

## **MINUTES**

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

June 30, 2022

The West Virginia Board of Manufactured Housing Construction and Safety met June 30, 2022, 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**

Brooke M. Farber, Deputy Commissioner  
Brian White, Labor Programs Manager  
Kimberly Legg, Board Secretary  
Scott Elswick, Field Inspector  
Davin Davis, 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 approve the agenda. Mr. Belasco seconded. Motion carried.

#### **APPROVAL OF MINUTES**

Approval of the March 30, 2022, board meeting minutes.

Mr. Brown had been omitted from the Board Members Absent list. Mr. Shaw made a motion to amend the minutes and approve. 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.

**22-DISC-008 – CMH Manufacturing, Inc. DBA Clayton-Bean Station – WV00118.** Violated §42-CSR-19-14.1(u) – Failure to fulfill any written or implied warranty.

No one appeared on behalf of Clayton-Bean Station.

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

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

**22-DISC-009 – CMH Homes, Inc. DBA Clayton Homes #637 – WV01009.** Violated §42-CSR-19-10A.2(a)(i) and §42-CSR-14.1(o) – Failure to install a manufactured home in compliance with a state or federal standard.

No one appeared on behalf of Clayton Homes #637.

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

Mr. Brown made a motion to amend staff recommendation to \$250.00 for failing to install a manufactured home installation in compliance with a state or federal standard. Mr. Solomon seconded. Motion carried. Mr. Gunnell recused himself.

**22-DISC-010 – Frankie Osborne DBA Buck & Sons – WV00887.** Violated §42-CSR-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.

No one appeared on behalf of Buck & Sons.

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

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

## DISCIPLINARY HEARINGS – QUARTERLY REPORTS

### 1. Disciplinary Hearings – Quarterly Reports – 1<sup>st</sup> Quarter 2022

\*\*\* Correspondence from company attached

22-DISC-QTR046	Eagle River Homes, LLC	WV01031	FTC	\$50
22-DISC-QTR047	Bates Enterprises, LLC	WV00993	FTC	\$50
22-DISC-QTR048	Hartzler's Quality Housing, Inc.	WV01173	FTC	\$50

22-DISC-QTR049	Preferred Properties Manufactured Housing	WV01267	FTC	\$50
22-DISC-QTR050	Comfort Air, Inc.	WV00345	FTC	\$50
22-DISC-QTR051	Barnette's Dozer Service, Inc.	WV00357	FTC	\$50
22-DISC-QTR052	Twin A Construction	WV01086	FTC	\$50
22-DISC-QTR053	Custom Transporting & Excavation	WV01138	FTC	\$50
22-DISC-QTR054	Winters Construction	WV01213	FTC	\$50
22-DISC-QTR055	That One Heating and Cooling	WV01229	FTC	\$50
22-DISC-QTR056	Wray Bros	WV01237	FTC	\$50
22-DISC-QTR057	HGR Trucking	WV01248	LATE	\$25
22-DISC-QTR058	Stowers and Company	WV01268	FTC	\$50
22-DISC-QTR059	C & G Contracting, LLC	WV01279	FTC	\$50
22-DISC-QTR060	Accurate Construction	WV01303	FTC	\$50
22-DISC-QTR061	Mountain State Foundations, LLC	WV01310	FTC	\$50
22-DISC-QTR062	L & L Mobile Home Transport, LLC	WV01055	FTC	\$100
22-DISC-QTR063	Moon's Mobile Home Movers	WV01186	FTC	\$100
22-DISC-QTR064	Leonard Trivitt	WV01296	FTC	\$100
22-DISC-QTR065	Highland Mobile Home Services, Inc.	WV00927	FTC	\$250
22-DISC-QTR066	Jordan Heating and Cooling	WV01054	FTC	\$250
22-DISC-QTR067	Pleasant Valley Modular Homes, Inc.	WV01191	LATE	\$25
22-DISC-QTR068	WV Home Sales, Inc.	WV01029	LATE	\$25
22-DISC-QTR069	Buck & Sons	WV00887	LATE	\$25
22-DISC-QTR070	El Cheapo's Mobile Home Moving	WV00955	LATE	\$25
22-DISC-QTR071	GPS Construction	WV01105	LATE	\$25
22-DISC-QTR072	Orange Brothers Masonry	WV01233	LATE	\$25
22-DISC-QTR073	Precise Masonry	WV01301	LATE	\$25

Mr. Brown made a motion to approve the 1<sup>st</sup> Quarter 2022 staff recommendations for licensees: \$50.00 for 0-10 previous violations of failing to submit the report; \$100.00 for 11-30; \$250.00 for 31+ violations; and \$25.00 for filing the report late. Mr. Shaw seconded. Motion carried.

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

**CD22-236 Bluestone Heating and Air Conditioning, LLC – 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 Bluestone Heating and Air Conditioning, LLC.

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

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

## **LICENSE APPLICATIONS**

### **Contractor**

Young's Mobile Homes, LLC (Final Approval)  
 3513 True Road  
 Hinton, WV 25951

Mr. Solomon made a motion to approve the contractor application. Mr. Belasco seconded. Motion carried.

### **LICENSE RENEWALS – JULY 1, 2022 TO JUNE 30, 2023**

Staff updated the Board of the number of renewals processed as of June 30, 2022, and requested Board approve renewals and to allow staff to process any new renewal applications received in a timely manner.

Mr. Casto made a motion to accept staff's request to approve renewals. Mr. Solomon seconded. Motion carried.

### **RULE REVISIONS**

Staff updated the Board of the revisions made to the legislative and procedural rules. Changes made to the legislative rule were needed in order for the program to be approved by HUD.

Mr. Brown made a motion to approve the filing of the rules. Mr. Shaw seconded. Motion carried.

### **STAFF REPORT**

- Recovery Fund balance - \$1,659,931.29 as of June 20, 2022.
- Testing agent for the Contractor Licensing Board is changing to PSI effective November 1, 2022.

### **NEXT MEETING**

Wednesday, September 28, 2022, at 10:00 a.m. in the office of the DOL.

### **ADJOURNMENT**

Mr. Solomon made a motion to adjourn. Mr. Casto seconded. Motion carried. Meeting adjourned at 11:01 a.m.

Approved:



Mitchell E. Woodrum, Chair