
Indirect Support	500,000	473,929	26,071	26,071
<b>Total Manufactured Housing</b>	<b>\$ 4,987,830</b>	<b>\$ 4,441,953</b>	<b>\$ 545,877</b>	<b>\$ 545,877</b>

\* 1 YTD expenses column represents actual expenditures from September to June, and projected expenditures from July to August.

\* 2 The Consumer Claims payment of \$457,274 has been adjusted for the reimbursed amount of \$374,915.

**Exhibit A**

**Manufactured Housing  
Administrative Support Schedule  
Fiscal Year 2005**

<b>Support:</b>	<b>FTE's</b>	<b>Salaries</b>	<b>Payroll Related Costs</b>	<b>Total</b>
Internal Audit	0.30	16,757	4,022	20,779
Governmental Affairs	0.60	34,617	8,308	42,925
Human Resources	1.00	50,165	12,040	62,205
Facilities and Support	0.85	34,193	8,206	42,399
Information Systems	1.80	100,963	24,231	125,194
<b>Financial Administration:</b>				
Director, Financial Administration	0.15	12,001	2,880	14,881
Manager of Budget, Travel and Payroll	0.05	3,780	907	4,687
Payroll	0.30	14,684	3,524	18,208
Accounting Manager	0.25	17,391	4,174	21,565
Travel	0.60	25,592	6,142	31,734
Payables	0.25	12,333	2,960	15,293
Program Accountants	1.00	43,399	10,416	53,815
Purchasing	0.80	37,350	8,964	46,314
<b>Total Support, Manufactured Housing</b>	<b>7.95</b>	<b>\$ 403,226</b>	<b>\$ 96,774</b>	<b>\$ 500,000</b>

*Agenda Action Item No. 4*

**ADMINISTRATIVE SERVICES AND COST REIMBURSEMENT AGREEMENT**

**AMENDMENT NO. 4**

SECTION 1. The **Texas Department of Housing and Community Affairs**, a public and official department of the State of Texas ("TDHCA"), and the **Manufactured Housing Division**, an independent entity within TDHCA ("MH Division") do hereby contract and agree to amend their original agreement as initially executed by the Executive Director of TDHCA effective September 1, 2001 through August 31, 2002 for the performance of administrative services.

SECTION 2. The parties hereto agree to amend the agreement identified above so that Section 1.1, Scope of Services, is revised to read hereafter as given below:

“Section 1.1, Scope of Services.

During the term of this Agreement, TDHCA shall provide administrative support services to the MH Division from TDHCA’s Internal Audit; Governmental Communications; Human Resources; Facilities and Support; Information Systems; Legal Services (for legislative assistance only), and Financial Services areas and such incidental services as may be necessary (collectively the "Services") as further specified in Exhibit A to this agreement. TDHCA shall be solely responsible for furnishing the necessary supplies, services, equipment, and offices to provide such Services. All such Services are subject to oversight and direction by the MH board of directors, the Executive Director of the MH Division, and such MH Division employees as either of them may designate, subject to any conflicting requests from TDHCA’s Executive Director, TDHCA’s board of directors, and the immediate supervisors of the TDHCA employees performing such Services. The Services shall be provided in a manner consistent with the manner in which they are provided to other operations of TDHCA, except as TDHCA and the MH Division may otherwise agree.”

SECTION 3. The parties hereto agree to amend the agreement identified in Section 1 above so that Exhibit A is revised hereafter to read as given in Exhibit A to this amendment.

SECTION 4. The parties hereto agree to amend the agreement identified in Section 1 above so that Section 2.1, “Term,” is revised to read hereafter as given below:

“Section 2.1, Term.

This Agreement is effective September 1, 2001 through August 31, 2005, unless sooner

terminated pursuant to Section 4.1 of this Agreement.”

SECTION 5. The parties hereto agree to amend the agreement identified in Section 1 above so that Section 3.2, “Payments to TDHCA for Services” is revised to read hereafter as given below:

“Section 3.2, Payments to TDHCA for Services.

As compensation for the Services performed by TDHCA employees pursuant to this Agreement, MH Division shall pay TDHCA FORTY-ONE THOUSAND SIX HUNDRED SIXTY-SIX AND SIXTY-SIX ONE-HUNDREDTHS DOLLARS (\$41,666.66) for each month during the term of this Agreement (for a total annual amount not to exceed FIVE HUNDRED THOUSAND HUNDRED AND NO ONE-HUNDREDTHS DOLLARS (\$500,000.00)).”

