

To Whom It May Concern:

On April 4, 2000, H. B. 4753 was signed into law by the Governor adding a new section to Chapter 21-9 of the West Virginia code for the West Virginia Manufactured Housing Construction and Safety Standards Board.

21-9-11a. Inspection of manufactured housing; deferral period for inspection and administrative remedies; notification to consumers of rights.

(a) *Inspection of manufactured housing.*

1. Sets specific time lines for the board to conduct an investigation and issue a written report to consumers.

(b) *Limited period for exclusive administrative remedy.*

1. Allows the board ninety (90) days to issue a determination (citations, letters of correction) commencing with the date of filing of the complaint.

2. A purchaser or owner of a manufactured home may not file any civil action seeking monetary recovery or damages for claims related to or arising out of the manufacture, acquisition, sale or installation of the manufactured home until the expiration of ninety (90) days after the consumer has filed a written complaint with the board.

3. This period of exclusive administrative authority may not prohibit the purchaser or owner of the a home from seeking equitable relief in any court of competent jurisdiction to prevent or address immediate risk of personal injury or property damage.

(c) *Notice of consumer rights.*

1. Every dealer or contractor who moves homes from one place to another shall provide written notification to every purchaser of a manufactured home of the availability of administrative assistance from the board in investigating and ordering corrections of any defect in the manufacture or installation of a manufactured home and the period of exclusive jurisdiction given to the board.

2. The board may prescribe that the notice contain any information the board determines to be beneficial to the purchaser or owner of the manufactured home in exercising that person's rights under this section.

The board has adopted the following language that must be included in the closing of every contract with every purchaser as the notification of consumer's rights required by §21-9-11a. (c) of the West Virginia Code.

NOTICE OF CONSUMER RIGHTS	
<p>If a purchaser of a manufactured home has problems with a defect in the manufacture or installation of the home or with obtaining warranty service the purchaser may seek administrative assistance for correction with the West Virginia Manufactured Housing Construction and Safety Standards Board. For assistance:</p>	
<p>Call – (304) 558-7890</p>	
<p>-Or write-</p>	
<p>West Virginia Division of Labor Manufactured Housing Section 1900 Kanawha Boulevard East State Capitol Complex – Building 3, Room 200 – Charleston, WV 25305</p>	
_____ Signature of Consumer	_____ Signature of Installer/Contractor
_____ Date	_____ Date

The form will be printed:

1. With duplicate copies on 8 ½ x 11 paper.
2. Must be printed on a carbonless or carbon form in 12-point bold face type.
3. With signature and date lines for the dealer and consumer.

Installers/Contractors will be required to file a blank copy of the printed form utilized for “Notice of Consumer Rights” with the West Virginia Division of Labor with application for licensure.