

Draft

Virginia Manufactured Housing Board
Minutes
March 20, 2008

- Board Members Present : William H. Moody, Chairman
Michael C. Nickell, Vice Chairman
James W. Roncaglione
Walter K. Hughes, Sr.
Ava Lewis
Eric C. Anderson
William B. Toombs
John M. Swecker, Jr.
- Board Members Absent : Samantha Hedgspeth
- Public Representation : Joseph and Mary Brown
Ron Dunlap, Executive Director, VAMMHA

A. Call to Order/Roll Call/Determination of a Quorum.

The Virginia Manufactured Housing Board meeting was held in Richmond, Virginia, Thursday, March 20, 2008. Chairman Moody called the meeting to order at 10:00 a.m. Lorenzo E. Dyer, Staff to the Board performed the Roll Call and a Quorum was present.

B. Approval of the Minutes.

A motion was made by James Roncaglione and seconded by John Swecker to accept the Minutes from the Board's meeting of January 17, 2008. The Minutes were accepted as written by a unanimous vote.

C. Public Comment.

Ron Dunlap gave an update on House Bill 44. The regulatory bill for the Virginia Manufactured Housing Board passed unanimously. A meeting is scheduled for April 29, 2008 for more discussion on House Bill 44 and Amendments to Regulations.

D. Committee Reports. Educational Program Committee – 2009-2010 Training Programs

Educational Committee is considering Educational Programs be made available to our retailers and to local code officials to minimize some of the complaints received in the office by handling complaints in the near term so that complaints will not become long term. Annual programs are being reviewed for Affordable Housing Programs in the Richmond and surrounding counties. A report will be presented to the Board with further updates for the educational programs.

E. Unfinished Business.

1. Bertha E. Peppenger (Dinia Pizzino) v. Fleetwood Homes of Virginia and Crews Home Sales.

Ms. Pizzino submitted a new complaint to be presented before the Board. The information presented seems to be redundant to the Final Order that has already been entered. After further discussion, Ava Lewis made a motion for staff to review Ms. Pizzino's new complaint that was submitted and determine what items, if any, have been previously covered. If anything falls under the jurisdiction of this board, staff will notify the dealer and the manufacturer of the new items. If no new items are covered under this Board, a letter will be sent to Ms. Pizzino's explaining why her claim was rejected. Eric Anderson seconded the motion. Chairman Moody called the question and the motion carried by unanimous vote.

Ava Lewis made a motion to be added to have staff to consult with the Attorney General's office and get any advice from them before mailing the letter. The motion was seconded by Eric Anderson. The motion carried by unanimous vote.

2. Larry and Phylisa Sergent v. Indies Signature Homes, Hackleburg, AL

After payment was made from the Recovery Fund to Larry and Phylisa Sergent, the Sergents decided to use another contractor other than the contractor whose estimate was chosen by the Board. The name of the contractor is Kinser's Residential & Mobile Home Service. The cost of the estimate from this contractor was \$200.00 to be paid by the Board. Mr. Roncaglione made a motion to pay Kinser's Services the amount of \$200.00. The motion was seconded by Mr. Walter Hughes. Chairman Moody called the question and the motion carried by unanimous vote.

3. Joseph and Mary Brown v. Clayton MH dba LUV Homes (Ashland).

Mr. Bill Toombs, Board Member, excused himself from the meeting because he is an employee of Clayton Homes. After an extensive discussion, Ava Lewis recommended the Board use the estimate of DL Hurst Homes, LLC and complete Roofing, LLC had submitted for the amount of \$22,116.00. It would be a hardship for the Browns to use the lower estimate as presented by Norris Homes because the representative of Norris Homes indicated they are not willing to do the work at the Browns' residence. Under the Regulations, **§13 VAC 6-20-450 (A) (1)**. The maximum claim of one claimant against the fund because of a single violation by one regulant shall be limited to \$20,000.00. Ava Lewis made a motion to award the Browns the maximum amount of \$20,000.00. The motion was seconded by Eric Anderson. Chairman Moody called the question and the motion carried by unanimous vote.

4. Completed Agenda Items.

a. Christine Hilton, Crews Mobile Homes

License issued.

G. New Business.

None.

F. Report of the Secretary.

1. Licenses and Recovery Fund Reports.

Currently, there are 3 brokers, 265 dealers, 44 manufacturers and 757 salespersons licensed in the program.

The cash balance in the Licensing Account is \$1,307.78. The cash balance in the Transaction Recovery Fund Account is \$1,011,227.70.

On July 1, 2008, the interest earned in 2007 and 2008 from the Transaction Recovery Fund will be taken out of the Manufactured Housing Fund.

2. Approval under HUD's Dispute Resolution Program.

The Virginia Dispute Resolution Program for the enforcement and administration of the Manufactured Housing Construction and Safety Standards Act has been fully approved in accordance with the provisions outline in 24 CFR Part 3288.210. As of February 8, 2008, the full approval was granted.

3. HB 44 passed House & Senate – Regulatory Process Steps.

House Bill 44 has passed the House and Senate and should be effective on July 1, 2008.

4. OAG Task Force report – TASO report on automation efforts.

In-house staff is working to make automation credit card purchases centralized in the business department through the use of online purchases of Manufactured Housing Licenses. Updates will be presented to the Board at a later date.

5. HB 660 passed House & Senate.

House Bill 660 was passed by the House and Senate and will go into effective on July 1, 2008. No effect on the Manufactured Housing Board.

6. Expiration of terms March 1, 2008.

John M. Swecker, Jr. will be retiring and Samantha Hedgspeth will be resigning from the Virginia Manufactured Housing Board. All Board Members must contact the Secretary of Commonwealth for reappointments.

7. Election of Officers (Chair, Vice-Chair, Secretary).

After Governor Kaine has made all appointments, election of officers will be held in May, 2008.

8. Recruitment for Associated Director position.

Still recruiting.

9. Update on Budget: restrictions on conferences, discretionary travel for the July meeting with the Virginia Manufactured / Modular Association.

The Board plans to hold its regular July Board meeting with the Association during its annual convention at the Homestead. The Board members will be reimbursed for travel expenses for the Board meetings only. Eric Anderson made the motion to have the July Board meeting take place at the Homestead for the annual convention with the Association. James Roncaglione seconded the motion. Chairman Moody called the question and the motion carried by unanimous vote.

H. Next Meeting Date and Location.

The next meeting date and location of the Virginia Manufactured Housing Board is scheduled for May 15, 2008 at 1:00 p.m. in Richmond, Virginia.

I. Adjournment.

The Virginia Manufactured Housing Board Meeting adjourned at 1:55 p.m. on a motion made by Eric Anderson and seconded by Walter Hughes. The motion carried by a unanimous vote.