SECTION 6: The parties hereto agree that this amendment shall become effective on September 1, 2004.

SECTION 7. The parties hereto agree that all of the terms of the agreement identified in Section 1 above shall remain in effect and shall continue to govern except to the extent that they conflict with the terms of this amendment.

SECTION 8. By the signing of this amendment, the parties hereto expressly understand and agree that this amendment shall become a part of the agreement identified in Section 1 above as though it were set forth word for word herein.

**WITNESS OUR HANDS EFFECTIVE SEPTEMBER 1, 2004.**

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**

By: \_\_\_\_\_  
Edwina P. Carrington  
Executive Director

**MANUFACTURED HOUSING DIVISION**

By: \_\_\_\_\_  
Tim Irvine  
Executive Director

**Exhibit A**

**Manufactured Housing  
Administrative Support Schedule  
Fiscal Year 2005**

<b>Support:</b>	<b>FTE's</b>	<b>Salaries</b>	<b>Payroll Related Costs</b>	<b>Total</b>
Internal Audit	0.30	16,757	4,022	20,779
Governmental Affairs	0.60	34,617	8,308	42,925
Human Resources	1.00	50,165	12,040	62,205
Facilities and Support	0.85	34,193	8,206	42,399
Information Systems	1.80	100,963	24,231	125,194
<b>Financial Administration:</b>				
Director, Financial Administration	0.15	12,001	2,880	14,881
Manager of Budget, Travel and Payroll	0.05	3,780	907	4,687
Payroll	0.30	14,684	3,524	18,208
Accounting Manager	0.25	17,391	4,174	21,565
Travel	0.60	25,592	6,142	31,734
Payables	0.25	12,333	2,960	15,293
Program Accountants	1.00	43,399	10,416	53,815
Purchasing	0.80	37,350	8,964	46,314
<b>Total Support, Manufactured Housing</b>	<b>7.95</b>	<b>\$ 403,226</b>	<b>\$ 96,774</b>	<b>\$ 500,000</b>

*Agenda Action Item No. 5*

Texas Department of Housing and Community  
Affairs  
Legislative Appropriations Request  
Manufactured Housing Division  
For FY 2006 and 2007

**D R A F T**

**OBJECT OF EXPENSES:**

<b>Code</b>	<b>Description</b>	<b>FY 06 Budget</b>	<b>FY 07 Budget</b>	<b>Variance</b>
1001	Salaries and Wages	\$ 2,720,460	\$ 2,785,460	\$ 65,000
1002	Other Personnel Costs	60,000	60,000	-
2005	Travel In-State	200,000	200,000	-
2005	Travel Out-of State	-	-	-
2001	Professional Fees	131,000	131,000	-
2003	Consumable Supplies	35,000	35,000	-
2004	Utilities	30,100	30,100	-
2006	Rent - Building	342,138	342,138	-
2007	Rent - Machines	17,000	17,000	-
2009	Other Operating Expenses	253,855	253,855	-
3001	Client Services	-	-	-
4000	Grants	-	-	-
5000	Capital Expenditure	10,000	10,000	-
	<b>Total Manufactured Housing</b>	<b>\$ 3,799,553</b>	<b>\$ 3,864,553</b>	<b>\$ 65,000</b>
	 FTE's	 64	 64	 -

**Method of Finance:**

General Revenue	1,650,017	1,650,017
Appropriated Receipts	1,935,536	1,990,536
Federal Funds	214,000	224,000
<b>Total, Method of Finance</b>	<b>\$ 3,799,553</b>	<b>\$ 3,864,553</b>

**Texas Department of Housing and Community Affairs  
 Manufactured Housing Division  
 Legislative Appropriations Request  
 For FY 2006**

