

MINUTES

THE WEST VIRGINIA BOARD OF MANUFACTURED HOUSING CONSTRUCTION AND SAFETY

June 24, 2021

The West Virginia Board of Manufactured Housing Construction and Safety met June 24, 2021, at 1900 Kanawha Boulevard East, State Capitol Complex - Building 3 Room 124 - Charleston, West Virginia at 10:00 a.m.

BOARD MEMBERS PRESENT

Commissioner Mitchell E. Woodrum, Chair
Thomas Belasco
Johnnie Brown
Richard Casto
Steven Solomon

BOARD MEMBERS ABSENT

George Gunnell
Gary Shaw

OTHERS PRESENT

Brooke M. Farber, 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. Brown made a motion to remove 21-DISC-QTR062 and 21-DISC-QTR078 from the agenda, after coming into compliance, and approve the remainder of the agenda. Mr. Belasco seconded. Motion carried.

APPROVAL OF MINUTES

Approval of the March 31, 2021 board meeting minutes.

Mr. Belasco made a motion to approve the minutes. Mr. Casto seconded. Motion carried. Mr. Brown abstained.

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.

21-DISC-004 – CMH Manufacturing, Inc. DBA TRU-Halls – WV00113. Violated §42-CSR-19-14.1(u) – Failure to fulfill any written or implied warranty obligations.

No one appeared on behalf of TRU-Halls.

Mr. White presented evidence and recommended a **\$500.00 fine for failing to fulfill warranty obligations.**

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

21-DISC-005 – CMH Homes, Inc. DBA Clayton Homes #1028 – WV01165. 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 Clayton Homes #1028.

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. Belasco seconded. Motion carried.

21-DISC-006 – CMH Homes, Inc. DBA Clayton Homes #1031 – WV01176. Violated §42-19-14.1(s) – The use of contract installation or repair services by a manufacturer, dealer or contractor/installer that is not properly licensed by this state.

No one appeared on behalf of Clayton Homes #1031.

Mr. White presented evidence and recommended a **\$250.00 fine for utilizing an unlicensed contractor.**

Mr. Brown made a motion to **amend staff recommendation to a Reprimand.** Mr. Belasco seconded. Motion carried.

21-DISC-007 – Cavalier Home Builders, LLC DBA Clayton-Nashville – WV01179. Violated §42-CSR-19-14.1(u) – Failure to fulfill any written or implied warranty obligations.

No one appeared on behalf of Clayton-Nashville but a written response was submitted.

Mr. White presented evidence and recommended a **\$500.00 fine for failing to fulfill warranty obligations.**

