The West Virginia Board of Manufactured Housing Construction and Safety met November 19, 2020 via teleconference at 1900 Kanawha Boulevard East, State Capitol Complex - Building 3 Room 200 - Charleston, West Virginia at 10:00 a.m.

BOARD MEMBERS PRESENT
Commissioner Mitchell E. Woodrum, Chair
Thomas Belasco
Johnnie Brown
Richard Casto
George Gunnell
Gary Shaw
Steven Solomon

BOARD MEMBERS ABSENT
None

OTHERS PRESENT
Michael Sams, Deputy Commissioner
Brian White, Labor Program Manager
Kimberly Legg, Board Secretary
Christopher Evans, Field Inspector
John Burgess, Field Inspector

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

APPROVAL OF AGENDA
Mr. Gunnell made a motion to approve the agenda. Mr. Belasco seconded. Motion carried.

APPROVAL OF MINUTES
Approval of the August 11, 2020 board meeting minutes.

Mr. Brown made a motion to approve the minutes. Mr. Gunnell seconded. Motion carried.
PUBLIC COMMENT

No one appeared for public comment.

DISCIPLINARY HEARINGS

The hearings are for licensees that failed to protest violation 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.


No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a Reprimand for failing to install a manufactured home in accordance with a state or federal standard.

Mr. Solomon made a motion to accept staff’s recommendation. Mr. Belasco seconded. Motion carried.


No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $500.00 fine for the misappropriation of funds.

Mr. Belasco made a motion to accept staff’s recommendation. Mr. Solomon seconded. Motion carried.


No one appeared on behalf of Stewart A. Callow, but a written response was submitted.

Mr. White presented evidence and recommended a $500.00 fine for violating frostline considerations.

Mr. Belasco made a motion to accept staff recommendations. Mr. Solomon seconded. Motion carried.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $500.00 fine for misappropriation of funds and a Reprimand for failing to install a manufactured home in accordance with state or federal standard.

Mr. Solomon made a motion to increase the fine to $1,000.00 and approve staff recommendation of a Reprimand. Mr. Casto seconded. Motion carried.

20-DISC-007 – Trinity Homes, LLC – WV01206 (I). Violated §42-CSR-19-14.1(t) – The misappropriation of funds of a consumer or prospective consumer of a new or used manufactured home; §42-CSR-19-10.A.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-19-12.1 – Failure to transport a manufactured home in accordance with state or federal standard.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $1,000.00 fine for the misappropriation of funds, Reprimand for failing to install a manufactured home in compliance with a state or federal standard, and a Reprimand for failing to transport a manufactured home in accordance with state or federal standard.

Mr. Belasco made a motion to accept staff recommendations. Mr. Brown seconded. Motion carried.


No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $1,000.00 fine for misappropriation of funds and a Reprimand for failing to install a manufactured home in accordance with state or federal standard.

Mr. Brown made a motion to accept staff recommendations. Mr. Solomon seconded. Motion carried.

20-DISC-009 – Trinity Homes, LLC – WV01206 (I). Violated §42-CSR-19-14.1(t) – The misappropriation of funds of a consumer or prospective consumer of a new or used manufactured home; and §42-CSR-19-14.1(s) – The use of contract installation or repair services by a manufacturer, dealer, or contractor/installer that is not properly licensed.

No one appeared on behalf of Trinity Homes.
Mr. White presented evidence and recommended a $1,000.00 fine for misappropriation of funds and a $250.00 fine for utilizing an unlicensed contractor.

Mr. Solomon made a motion to accept staff recommendations. Mr. Gunnell seconded. Motion carried.

20-DISC-010 – Trinity Homes, LLC – WV01206 (I). Violated §42-CSR-19-14.1(t) – The misappropriation of funds of a consumer or prospective consumer of a new or used manufactured home; and §42-CSR-19-14.1(p) – Engaging in any deception or false or fraudulent representations or deceitful practices.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $1,000.00 fine for misappropriation of funds and $1,000.00 fine for engaging in any deception or false representation or deceitful practices.

Mr. Brown made a motion to accept staff recommendations. Mr. Gunnell seconded. Motion carried.


No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $1,000.00 fine for misappropriation of funds and $1,000.00 fine for engaging in any deception or false representation or deceitful practices.

Mr. Brown made a motion to accept staff recommendations. Mr. Solomon seconded. Motion carried.