**OBJECT OF EXPENSES:**

<b>Code</b>	<b>Description</b>	<b>Expenditures</b>	<b>E.1.1. SOL &amp; Licensing</b>	<b>E.1.2. Inspections</b>	<b>E.1.3. Enforcement</b>	<b>Total Budget</b>
1001	Salaries and Wages	\$ 2,720,460	\$ 844,356	\$ 928,222	\$ 947,882	\$ 2,720,460
1002	Other Personnel Costs	60,000	18,622	20,472	20,906	60,000
2005	Travel In-State	200,000	62,075	68,240	69,685	200,000
2005	Travel Out-of State	0	0	0	0	0
2001	Professional Fees	131,000	40,659	44,697	45,644	131,000
2003	Consumable Supplies	35,000	10,863	11,942	12,195	35,000
2004	Utilities	30,100	9,342	10,270	10,488	30,100
2006	Rent - Building	342,138	106,190	116,738	119,210	342,138
2007	Rent - Machines	17,000	5,276	5,800	5,923	17,000
2009	Other Operating Expenses	253,855	78,790	86,615	88,450	253,855
3001	Client Services	0	0	0	0	0
4000	Grants	0	0	0	0	0
5000	Capital Expenditure	10,000	3,104	3,412	3,484	10,000
	<b>Total Manufactured Housing</b>	<b>\$ 3,799,553</b>	<b>\$ 1,179,277</b>	<b>\$ 1,296,408</b>	<b>\$ 1,323,868</b>	<b>\$ 3,799,553</b>

FTE's 25.0 18.4 20.6 64.0

**Method of Finance:**

	<b>General Revenue</b>	<b>Appropriated Receipts</b>	<b>Federal Funds</b>	<b>Total</b>
Strategy One:	1,179,277	473,427	705,850	1,179,277
Strategy Two:	1,296,408	615,178	591,230	1,296,408
Strategy Three:	1,323,868	561,412	638,456	1,323,868
	<b>\$ 3,799,553</b>	<b>\$ 1,650,017</b>	<b>\$ 1,935,536</b>	<b>\$ 214,000</b>

**Indirect Support:**

	<b>F.1.1.</b>	<b>F.1.2.</b>	<b>F.1.3.</b>	<b>Total</b>
Central Administration	260,000	260,000		260,000
Information Resource Technologies		160,000		160,000
Operating Support			80,000	80,000
	260,000	260,000	160,000	500,000

**Method of Finance:**

Appropriated Receipts	<b>\$ 260,000</b>	<b>\$ 260,000</b>	<b>\$ 160,000</b>	<b>\$ 80,000</b>	<b>\$ 500,000</b>
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**Texas Department of Housing and Community Affairs  
 Manufactured Housing Division  
 Legislative Appropriation Request  
 For FY 2007**

**OBJECT OF EXPENSES:**

<b>Code</b>	<b>Description</b>	<b>Expenditures</b>	<b>E.1.1. SOL &amp; Licensing</b>	<b>E.1.2. Inspections</b>	<b>E.1.3. Enforcement</b>	<b>Total Budget</b>
1001	Salaries and Wages	\$ 2,785,460	\$ 864,530	\$ 950,400	\$ 970,530	\$ 2,785,460
1002	Other Personnel Costs	60,000	18,622	20,472	20,906	60,000
2005	Travel In-State	200,000	62,075	68,240	69,685	200,000
2005	Travel Out-of State	0	0	0	0	0
2001	Professional Fees	131,000	40,659	44,697	45,644	131,000
2003	Consumable Supplies	35,000	10,863	11,942	12,195	35,000
2004	Utilities	30,100	9,342	10,270	10,488	30,100
2006	Rent - Building	342,138	106,190	116,738	119,210	342,138
2007	Rent - Machines	17,000	5,276	5,800	5,923	17,000
2009	Other Operating Expenses	253,855	78,790	86,615	88,450	253,855
3001	Client Services	0	0	0	0	0
4000	Grants	0	0	0	0	0
5000	Capital Expenditure	10,000	3,104	3,412	3,484	10,000
	<b>Total Manufactured Housing</b>	<b>3,864,553</b>	<b>1,199,451</b>	<b>1,318,586</b>	<b>1,346,516</b>	<b>3,864,553</b>
	FTE's		25.0	18.4	20.6	64.0

**Method of Finance:**

	<b>General Revenue</b>	<b>Appropriated Receipts</b>	<b>Federal Funds</b>	<b>Total</b>
Strategy One:	\$ 1,199,451	\$ 473,427	\$ 726,024	\$ 1,199,451
Strategy Two:	1,318,586	\$ 615,178	95,500	1,318,586
Strategy Three:	1,346,516	\$ 561,412	128,500	1,346,516
	<b>\$ 3,864,553</b>	<b>\$ 1,650,017</b>	<b>\$ 1,990,536</b>	<b>\$ 3,864,553</b>

**Indirect Support:**

	<b>F.1.1.</b>	<b>F.1.2.</b>	<b>F.1.3.</b>	<b>Total</b>
Central Administration	260,000	260,000		260,000
Information Resource Technologies		160,000		160,000
Operating Support			80,000	80,000
	260,000	260,000	80,000	500,000

