

MINUTES

THE WEST VIRGINIA BOARD OF MANUFACTURED HOUSING CONSTRUCTION AND SAFETY

January 11, 2024

The West Virginia Board of Manufactured Housing Construction and Safety met January 11, 2024, 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 via telephone
Richard Casto
George Gunnell via telephone
Gary Shaw via telephone
Steven Solomon via telephone

BOARD MEMBERS ABSENT

Johnnie Brown

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. Solomon made a motion to approve the agenda. Mr. Shaw seconded. Motion carried.

APPROVAL OF MINUTES

Approval of the September 28, 2023, board meeting minutes.

Mr. Gunnell made a motion to approve the minutes. Mr. Belasco 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.

24-DISC-001 – S & M Used Automobile & Mobile Home Sales, Inc. DBA S & M Mobile Home Sales – WV00831. 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; and §42-CSR-19-14.1.4 – Failure to establish and maintain records.

No one appeared on behalf of S & M Mobile Home Sales.

Mr. White presented evidence and recommended a **\$250.00 fine for failing to install a manufactured home in compliance with a state or federal standard and an order to correct within fifteen (15) days from receipt of final order. Failure to correct within the time specified will result in the suspension of License WV00831 until such time all corrections are completed and a \$400.00 fine for failing to establish and maintain records.**

Mr. Solomon made a motion to change the staff's recommendation of \$400.00 for records to \$750.00 and accept the remaining recommendation. Mr. Shaw seconded. Motion carried.

24-DISC-002 – Adventure Homes, LLC – WV01257. Violated §42-CSR-19-14.1.21 – Failure to fulfill any written or implied warranty.

No one appeared on behalf of Adventure Homes, but a written response was submitted.

Mr. White presented evidence and recommended a **\$250.00 fine for failing to fulfill warranty obligations.**

Mr. Solomon made a motion to accept the staff's recommendation. Mr. Casto seconded. Motion carried. Mr. Gunnell recused himself.

24-DISC-003 – CMH Homes, Inc. DBA Clayton Homes #1024 – WV01161. 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 Clayton Homes #1024.

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 and an order to correct within fifteen (15) days from receipt of final order. Failure to correct within the time specified will result in the suspension of License WV01161 until such time all corrections are completed.**

Mr. Solomon made a motion to accept the staff's recommendation. Mr. Belasco seconded. Motion carried. Mr. Gunnell recused himself.

24-DISC-004 – CMH Homes, Inc. DBA Clayton Homes #1024 – WV01161. 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; §42-CSR-19-12.1 – Failure to transport a manufactured home in accordance with a state or federal standard; and §42-CSR-19-14.1.4 – Failure to establish and maintain records.

No one appeared on behalf of Clayton Homes #1024.

Mr. White presented evidence and recommended a **\$200.00 fine** for failing to install a manufactured home in compliance with a state or federal; a **Reprimand** for failing to transport a manufactured home in accordance with a state or federal standard; and a **\$200.00 fine** for failing to establish and maintain records.

Mr. Shaw made a motion to accept the staff's recommendations. Mr. Solomon seconded. Motion carried. Mr. Gunnell recused himself.

CANA MH, LLC DBA CANA HOMES

Adam Cantoni appeared at the request of the Board via telephone.

The Board discussed the company's issues regarding records violations and delays in making repairs ordered by the Board. Mr. Cantoni assured the Board that there will be no issues in the future.

DISCIPLINARY HEARINGS – QUARTERLY REPORTS

1. Disciplinary Hearings – Quarterly Reports – 3rd Quarter 2023

*** Correspondence from company attached

24-DISC-QTR001	Fleetwood Homes, Inc.	WV01142	FTC	\$50
24-DISC-QTR002	Adventure Homes, LLC	WV01257	FTC	\$50
24-DISC-QTR003	Preferred Properties Manufactured Housing	WV01267	FTC	\$50
24-DISC-QTR004	Cana MH, LLC DBA Cana Homes	WV01331	LATE	\$25

Mr. Belasco made a motion to approve the 3rd Quarter 2023 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. Solomon seconded. Motion carried.

DISCIPLINARY HEARINGS – CEASE AND DESIST ORDERS

CD23-256 – May Transporting – 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 May Transporting.

Mr. White presented evidence and recommended a **\$1,000.00 fine** for the violation cited.

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

LICENSE APPLICATIONS

Manufacturer

Ritz-Craft Corporation of PA, Inc. (Final Approval)
15 Industrial Park Road
Mifflinburg, PA 17844

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

Dealer

Tucker County Homes, LLC (Final Approval)
254 Summit Drive
Red House, WV 25168

Physical Address: 16102 Appalachian Highway
Thomas, WV 26292

Mr. Solomon made a motion to approve the dealer application. Mr. Shaw. Motion carried.

