

## **MINUTES**

### **THE WEST VIRGINIA MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS BOARD**

December 20, 2017

The West Virginia Manufactured Housing Construction and Safety Standards Board met December 20, 2017 at the State Capitol Complex - Building 3 Room 200 - Charleston, West Virginia.

#### **BOARD MEMBERS PRESENT**

Commissioner Mitchell E. Woodrum, Chair  
Tom Belasco  
Sam Bonasso  
Johnnie Brown  
George Gunnell

#### **BOARD MEMBERS ABSENT**

D. Gary Shaw

#### **OTHERS PRESENT**

Michael Sams, Deputy Commissioner  
Elizabeth Farber, Assistant Attorney General  
Kathy Rucker, Director, Licensing  
Brian White, Labor Program Specialist, Licensing  
Wade Alexander, Field Inspector  
Tom Stricklen, Field Inspector  
Joseph Mason, Field Inspector

#### **MEETING CALLED TO ORDER**

A quorum being present, Mr. Woodrum called the meeting to order at 10:00 a.m.

#### **APPROVAL OF MINUTES**

Approval of the September 20, 2017 Teleconference minutes.

Mr. Belasco made a motion to approve the minutes. Mr. Bonasso seconded. Motion carried.

#### **PUBLIC COMMENT**

No one appeared for public comment.

## DISCIPLINARY HEARINGS

The hearings are for licensees that failed to protest violations issued within ten (10) days from receipt of violation or protested violation and was denied, and the Board will hear evidence pertaining to fines and/or penalties on those violations.

**17-DISC-001 – Barton D. Lawson DBA Lawson’s Construction - License Number WV01197.** Violated §42-CSR-19-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in compliance with a state or federal standard; and §42-CSR-19-10A.3 – Frost line considerations.

No one appeared on behalf of Lawson’s Construction.

Mr. Woodrum presented evidence and recommended a **Reprimand** for failing to install a manufactured home in compliance with a state or federal standard and transportation damage and a **\$750.00 fine** for frost line considerations.

Mr. Bonasso made a motion to accept staff’s recommendation. Mr. Brown seconded. Motion carried.

**17-DISC-002 – CMH Manufacturing, Inc. DBA TRUtn 2 – License Number WV00113.** Violated 3280.307 – Resistance to elements and use.

No one appeared on behalf of CMH Manufacturing, Inc. DBA TRUtn 2.

Mr. Woodrum presented evidence and recommended a **\$750.00 fine** for violating 3280.307 – resistance to elements and use.

Mr. Brown made a motion to accept staff’s recommendation. Mr. Bonasso seconded. Motion carried with Mr. Gunnell abstaining and the Chair voting.

## DISCIPLINARY HEARINGS – QUARTERLY REPORTS

### 1. Disciplinary Hearings – Quarterly Reports – 1<sup>st</sup> Quarter 2017

#### \*\*\* Correspondence from company attached

17-DISC-QTR042	DBA L & L Mobile Home Transport	WV01055
17-DISC-QTR043	DBA A and B General Contracting	WV01129
17-DISC-QTR044	DBA Moon’s Mobile Home Movers	WV01186
17-DISC-QTR045	C T Projects, LLC	WV01219 (I)
17-DISC-QTR046	In A Flash Plumbing Heating & AC, LLC	WV01247
17-DISC-QTR049	DBA John Kennard Mobile Home Services	WV00940 (I)
17-DISC-QTR050	DBA Howes Mobile Home Movers	WV00945 (I)
17-DISC-QTR051	DBA Jordan Heating and Cooling	WV01054
17-DISC-QTR052	Dunlap Mobile Home Service, LLC	WV01185
17-DISC-QTR053	Leonard Trivitt	WV01195 (I)
17-DISC-QTR054	Two Bears Electrical Services, LLC	WV01218 (I)
17-DISC-QTR055	H & W Enterprises, LLC	WV01236 (I)
17-DISC-QTR056	Quinn Electrical Services, LLC	WV01254

Mr. Belasco made a motion to accept staff's recommendation of sanctions for licensees: \$50.00 for failure to file the quarterly report and \$25.00 for filing the report late. Mr. Bonasso seconded. Motion carried.