**Method of Finance:**

Appropriated Receipts	<b>\$ 260,000</b>	<b>\$ 260,000</b>	<b>\$ 160,000</b>	<b>\$ 80,000</b>	<b>\$ 500,000</b>
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Texas Department of Housing and Community Affairs  
 Manufactured Housing Division  
 Legislative Appropriations Request  
 Revenue Summary and Projection  
 For FY 2006-07

FEE TYPE	FY 2006 Projected (c)	FY 2007 Projected (d)	Variance (d-c)	Percentage Change
Training	\$ 75,000.00	\$ 75,000.00	\$ -	0.0%
Statement of Ownership and Allocation (SOLs) *	4,867,500	4,867,500	-	0.0%
Licenses	959,400	959,400	-	0.0%
Inspections	1,589,120	1,589,120	-	0.0%
Admin. Penalties	40,000	40,000	-	0.0%
Public Information	3,000	3,000	-	0.0%
Returned Check Charge	1,200	1,200	-	0.0%
	<b>\$ 7,535,220</b>	<b>\$ 7,535,220</b>	<b>\$ -</b>	<b>0.0%</b>
<b>Federal Funds:</b>				
Floors Shipped	158,760	166,698	7,938	5.0%
Floors Produced	47,250	49,613	2,363	5.0%
Federal Inspection Reimbursement	7,200	7,200	-	0.0%
	<b>\$ 213,210</b>	<b>\$ 223,511</b>	<b>\$ 10,301</b>	<b>4.8%</b>
<b>Total</b>	<b>\$ 7,748,430</b>	<b>\$ 7,758,731</b>	<b>\$ 10,301</b>	<b>0.1%</b>

\* Note: 1. The assumptions for FY 2006-07 revenues use the actual/estimates for FY 2004-05 and modified historical trends.  
 2. SOLs will supersede the name 'Titles,' during FY 06-07 biennium

*Agenda Action Item No. 6*

**O'GORMAN & STAFFORD, L.L.C.**

A Limited Liability Company

Attorneys at Law

750 Rittiman Road, San Antonio, Texas 78209

Telephone: (210) 828-6811

Telecopier: (210) 822-5866

June 9, 2004

VIA REGULAR MAIL

Mr. Tim Irvin

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

507 Sabine Street

Austin, TX 78701


*RE: Living Singles' Ministries, Inc.*

Dear Mr. Irvin:

As Living Singles' Ministries has begun its preparation to offer the continuing education courses for certain licensees under the Texas Manufactured Housing Standards Act, it has determined that the courses would provide a better education to the attendees by adding an additional instructor. Bobbie Hill has agreed to join in the presentation of the courses. Attached is Ms. Hill's resume. I am sure you are well acquainted with her outstanding credentials as a qualified person to be the fourth instructor in the courses.

For your information, the course will be offered in its entirety at the annual convention of the Texas Manufactured Housing Association at the Woodlands, Texas on September 20-22. The exact times and location are pending. Once they are determined, I will inform you so that you or one of your representatives may attend and monitor the course. Because of the limited time between now and the convention, it is hoped that we will be able to present two hour portions at the chapter meetings in San Antonio, Dallas, East Texas, Lubbock/Amarillo and the Valley. At this time, the Chapter meetings have not been scheduled.

As always, please call if you have any questions.

Very truly yours,  
**O'GORMAN & STAFFORD, L.L.C.**  
  
**P. KEITH O'GORMAN**

**Bobbie Jean Hill**  
1851 Bebee Road  
Kyle, Texas 78640  
512-295-5717 Home  
512-632-7079 Cell

Date of Birth: June 10, 1939 – Refugio, Texas

Education: Graduate Flint High School – Flint, Texas  
Law Enforcement – Tyler, Jr. College, Tyler, Texas

Employment: Texas Department of Labor and Standards/Texas  
Department  
of Housing and Community Affairs 1978 – 2003  
State Inspector/duties inspecting consumer complaints  
in-plant inspections, installation inspections, retail  
Monitoring. Transfer to Austin Headquarters in 1984  
As enforcement manager, Train State inspectors  
maintain operating budget. Assisted the writing of  
the statute and rules. Work with HUD on procedures of  
Federal rule making and installations.

