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\$6,650 in fines imposed by state regulators

By A.V. Gallagher

CHARLESTON -- State manufactured housing regulators fined 14 companies \$6,650 for various infractions Thursday and agreed to pay \$8,600 to restore homes for consumers whose manufacturers went out of business without completing their work.

Fifteen companies – including a real estate firm in Upshur County – were reprimanded by the West Virginia Manufactured Housing and Safety Standards Board for improperly operating without state licenses. Another man was fine \$1,000 and told to cease selling homes.

Another 51 companies were fined \$75 each by the State Board for failing to properly file quarterly sales reports with the regulatory panel.

The fines were imposed primarily for the age-old problem of utilizing unlicensed contractors to either set up the manufactured homes or for their use in various phases of installation.

The six-member panel agreed to use the industry-created, self-funded recovery fund to make right obligations of \$5,100; \$1,000 and \$2,500 to three customers whose manufacturers have ceased operations, but had no completed work on their homes. The recovery fund has \$1.5 million.

The panel was told that Joni Nelson Howard of Howard Real Estate of French Creek had sold five homes acquired from the Federal Emergency Management Agency although she did not have a state license. The board reprimanded her. She has since halted sales.

Only retail dealers licensed by the state Division of Labor can sell manufactured homes in West Virginia. Even though they have a real estate license, real estate agents cannot sell the homes.

The panel imposed a separate \$1,000 fine on Gavin Mills of Charleston for selling homes without obtaining a license. It was his fourth violation. Mills faces criminal charges in Kanawha County on Oct. 19 in complaints filed against him by the DOL, the panel was told.

Manufactured Housing Section Director Mitch Woodrum said filing the mandatory quarterly reports remains a problem with companies, particularly when they do not have a sale during the quarter in question. Even without a sale, they still are required to file the reports, he reminded them.

The panel welcomed its newest member, George Gunnell of Clayton Homes, Inc., who replaced the late Bob Miller. Gunnell, of Winfield, is also president of the West Virginia Housing Institute Inc.

The panel approved the following licenses: retail dealers, Bob's Quality Homes Inc. of Belpre, OH; Hartzler's Quality Housing Inc. of Dover, OH; New Concept Homes LLC of Charles Town; Clayton Homes of Maryville, TN; and Elsea, Inc., of Circleville, OH.

Contractor licenses were approved for: TMK Personnel Services Inc., doing business as Toler Brothers Heating & Cooling of Gilbert; Manufactured Housing Services of Elkins; and MR Heating & Air Conditioning & Electrical LLC of Moorefield.

The board set its next meeting for March 24, 2011.