### **Disciplinary Hearings – Quarterly Reports – 2<sup>nd</sup> Quarter 2017**

#### **\*\*\* Correspondence from company attached**

17-DISC-QTR057	CMH Manufacturing, Inc. DBA Clayton – Maynardville	WV00115
17-DISC-QTR058	S & M Used Auto Mobile & Mobile Home Sales	WV00831
17-DISC-QTR062	Prestige Housing, Inc.	WV01210
17-DISC-QTR064	DBA Summit Air Conditioning and Heating	WV00946
17-DISC-QTR070	Barnette's Dozer Service, Inc.	WV00357
17-DISC-QTR072	Highland Mobile Home Services, Inc.	WV00927
17-DISC-QTR073	DBA John Kennard Mobile Home Services	WV00940 (I)
17-DISC-QTR074	DBA Howes Mobile Home Movers	WV00945 (I)
17-DISC-QTR075	DBA Jordan Heating and Cooling	WV01054
17-DISC-QTR076	DBA A and B General Contracting	WV01129
17-DISC-QTR077	Dunlap Mobile Home Service, LLC	WV01185
17-DISC-QTR078	DBA Moon's Mobile Home Movers	WV01186
17-DISC-QTR079	Leonard Trivitt	WV01195 (I)
17-DISC-QTR080	Two Bears Electrical Services, LLC	WV01218 (I)
17-DISC-QTR081	C T Projects, LLC	WV01219 (I)
17-DISC-QTR082	DBA Cedar Hill Construction	WV01224
17-DISC-QTR083	Robert Carl Shelton, LLC***	WV01243 (I)
17-DISC-QTR084	Terry R. Brumfield DBA HGR Trucking	WV01248
17-DISC-QTR085	DBA Frederick's Dirt Works***	WV01249 (I)
17-DISC-QTR086	Quinn Electrical Services, LLC	WV01254
17-DISC-QTR087	A & A Heating and Cooling, LLC	WV01258

Mr. Woodrum advised the board that 17-DISC-QTR064, 17-DISC-QTR070 and 17-DISC-QTR084 came into compliance prior to the meeting. Mr. Brown made a motion to accept remaining staff's recommendation of sanctions for licensees: \$50.00 for failure to file the quarterly report and \$25.00 for filing the report late. Mr. Belasco seconded. Motion carried.

### **DISCIPLINARY HEARINGS – CEASE AND DESIST ORDERS**

**CD17-210 River Valley Contracting - Unlicensed.** Violated §21-9-12a – Engaging in manufactured housing business activities in the State of West Virginia without a valid license. No one appeared on behalf of River Valley Contracting.

Mr. Woodrum presented evidence and recommended a **\$200.00 fine** for violation cited.

Mr. Belasco made a motion to accept staff recommendation. Mr. Bonasso seconded. Motion carried.

## LICENSE APPLICATIONS

### Contractor

Greg Mitchell DBA Larry Mitchell Mobile Home Moving (Final Approval)  
207 Mitchells Way  
Washington, WV 26181

Mr. Brown made a motion to approve the application. Mr. Bonasso seconded. Motion carried.

## RECOVERY FUND SUBMITTALS

Lisa Boling (04383)  
835 C Holiday Park Drive  
Salt Rock, WV 25559

TNT Mobile Home Sets – WV00673 (I)

Mr. Gunnell made a motion to approve the Recovery Fund submittal for Lisa Boling to install piers or support brackets only. HVAC crossover duct issue will be sent to the consumer as a recommendation to have repaired herself. Mr. Bonasso seconded. Motion carried with Mr. Brown voting against.

## STAFF REPORT

Recovery Fund Case Update was provided to the board members.

Recovery Fund - **\$1,574,653.32** as of October 31, 2017.

Brian White introduced the new field inspectors to the Board – Joseph Mason and Thomas Stricklen.

Mr. Gunnell and Mr. Brown addressed the Board and staff regarding the procedure in place when an attorney is involved in a consumer complaint.

The Board and staff discussed the possibility of converting board books from paper to electronic.

## NEXT MEETING

March 29, 2018

## ADJOURNMENT

Mr. Brown made a motion to adjourn. Mr. Bonasso seconded. Motion carried. Meeting adjourned at 11:03 a.m.

Approved:   
Mitchell E. Woodrum, Chair