References: Available upon request

*Agenda Action Item No. 7*

To: Board of Directors, Manufactured Housing Division  
Cary Yates  
Valeri Malone  
Pete Moreno

From: Tim Irvine

**Re: PSIA Request Approval to Provide their Continuing Education Course Online**

Date: August 10, 2004

On October 21, 2003, the Board approved PSIA as a continuing education provider for various locations throughout the State. PSIA has requested approval to provide the course online.

Staff has reviewed PSIA's online version, determined that the online version of the course meets the requirements of the law and rules, and recommends approval.

*Agenda Action Item No. 8*

***Adoption of Manufactured Housing Rules***

**§§80.201 & 80.209**

The Manufactured Housing Division of the Texas Department of Housing and Community Affairs (the "Department") adopts without changes §§80.201 and 80.209. The text will not be republished. The proposed rules were published in the June 4, 2004 issue of the *Texas Register* (29 TexReg 5476).

The effective date of the rules is thirty (30) days following the date of publication with the *Texas Register* of notice that the rule has been adopted.

One person representing a licensee attended the public hearing on July 6, 2004. The department received no comments for or against the proposed rules either at the hearing or in writing.

***The rules as proposed on June 4, 2004, are adopted as final rules without changes.***

**The following is a restatement of the rules' factual basis:**

New subsection §80.201(d) is adopted (***without changes***) to provide provisions for correcting Statements of Ownership Location.

Subsection §80.209(a) is adopted (***without changes***) to revise the Application for Statement of Ownership and Location form, which allows retailers to report homes that are in their inventory. However, this does not apply when a manufacturer sells a new home to a retailer and the home has never been sold in a retail transaction.

Figure: 10 TAC §80.209(a) – is adopted (***without changes***) to revised Blocks 3 and 6 to allow retailers to report homes that are taken in trade and placed in inventory.

Figure: 10 TAC §80.209(b) – No change.

The new and amended rules are adopted under the Texas Manufactured Housing Standards Act, Occupations Code, Subtitle C, Chapter 1201, §1201.052, which provides the Department with authority to amend, add, and repeal rules governing the Manufactured Housing Division of the Department and under Texas Government Code, Chapter 2306, §2306.603, which authorizes the director to adopt rules as necessary to administer and enforce the manufactured housing program through the Manufactured Housing Division.

The agency hereby certifies that the new and amended rules have been reviewed by legal counsel and found to be within the agency's authority to adopt.

No other statute, code, or article is affected by the new and amended rules.

**§80.201. Issuance of Statements of Ownership and Location.**

(a) Initial Statements.

- (1) The Department will issue an initial Statement of Ownership and Location within ten (10) working days after receipt of a complete application, accompanied by all documentation necessary to support the application.
- (2) In order to be deemed complete, an application for a Statement of Ownership and Location must include, as applicable:
  - (A) A completed and fully executed Application for Statement of Ownership and Location on the Department's prescribed form;
  - (B) The required fee;
  - (C) If one or more liens are to be reflected on the Statement of Ownership and Location, copies of documentation establishing the creation, existence, and priority of each such lien;
  - (D) If a manufactured home is relocated, satisfactory evidence that there are no property tax liens on the home or that provision has been made for them. Satisfactory evidence would include, but would not be limited to, evidence that the relocation was effected with a TxDOT approved move or a statement from a title company, lender, or escrow agent, executed by a person purporting to be its duly authorized officer or representative, that money sufficient to pay the taxes was being held by them and would be applied to the payment of those taxes.

(b) Revised Statements.

- (1) The Department will issue a revised Statement of Ownership and Location within ten (10) working days after receipt of a complete application, accompanied by all documentation necessary to support the application.
- (2) In order to be deemed complete, an application for a revised Statement of Ownership and Location must include, as applicable:
  - (A) A completed and fully executed Application for Statement of Ownership and Location on the Department's prescribed form;
  - (B) The required fee;
  - (C) If one or more liens are to be reflect on the Statement of Ownership and Location, copies of documentation establishing the creation, existence, and priority of each such lien;

