

October 18, 2018  
For further information, contact Andy Gallagher  
(304) 415-4187 or [andy@wvhi.org](mailto:andy@wvhi.org)

### **Virginia manufacturer wins leniency from WV regulators**

CHARLESTON -- A Virginia manufacturer successfully pleaded for leniency to state factory-built housing regulators Thursday over an error that caused it to sell homes to an unlicensed retailer.

The West Virginia Board of Manufactured Housing Construction and Safety unanimously voted to reduce a proposed \$500 fine against the company to a reprimand for selling two homes to a Princeton retailer, who subsequently obtained its license.

The company, represented before the State Board by its sales manager and Charleston attorney John R. Teare Jr., pleaded it was a first violation, and the company did not know the community-based retailer was not licensed.

Once the company learned of the error, it immediately ensured that every other retailer with whom it does business in West Virginia was licensed. The motion to transform the fine into a reprimand was made by Charleston attorney Johnnie Brown.

The same unlicensed retailer caused a separate manufacturer from Tennessee to be subject to a \$500 fine when the company sold two of its homes to the dealer, but then its representative did not plead for mercy or argue mitigation.

The board severely punished a north-central West Virginia retailer that repeatedly violated state standards that ensure the integrity of frost protection under homes. The company on at least three separate occasions that it acknowledged through a representative on Thursday said it had failed to adhere to local, state or manufacturer frost-protection standards.

The board fined the company \$2,250 -- \$750 per violation -- and sternly admonished the firm to adhere to proper standards in the future.

A company representative said the business misunderstood what was expected by the standards. He also told the board in response to a question that the company has not made an inventory of its past installations to ensure they were done properly.

The panel hit a separate Princeton retailer with \$500 in fines for failing to install home according to federal or state standards. The company had no representation at the meeting. Division of Labor Commissioner Mitchell E. Woodrum, the board chairman, said the company "had several major violations."

The board also reduced to a reprimand a proposed fine against a Kanawha County retailer for using an unlicensed contractor to install a home. The board opted for leniency when a company representative said it had completed the proper paperwork, but had failed to put the material in the proper file.

During a very busy day, the six-member panel also:

--Issued orders that three companies -- one, again involved with the Princeton retailer -- stop working on manufactured homes until properly licensed. The same order went to a fourth company, but it has gone out of business.

--Fined an Ohio manufacturer \$500 for failure to install a manufactured home according to state or federal standards; and temporarily tabled a proposed \$500 fine against another Ohio manufacturer for similar violations.

--Fined separate retailers in West Virginia and Kentucky \$250 each for using unlicensed contractors to install homes.

--Fined 20 companies for failing to properly report to the state work they had done in the previous tax-reporting quarter.

--Reprimanded an in-state manufactured housing mover for failing to properly install a home.

--Approved a license renewal to retailer New Concept Homes LLC of Charles Town, Jefferson County.