

MINUTES
VIRGINIA MANUFACTURED HOUSING BOARD
MEETING
January 15, 2009
RICHMOND, VIRGINIA

Board Members Present : Michael C. Nickell, Chairman
Ava Lewis, Vice Chairman
James W. Roncaglione
Walter K. Hughes, Sr.
William H. Moody
Eric Anderson
Ben Flores
Lorenzo E. Dyer, Secretary to the Board

Board Members Absent : William B. Toombs
Gina M. Burgin

Public Representation : Ron Dunlap Staff

Clinton Wallace
Larry Brock
Eric Leatherby
Debra Winston-Bowles
Elizabeth Stangl

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

The Virginia Manufactured Housing meeting was held in Richmond, Virginia, Thursday, January 15, 2009. Chairman Nickell called the meeting to order at 10:00 a.m. Lorenzo E. Dyer, Secretary to the Board performed the Roll Call and a Quorum was present.

B. Approval of the Minutes.

A motion was made by Eric Anderson and seconded by William H. Moody to accept the Minutes from the Board's meeting of November 20, 2008. The Minutes were accepted as written by a unanimous vote.

C. Public Comment.

None.

D. Committee Reports.

1. Educational Program Committee. The projected month for completion of the Educational Program is June 2009. Additional assessment and review of the Educational Program will be conducted by the Educational Program Committee. The committee consists of Eric Anderson, James W. Roncaglione, William H. Moody, Gina M. Burgin, and Ron Dunlap.
2. Meeting of the Department of Professional and Occupational Regulation (DPOR).

Additional information will be presented to the Board as further development and review of this program is accessible.

3. The Training and Certification Unit (TCU) will look forward to a power point presentation to be utilized by the Educational Program.

E. Report of the Secretary/Associated Director/Deputy Director Reports.

1. Licenses and Recovery Fund Reports.

Currently licensed are 4 brokers, 236 dealers, 40 manufacturers and 687 salespersons. The cash balance in the Licensing Account is \$29,077.25. The cash balance in the Transaction Recovery Fund Account is \$1,006,190.70.

A report of closed businesses for dealers, manufacturers, and brokers will be provided at the next Board meeting.

A letter was read concerning Mrs. Mary Brown's complaints.

2. Budget Report.

Effective July 7, 2009, Board members will no longer receive \$50.00 per diem for traveling.

A report from staff was given to the Board concerning using monies from the fund for the State Budget and training.

Legislation: Ron Dunlap provided information to the Board concerning reporting on current legislation.

3. Update of proposed changes to the Manufactured Housing Licensing and Transaction Recovery Fund Regulations.

Walter K. Hughes, Sr. made a motion to leave the definition of a "Manufactured home dealer" or "dealer" selling or buying manufactured homes to read "Any person who buys, sells, or deals in three or more manufactured homes in any 12 month period shall be presumed to be a manufactured home dealer. After much discussion, Walter K. Hughes, Sr. withdrew his motion.

Vice-Chairman Lewis made a motion to change and modify the definition of a “Manufactured home dealer” or “dealer” selling or buying home to read “Any person who buys, sells, or deals in more than one manufactured home in any 12 month period shall be presumed to be a manufactured home dealer”. The motion was seconded by Eric Anderson. Chairman Nickell called the question and the motion carried by a unanimous vote.

Walter K. Hughes, Sr. made a motion to except the change and modified wording under Article 8 Reinstatement 13 VAC 6-20-201. Reinstatement required. “Should the Board fail to receive a license holder’s renewal form and appropriate fee within 30 days of the license expiration date, or if the license has been revoked or not renewed by the Board the applicant shall be required to reinstate the license”. The motion was seconded by Vice-Chairman Lewis. Chairman Nickell called the question and the motion carried by a unanimous vote.

4. HUD’s Manufactured Home Installation Program.

The projected month to begin training of installers and inspectors for the Manufactured Home Installation Program is June 2009.

F. Old Business.

1. Case-Joseph and Mary Brown v Clayton Manufactured Homes; IFF Conference/Findings and Recommendations

A letter was read to the Board from Mrs. Brown’s advocate Mrs. Pizzino requesting her case be continued until the next Board meeting. Eric Anderson made a motion to table the discussion until the next Board meeting since Mrs. Brown was not present. The motion was not seconded so it died on the table.

After review of the Recommendations, the Board decided to grant Mrs. Mary Brown an award of \$267.59 from the Transaction Recovery Fund for the repair work of the trusses; and, to make known to Mrs. Brown the case is closed. William H. Moody seconded the motion. Chairman Nickell called the question and the motion carried by six votes. Eric Anderson opposed the motion.

2. Case-David and Sarah Burleson v Fleetwood Homes of Virginia; IFF Conference/Findings and Recommendations

Walter K. Hughes, Sr. made a motion to have the Recommendations regarding the Burlesons’ with Recommendations and Findings modified by staff and presented back to the Board as a Consent Order at the next Board meeting. Ben Flores seconded the motion. Chairman Nickell called the question and the motion carried by a unanimous vote.

**3. Case-Keith and Rosalyn Whitaker v Colonial Homes Center;
IFF Conference/Findings and Recommendations**

Ben Flores made motion to have staff to send a letter to Don Woodward concerning the interpretation of the Regulations. The Board directs that a Final Order be drafted that Colonial Home Center refund the amount of \$500 back Keith and Rosalyn Whitaker. The motion was seconded by Walter K. Hughes, Sr. Chairman Nickell called the question and the motion carried by a unanimous vote.

4. Jackie Pate/Vickie Barker v Housing Solutions; letter to provide information of procedures from DMV.

A certified letter was mailed to both Jackie Pate and Vickie Barker along with a copy of a letter dated December 4, 2008 received from Department of Motor Vehicles giving directives on how to obtain the title to their manufactured home. No reply was received from either homeowner.

No action taken by the Board

G. New Business.

1. Background checks for licensing applicants.

Feedback was given concerning background checks for licensing applicants.

2. Special recognition to the family of deceased Board member.

Staff was instructed to write a letter for the Chairman's signature to be reviewed at the next scheduled Board.

H. Future Meeting Date and Location.

The next meeting date and location of the Virginia Manufactured Housing Board is scheduled for Thursday, March 19, 2009 at 10:00 a.m., 501 N. Second Street, Richmond, Virginia 23219. Possible change of meeting day to be discussed at next meeting.

I. Adjournment.

The Virginia Manufactured Housing Board Meeting adjourned at 2:10 p.m. on a motion made by James W. Roncaglione and seconded by Eric Anderson. The motion carried by a unanimous vote.