- (D) If one or more existing liens are to be released or transferred, appropriate supporting documentation, including a properly executed and completed release of lien form;
  - (E) If a manufactured home is to be designated for use as a dwelling after the home has been designated for business use only or salvage, evidence of a satisfactory habitability inspection by the Department, accompanied by the required fee;
  - (F) If a manufactured home is relocated, satisfactory evidence that there are no property tax liens on the home or that provision has been made for them. Satisfactory evidence would include but would not be limited to, evidence that the relocation was effected with a TxDOT approved move, a paid taxes certificate from the county tax assessor for the county where the home was located prior to the move, or an original, signed statement from a title company, lender, or escrow agent, executed by a person purporting to be its duly authorized officer or representative, that money sufficient to pay the taxes was being held by them and would be applied to the payment of those taxes;
  - (G) In instances where title to a manufactured home is conveyed in a transaction other than a transaction requiring a license under the Standards Act, such as testamentary and non-testamentary transfers, private sales not requiring a license, voluntary or court-ordered partitions, etc, originals or certified copies of appropriate documentation to support any such transfer, as required by the Department; and
- (3) Any change in a Statement of Ownership and Location shall result in a new Statement of Ownership and Location being issued, and the new Statement of Ownership and Location shall specify the effective date which shall be either the date of the submission of the completed application or such other date as the Director may determine is appropriately supported by the information provided.
- (c) Replacing a Document of Title.
- (1) Upon receipt of a written request, applicable fee(s), and any necessary additional information, including a notarized statement of election of real or personal property status, the Department will replace a document of title with a Statement of Ownership and Location.
  - (2) If a manufactured home title showed that it was personal property, that will be presumed to be its status until and unless a revised Statement of Ownership and Location is applied for and issued. Likewise, if a manufactured home has had a certificate of attachment issued and had title cancelled to real property, that shall be presumed to be its status until and unless a revised Statement of Ownership and Location is applied for and issued.



- (d) Corrections to Statements of Ownership and Location.
  - (1) If a correction is required as a result of a department error, it will be corrected at no charge.
  - (2) If an error was made for another reason, it will be corrected upon receipt of all documentation needed to support the correction.
  - (3) If a correction is requested because of an error made by a party other than the department, the correction will not be made until the department receives the following:
    - (A) A complete corrected application for Statement of Ownership and Location,
    - (B) Any necessary supporting documentation, and
    - (C) The required fee of \$25, which can be reduced or waived by the director for good cause.

***§80.209. Statement of Ownership and Location Forms.***

- (a) Application for Statement of Ownership and Location:

Texas Department of Housing and Community Affairs

MANUFACTURED HOUSING DIVISION

P. O. BOX 12489 Austin, Texas 78711-2489  
 (800) 500-7074, (512) 475-2200 FAX (512) 475-1109

Pursuant to the Texas Manufactured Housing Standards Act, Chapter 1201 of the Occupations Code  
 Internet Address: www.tdhca.state.tx.us/mh/index.htm

**APPLICATION FOR STATEMENT OF OWNERSHIP AND LOCATION**

<b>BLOCK 1: Transaction Identification</b>	
This application is for: <input type="checkbox"/> First time issuance of an SOL for a new home (first retail sale) <input type="checkbox"/> Revised SOL to reflect changes in (check <b>all</b> that apply and complete the applicable blocks): <input type="checkbox"/> Location (Blocks 2, 3, 4b, 6, 7, and 10) <input type="checkbox"/> Ownership (Blocks 2, 3, 4a, 4b, 5, 6, 7, 8, 9, 10a, and 10b) <input type="checkbox"/> Personal/real property election (Blocks 2, 3, 4b, 6, 7, and 10b) <input type="checkbox"/> Residential/non-residential use (Blocks 2, 3, 4b, and 10b) <input type="checkbox"/> Lien information (Blocks 2, 3, 4b, 10b, and if <b>adding</b> a lien, Block 8) <input type="checkbox"/> Correction (Blocks 2 and 10b <b>and</b> specify corrections to be made in other Blocks as appropriate) <input type="checkbox"/> Quick Processing (requires <u>additional fee</u> <b>and</b> completed Quick Processing Form) <input type="checkbox"/> Other _____	<b>For Department Use Only</b> Codes:  Form T: Y / N County Code: Right of Surv.: Y / N Wind Zone: I / II Retailer #: Manufacturer #:

<b>BLOCK 2: Home Information</b>					
Manufacturer Name:				Model:	
Address:				Date of Manufacture:	
City, State, Zip:				Total Square Feet:	
License Number:				Wind Zone:	
	<i>Label/Seal Number</i>	<i>Serial Number</i>	<i>Weight</i>	<i>Size*</i>	<i>*NOTE: Size must be reported as the outside dimensions (<u>length and width</u>) of the home as measured to the nearest 1/2 foot at the base of the home, exclusive of the tongue or other towing device.</i>
Section 1:				X	
Section 2:				X	
Section 3:				X	
Section 4:				X	