20-DISC-012 – Trinity Homes, LLC – WV01206 (I). Violated §42-CSR-19-14.1(t) – The misappropriation of funds of a consumer or prospective consumer of a new or used manufactured home; §42-CSR-19-14.1(p) – Engaging in any deception or false or fraudulent representations or deceitful practices; and §42-CSR-19-12.1 – Failure to transport a manufactured home in accordance with state or federal standard.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $1,000.00 fine for misappropriation of funds, a $1,000.00 fine for engaging in any deception or false representation or deceitful practices and $1,000.00 fine for failing to transport a manufactured home in accordance with state or federal standard.
Mr. Solomon made a motion to accept staff recommendations. Mr. Gunnell seconded. Motion carried.

**20-DISC-013 – Trinity Homes, LLC – WV01206 (I).** Violated §42-CSR-19-14.1(t) – The misappropriation of funds of a consumer or prospective consumer of a new or used manufactured home; and §42-CSR-19-14.1(p) – Engaging in any deception or false or fraudulent representations or deceitful practices.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a **$1,000.00 fine** for misappropriation of funds and a **$1,000.00 fine** for engaging in any deception or false or fraudulent representations or deceitful practices.

Mr. Belasco made a motion to accept staff recommendations. Mr. Gunnell seconded. Motion carried.

**20-DISC-014 – Trinity Homes, LLC – WV01206 (I).** Violated §42-CSR-19-14.1(t) – The misappropriation of funds of a consumer or prospective consumer of a new or used manufactured home; and §42-CSR-19-14.1(p) – Engaging in any deception or false or fraudulent representations or deceitful practices.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a **$1,000.00 fine** for misappropriation of funds and a **$1,000.00 fine** for engaging in any deception or false or fraudulent representations or deceitful practices.

Mr. Solomon made a motion to accept staff recommendations. Mr. Gunnell seconded. Motion carried.

**20-DISC-015 – Terry R. Brumfield DBA HGR Trucking – WV01248.** Violated §42-CSR-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in accordance with state or federal standard; and §42-CSR-19-10A.3 – Frostline considerations.

Terry R. Brumfield appeared on behalf of HGR Trucking.

Mr. White presented evidence and recommended a **$750.00 fine** for violation of frostline considerations.

Mr. Brown made a motion to **reduce the fine to $375.00**. Mr. Solomon seconded. Motion carried.

**20-DISC-016 – Stone Enterprises, Inc. DBA Stone Electrical Contracting – WV01273 (I).** Violated §42-CSR-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in accordance with state or federal standard.
No one appeared on behalf of Stone Enterprises, Inc.

Mr. White presented evidence and recommended a $500.00 fine for failing to install a manufactured home in accordance with state or federal standard with an order to correct within fifteen (15) days from receipt of order or license will be suspended

Mr. Brown made a motion to accept staff recommendation. Mr. Solomon seconded. Motion carried.

20-DISC-017 – CMH Homes, Inc. DBA Clayton Homes #1029. Violated §42-CSR-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in accordance with state or federal standard; and §42-CSR-19-12.1 – Failure to transport a manufactured home in accordance with state or federal standard.

John Melton, GM, appeared on behalf of Clayton Homes #1029.

Mr. White presented evidence and recommended a $500.00 fine for failing to install a manufactured home in accordance with state or federal standard with an order to correct within fifteen (15) days from receipt of order or license will be suspended and a Reprimand for failing to transport a manufactured home in accordance with state or federal standard.

Mr. Brown made a motion to accept staff recommendations. Mr. Casto seconded. Motion carried. Mr. Gunnell recused himself.

20-DISC-018 – C & G Contracting, LLC – WV01279. Violated §42-CSR-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in accordance with state or federal standard.

No one appeared on behalf of C & G Contracting, LLC.

Mr. Solomon made a motion to accept staff recommendation. Mr. Gunnell seconded. Motion carried.

20-DISC-019 – Trinity Homes, LLC – WV01206 (I). Violated §42-CSR-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in accordance with state or federal standard.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $500.00 fine for failing to install a manufactured home in accordance with state or federal standard.

Mr. Belasco made a motion to accept staff recommendation. Mr. Brown seconded. Motion carried.
20-DISC-020 – Trinity Homes, LLC – WV01206 (I). Violated §42-CSR-19-14.1(t) – The misappropriation of funds of a consumer or prospective consumer of a new or used manufactured home; §42-CSR-19-14.1(p) – Engaging in any deception or false or fraudulent representations or deceitful practices; and §42-CSR-19-12.1 – Failing to transport a manufactured home in accordance with state or federal standard.