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

DISCIPLINARY HEARINGS – QUARTERLY REPORTS

1. Disciplinary Hearings – Quarterly Reports – 1st Quarter 2021

*** Correspondence from company attached

21-DISC-QTR050	Fleetwood Homes, Inc.	WV01141	\$50.00
21-DISC-QTR051	Carl Frye's Housing, Inc.	WV00051	\$50.00
21-DISC-QTR052	Preferred Properties Manufactured Housing	WV01267	\$50.00
21-DISC-QTR053	Canam MH, LLC	WV01272	\$50.00
21-DISC-QTR054	Double T Homes	WV01304	\$50.00
21-DISC-QTR055	RMR Homes WV Mobile Home Sales, LLC***	WV01305	\$50.00
21-DISC-QTR056	United Contracting, Inc.	WV00169	\$50.00
21-DISC-QTR057	Larry Dye's Heating & Cooling, Inc.	WV00760	\$25.00
21-DISC-QTR058	Hampton Contracting, Inc.	WV00786	\$50.00
21-DISC-QTR059	Highland Mobile Home Services, Inc.	WV00927	\$50.00
21-DISC-QTR061	Summit Air Conditioning and Heating	WV00946	\$50.00
21-DISC-QTR062	Watterson's Mobile Home Movers	WV01036	\$50.00
21-DISC-QTR063	Jordan Heating and Cooling	WV01054	\$50.00
21-DISC-QTR064	T&M Cooling & Heating, LLC	WV01084	\$50.00
21-DISC-QTR065	Wade's Body & Frame Shop, Inc.	WV01107	\$50.00
21-DISC-QTR066	MSM Enterprises, Inc.***	WV01119	\$50.00
21-DISC-QTR067	A and B General Contracting	WV01129	\$50.00
21-DISC-QTR068	K and L Construction, LLC	WV01184	\$50.00
21-DISC-QTR069	Stowers and Company	WV01268	\$50.00
21-DISC-QTR070	C & G Contracting, LLC	WV01279	\$50.00
21-DISC-QTR071	Leonard Trivitt	WV01295	\$50.00
21-DISC-QTR072	Accurate Construction	WV01303	\$50.00
21-DISC-QTR073	Champion Home Builders, Inc.	WV01198	\$25.00
21-DISC-QTR074	Champion Home Builders, Inc.	WV01291	\$25.00
21-DISC-QTR075	Oak Tree Homes, LLC	WV00072	\$25.00
21-DISC-QTR076	Riverview Estates	WV00217	\$25.00
21-DISC-QTR077	R & J Mobile Home Movers, LLC	WV00544	\$25.00
21-DISC-QTR078	Buck & Sons	WV00887	\$25.00
21-DISC-QTR079	Kittle Excavation, Inc.	WV00943	\$25.00
21-DISC-QTR080	JR Electric & Plumbing	WV00980	\$25.00
21-DISC-QTR081	RZ Companies, Inc.	WV01014	\$25.00
21-DISC-QTR082	Timberline Construction Group, LLC	WV01262	\$25.00

Mr. Brown made a motion to approve the 1st Quarter 2021 staff recommendations for licensees: \$50.00 for failure to file the quarterly report and \$25.00 for filing the report late. Mr. Casto seconded. Motion carried. The Board requested staff to send out a notice with the 2nd quarter reports regarding filing the quarterly reports in a timely manner.

DISCIPLINARY HEARINGS – CEASE AND DESIST ORDERS

CD21-225 Mark Anthony Dye – 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 Mark Anthony Dye.

Mr. White presented evidence and recommended a **REPRIMAND** for the violation cited.

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

CD21-226 – Remy’s Mobile Homes, Inc. – Unlicensed. Violated §21-9-12a – Engaging in manufactured housing business activities in the State of West Virginia without a valid license.

Mr. White presented evidence and recommended a **REPRIMAND** for the violation cited.

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

LICENSE APPLICATIONS

Contractor

Brian Riffle DBA Brian’s Drywall and Overall (Final Approval)
P.O. Box 625 Physical Address: 471 Millertown Road
Buckhannon, WV 26201 Adrian, WV 26210

JCMH Enterprises, Inc. (Final Approval)
720 N. Gallatin Avenue Ext.
Uniontown, PA 15401

Mr. Belasco made a motion to approve the applications. Mr. Casto seconded. Motion carried.

LICENSE RENEWALS – JULY 1, 2021 TO JUNE 30, 2022.

Staff updated the Board of the number of renewals processed as of June 23, 2021, and requested Board approve renewals.

Mr. Casto made a motion to accept staff’s request to approve renewals. Mr. Brown seconded. Motion carried. Staff will update the Board of the final numbers at the next meeting.

STAFF REPORT

- Recovery Fund - **\$1,657,875.21** as of June 16, 2021.
- Staff advised the Board that the Contractor Licensing Board is now accepting the HUD Installer license in lieu of the MHI exam effective April 22, 2021.
- Ms. Farber updated the Board on the rule changes and procedures.

NEXT MEETING

Thursday, September 23, 2021, at 10:00 a.m.

ADJOURNMENT

Mr. Brown made a motion to adjourn. Mr. Belasco seconded. Motion carried. Meeting adjourned at 11:00 a.m.

Approved:



Mitchell E. Woodrum, Chair