<b>BLOCK 3: Home Location</b>				
Was Home Moved? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach copy of moving permit.				
Was Home Installed? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach Form T – Notice of Installation and copy of moving permit.				
Physical Location:				
	<i>Address</i>	<i>City</i>	<i>State</i>	<i>ZIP</i> <i>County</i>

<b>BLOCK 4: Ownership Information</b>				<b>IF ownership changed, date of transfer:</b>	
<b>(4a) Seller(s) or Transferor(s)</b>			<b>(4b) Purchaser(s), Transferee(s), or Owner(s)</b>		
Name	License # if Retailer:	Name	License # if Retailer:	Name	License # if Retailer:
Mailing Address		Mailing Address			
City/State/Zip		City/State/Zip			
Daytime Phone Number ( ) -		Daytime Phone Number ( ) -			

<b>BLOCK 5: Right of Survivorship (if no box is checked, joint owners will NOT have right of survivorship)</b>	
<i>If joint owners desire right of survivorship, check the applicable box below:</i>	
<input type="checkbox"/> <u>Husband and wife</u> will be the only owners and agree that the ownership of the above described manufactured home shall, from this day forward, be held jointly and in the event of death, shall pass to the surviving owner.	
<input type="checkbox"/> Joint owners are <u>other than</u> husband and wife, desire right of survivorship, <b>and</b> have attached a completed Affidavit of Fact for Right of Survivorship or other affidavits as necessary to meet the requirements of §1201.213 of the Standards Act.	

- Personal Property – Applicant elects to treat this home as personal property. All documents affecting title to the home will be filed in the records of the department.
- Real Property – I (we) elect to treat this home as real property and certify that I am (we are) entitled to make this election in accordance with Section 1201.2055 of the Occupations Code because (**one** box **must** be checked):
  - I (we) own the real property that the home is attached to.
  - I (we) have a qualifying long-term lease for the land that the home is attached to.

I (We) understand that the home will not be considered to be real property until a certified copy of the SOL has been filed in the real property records of the county in which the home is located.

**Legal description must be provided for real property:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Inventory – Retailer number must be provided in Block 4b. (FOR RETAILER USE ONLY)

**BLOCK 7: Designated Use - to be designated by purchaser(s), transferee(s), or owner(s)**

- Residential Use (as a dwelling)
- Non-Residential - Check **one** of the following:
  - Business Use
  - Salvage

**BLOCK 8: Personal Property Liens - Specify any liens, charges, or other encumbrances to be recorded on the SOL**

Date of First Lien:		Date of Second Lien:	
Name of First Lienholder:		Name of Second Lienholder:	
Mailing Address:		Mailing Address:	
City/State/ZIP:		City/State/ZIP:	
Daytime Phone Number:	(     )     -	Daytime Phone Number:	(     )     -

**BLOCK 9: Third Party Special Mailing Instructions - for copies requested by persons other than owner or lienholder of record**

<b>IF</b> a certified copy of an SOL is to be mailed to anyone other than the owner or lienholder of record (such as a closing agent), please provide that mailing address here.	Name:	
	Company:	
	Street Address:	
	City, State, Zip:	

**BLOCK 10: Certification and Notarization - The statements set forth herein are made under oath and are true and correct.**

(10a) Each seller/transferor must sign, and notary signature and seal are required.	(10b) Each purchaser/transferee or owner must sign, and notary signature and seal are required.
_____ <i>Signature of seller/transferor</i>	_____ <i>Signature of purchaser/transferee or owner</i>
Sworn and subscribed before me this ____ day of _____, 20__	Sworn and subscribed before me this ____ day of _____, 20__
_____ <i>Signature of Notary</i>	_____ <i>Signature of Notary</i>
SEAL	SEAL
_____ <i>Signature of seller/transferor</i>	_____ <i>Signature of purchaser/transferee or owner</i>
Sworn and subscribed before me this ____ day of _____, 20__	Sworn and subscribed before me this ____ day of _____, 20__
_____ <i>Signature of Notary</i>	_____ <i>Signature of Notary</i>
SEAL	SEAL

(b) Form B (Release of Lien, Foreclosure of Lien or Lien Assignments):

Texas Department of Housing and Community Affairs

MANUFACTURED HOUSING DIVISION

P. O. BOX 12489 Austin, Texas 78711-2489

(800) 500-7074, (512) 475-2200 FAX (512) 475-1109

Pursuant to the Texas Manufactured Housing Standards Act, Chapter 1201 of the Occupations Code

Internet Address: www.tdhca.state.tx.us/mh/index.htm

RELEASE OF LIEN, FORECLOSURE OF LIEN OR LIEN ASSIGNMENTS

(Please type or print clearly.)

