



Texas Department of Housing and Community Affairs
Manufactured Housing Board Meeting
on January 12, 2007

Valeri Stiers Malone, Chair

Michael H. Bray, Member

Carlos Amaral, Member

Kimberly A. Shambley, Member

Frances Shannon, Member

Texas Department of Housing and Community Affairs
Manufactured Housing Board Meeting
January 12, 2007

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Valeri Stiers Malone, Chair	_____	_____
Michael H. Bray, Member	_____	_____
Carlos Amaral, Member	_____	_____
Kimberly A. Shambley, Member	_____	_____
Frances Shannon, Member	_____	_____
Number Present	_____	
Number Absent		_____

_____, Presiding Officer

MANUFACTURED HOUSING BOARD MEETING
TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
221 E. 11th Street, Room 106, Austin, Texas 78701
January 12, 2007 10:00 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 the July 21, 2006, board meeting. | Chair |
| Item 2. | Discussion and possible authorization of the formation of an audit and financial committee and an enforcement and regulatory committee. | Tim Irvine |

EXECUTIVE SESSION

Chair

Note: The Board may go into executive session (close its meeting to the public) on any agenda item if appropriate and authorized by the Open Meetings Act, Texas Government Code, Chapter 551.

- (a) If necessary, the Board will go into executive session to discuss Personnel Matters pursuant to Sec. 551.074, Texas Government Code.
- (b) If necessary, the Board will go into executive session for Consultation with Attorney pursuant to Sec. 551.071, Texas Government Code to meet in closed session with attorney to discuss pending or threatened litigation (Robert Larson and Republic National Bank vs. Shipley Brothers Ltd. 4th County Court at Law, Harris County).

RECONVENE

Chair

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

PUBLIC COMMENT

Chair

REPORT ITEMS

- | | |
|--|------------|
| Executive Director's Report | Tim Irvine |
| Financial Report (FY 2006 final results) | Tim Irvine |
| QTR 1 Performance and Workload Measures | Tim Irvine |

ADJOURN

Chair

To access this agenda or request information, please visit our website at www.tdhca.state.tx.us or contact Sharon Choate, TDHCA, 507 Sabine, Austin, Texas 78701, 512-475-2206, 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 REGULAR MEETING OF THE
MANUFACTURED HOUSING BOARD**

On Friday, July 21, 2006, at 10:36 a.m., there was a regular meeting of the Manufactured Housing Board (the "Board") in Room 116 of the State Insurance Annex Building, 221 East 11th Street, Austin, Texas. Valeri Stiers Malone presided. Carlos Amaral, Michael Bray, Kim Shambley, and Frances Shannon, constituting a quorum, were in attendance. The following Manufactured Housing Division (the "MHD") staff were present: Kassu Asfaw, Sharon Choate, Joe Garcia, Jim Hicks, Tim Irvine, and Piper Smith. From the Texas Department of Housing and Community Affairs (other than the MHD) David Gaines and Elena Peinado were present.

Ms. Malone called the roll, confirmed the presence of a quorum, and asked for a motion to approve the minutes.

Prior to approving the minutes of the Board meeting on May 5, 2006, the end of the fourth paragraph was amended to include comments from Mr. Bray concerning proposed changes to 10 TAC 80.119(b)(3) by adding "Michael Bray commented that the intent of the change would be to make sure that a discussion of the terms and timing of a delivery and/or installation date be made at the earliest possible time - before either party is committed to the transaction. This would set the expectation levels of both parties equally."

Upon motion of Kim Shambley, duly seconded by Michael Bray, the amended minutes of the previous meeting were approved.

Jim Hicks presented a recommendation to adopt a final order in the administrative action styled TDHCA vs. David Barroso dba Sweet Homes, Docket Number: 332-06-0118. After an extended discussion of the underlying issues, including payment from the homeowners' recovery trust fund and the timeliness of resolution of consumer complaints, upon motion of Mr. Bray, duly seconded by Mr. Amaral, the order was unanimously approved as presented.

Kassu Asfaw presented the FY 2007 Operating Budget and Mr. Amaral requested adding an explanatory summary to the final Operating Budget. Upon motion of Mr. Amaral, duly seconded by Mr. Bray, the FY 2007 Operating Budget was unanimously approved with amendments.

Tim Irvine presented the FY 2007 Administrative Services Agreement. Upon motion of Mr. Bray, duly seconded by Ms. Shambley, the execution of the agreement was authorized unanimously.

Kassu Asfaw presented the FY 2008 - 2009 Legislative Appropriations Request (LAR). Upon motion of Mr. Amaral, duly seconded by Mr. Bray, the LAR was unanimously approved.

Tim Irvine presented proposed 10 TAC, Chapter 80 (§§80.208, 80.240 & 80.260) for approval to adopt. Upon motion of Mr. Bray, duly seconded by Ms. Shambley, the adoption of said rules was unanimously approved.

At 11:51 a.m. the Board went into an Executive Session pursuant to Texas Government Code, §551.074 to discuss personnel matters and the Board reconvened at 12:03 p.m. with no additional items to take up or discuss.

Tim Irvine delivered the Executive Director's Report and made a presentation regarding the proposed HUD Installation Rules.

There being no further business to come before the Board, the meeting was adjourned at 12:22 p.m.

Sharon Choate, Secretary

Approved:

Valeri Stiers Malone

Agenda Action Item No. 2

TO: Board of Directors
Valeri Stiers Malone
Carlos Amaral
Michael Bray
Kimberly A. Shambley
Frances Shannon

From: Tim Irvine, Manufactured Housing Executive Director

Date: December 20, 2006

RE: Committee Formation Recommendation

(1) Recommend forming an audit and financial committee:

This would be a committee of the Board charged with review and consideration of audit findings, proposed or requested audits, financial operating results, proposed budgets, proposed Legislative Appropriations Requests submissions, issues of salary administration policy, and other matters relating to audits and financial matters. The committee would meet not less than twice a year and on call of its chair, any of its members, any auditor, or the Executive Director. The committee would be advisory in nature and make reports and recommendations to the full Board.

(2) Recommend forming an enforcement and regulatory committee

This would be a committee of the Board charged with review of proposed final orders regarding enforcement matters, possible rules to implement enforcement and consumer protection measures, and other proposed revisions to the division's rules. The committee would be advisory in nature and make reports and recommendations to the full Board.

Membership of each of the above - recommended committees would be as designated from time to time by the presiding officer.