No one appeared on behalf of Trinity Homes.

Mr. White presented evidence and recommended a $1,000.00 fine for the misappropriation of funds, $1,000.00 fine for engaging in any deception or false or fraudulent representations or deceitful practices and a $1,000.00 fine for failing to transport a manufactured home in accordance with state or federal standard.

DISCIPLINARY HEARINGS – QUARTERLY REPORTS

1. Disciplinary Hearings – Quarterly Reports – 2nd Quarter 2020

*** Correspondence from company attached

20-DISC-QTR054 Champion Home Builders, Inc. WV01154 $50.00
20-DISC-QTR055 Adventure Homes, LLC WV01257 $50.00
20-DISC-QTR057 Sunshine Homes, Inc. WV01283(I) $50.00
20-DISC-QTR058 Champion Home Builders, Inc. WV01291 $50.00
20-DISC-QTR059 Wampler’s Homes, Inc. WV00039 $50.00
20-DISC-QTR060 Carl Frye’s Housing, Inc. WV01010(I) $50.00
20-DISC-QTR061 Twin Oaks Home Sales, LLC WV01118 $50.00
20-DISC-QTR062 New Concept Homes, LLC WV01174 $50.00
20-DISC-QTR063 United Contracting, Inc. WV00169 $50.00
20-DISC-QTR064 Certified Repairs, LLC WV00707 $50.00
20-DISC-QTR065 J.C. Homes WV00723 $50.00
20-DISC-QTR066 Timothy Epperhart WV00773(I) $50.00
20-DISC-QTR067 Hampton Contracting, Inc. WV00786 $50.00
20-DISC-QTR068 Highland Mobile Home, Inc. WV00927 $50.00
20-DISC-QTR069 Quality Carpet Installation WV00985 $50.00
20-DISC-QTR070 RZ Companies, Inc. WV01014 $50.00
20-DISC-QTR071 Jordan Heating and Cooling WV01054 $50.00
20-DISC-QTR072 S and S Contracting, LLC WV01063 $50.00
20-DISC-QTR073 T&M Cooling & Heating, LLC WV01084 $50.00
20-DISC-QTR074 Fairway Masonry WV01087 $50.00
20-DISC-QTR075 The Keith Bledsoe Company WV01094(I) $50.00
20-DISC-QTR076 A and B General Contracting WV01129 $50.00
20-DISC-QTR077 Custom Transporting & Excavation WV01138 $50.00
20-DISC-QTR078 Cedar Hill Construction WV01224 $50.00
20-DISC-QTR079 K.Z. Electric, LLC WV01227 $50.00
20-DISC-QTR080 GEES Mobile Home Sets WV01234 $50.00
20-DISC-QTR081 C & G Contracting, LLC WV01279 $50.00
20-DISC-QTR082 Frontier Homes WV00019 $25.00
20-DISC-QTR083 Larry Dye’s Heating & Cooling, Inc. WV00760 $25.00
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Staff informed the Board that 20-DISC-QTR085 came into full compliance prior to the meeting.

Mr. Solomon made a motion to approve staff recommendations for licensees: $50.00 for failure to file the quarterly report and $25.00 for filing the report late. Mr. Brown seconded. Motion carried.

**LICENSE APPLICATIONS**

**Contractor**

Next Level Heating & Cooling, LLC (Final Approval)
206 N. Ohio Avenue
Clarksburg, WV 26301

Ignite Contractors, LLC (Final Approval)
P.O. Box 4064
Chapmanville, WV 25508

Danieley’s Mobile Home Movers, LLC (Final Approval)
P.O. Box 1963
Princeton, WV 24740

Precise Masonry, LLC (Final Approval)
1000 Glory Lane
Gallipolis Ferry, WV 25515

K & C Contracting and Services, LLC (Final Approval)
80 Jubilee Lane
Fairmont, WV 26554

George Cottrill DBA Accurate Construction
8027 Coal Mine Lane
Clarksburg, WV 26301

Mr. Solomon made a motion to approve the applications. Mr. Casto seconded. Motion carried.
STAFF REPORT


NEXT MEETING

March 31, 2021 at 10:00 a.m.

ADJOURNMENT

Mr. Solomon made a motion to adjourn. Mr. Brown seconded. Motion carried. Meeting adjourned at 11:31 a.m.

Approved:

Mitchell E. Woodrum, Chair