FORM B

**BLOCK 1: Home Information (Must be completed)**

Manufacturer Name:		License #:	
Manufacturer Address:			
Model :		Total Sq. Ft.:	Date of Manufacture:
Label/Seal Number	Complete Serial Number		Weight
Section One:			Size
Section Two:			
Section Three:			

**BLOCK 2: For Release of Liens**

(Name of Lienholder)	(Address)	(City)	(State)	(Zip)	(Phone)
(Name of Consumer)	(Address)	(City)	(State)	(Zip)	(Phone)

Release of Lien Effective Date: \_\_\_\_\_

**BLOCK 3: For Foreclosure of Lien**

Date of Repossession: \_\_\_\_\_ Release of Lien Effective Date: \_\_\_\_\_

**Method of Repossession (MUST CHECK ONE):**

( ) Terms of Security (Lien) Agreement

( ) Judicial Order (Sequestration, Possessory Lien, etc.) If by judicial order, attach a copy of the Sheriff's Bill of Sale. If the lien was not recorded on the document of title, a COPY of the Security Agreement or Judicial Order must be attached.

**Lienholder certifies that the home will be sold only to or through a licensed retailer. If a sale is being recorded in conjunction with the repossession, the name and license number of the retailer must be provided:** \_\_\_\_\_

**BLOCK 4: For Lien Assignments From Lienholder to Lienholder**

Name of former lender: \_\_\_\_\_

New Lender: \_\_\_\_\_

(Name of Lienholder) (Address) (City) (State) (Zip) (Phone)

**BLOCK 5: Notarized Signature Required**

<p>I (We) certify that the statements set forth hereinabove and the information attached hereto are true and correct.</p> <p><b>In the case of foreclosure, I (we) further certify that either the home will be sold from a licensed retailer's location or I am (we are) not required to be licensed under Subchapter C of the Standards Act.</b></p> <p>_____</p> <p>(Signature of Person Authorized to Sign for Lienholder)</p> <p>_____</p> <p>(Title of Person Signing) (Phone)</p>	<p>Sworn and subscribed before me this _____ day of _____, 20____</p> <p>(month) (year)</p> <p>Seal</p> <p>_____</p> <p>(Signature of Notary)</p> <p>_____</p> <p>(Typed Name of Notary) (Date Commission Expires)</p>
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*Agenda Action Item No. 9*  
***Proposed Manufactured Housing Rule***

**§80.201. Issuance of Statements of Ownership and Location.**

**(e) Statements of Ownership and Location for Manufactured Homes Reflected as Real Property.**

**(1) When a manufactured home has been converted to real property by the owner's properly completing a real property election and filing a certified copy of the Statement of Ownership and Location reflecting that election in the appropriate county real property records:**

**(A) that owner, or any subsequent owner of that manufactured home who acquires that manufactured home in a real property transfer properly recorded in those same county records, is not required to apply for an updated Statement of Ownership and Location unless:**

**(i) the owner desires to convert that manufactured home to personal property status;**

**(ii) the manufactured home no longer meets the requirements to be treated as real property; or**

**(iii) the manufactured home is being moved;**

**(B) the owner of record reflected in the records of the Division is the last record of the Division, but the current actual owner may only be confirmed through the applicable county real property records; and**

**(C) when an owner of a manufactured home that is classified as real property records desires to convert it to personal property, the Division will issue a certified copy of the Statement of Ownership and Location, reflecting that election, but the election shall not take effect until and unless that certified copy is recorded in the county real property records.**

**(2) When a manufactured home reflected as real property has been transferred from the owner(s) reflected in the records of the Division and the current owner desires to elect personal property status, they must provide the Division with satisfactory evidence that**

**(A) They are the owner(s) under a complete chain of title. Acceptable evidence would include, but not be limited to, authenticated copies of all intervening transfer documents, a court order confirming ownership, or a commitment for title insurance in such owner's name issued by a title insurance company licensed to do business in Texas.**

**(B) Any liens on the manufactured home have been discharged or that all lienholders have consented to the change.**