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State regulatory board news

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“Unique” retailer’s license issued by State Board

CHARLESTON – State regulators approved a retail dealer’s license Thursday for an Eastern Panhandle company that wants to sell homes in manufactured housing parks.

The board discussed what members termed the “unique” license in that Willow Pond Realty, LLC, doing business as Mountaineer Mobile Homes, LLC, does not intend to have a dealer’s sales lot, but will only act as a broker between the home seller and buyer.

Normally, a manufactured home dealer takes title of the home and then sells it on his lot.

In this case, the company proposes not to take title, but only to act as a sales agent. The homes would be sold in a manufactured housing park and would not be moved.

The proposal would benefit Mountaineer in a number of ways, primarily that it would not have to ensure that the home being sold meets state installation standards.

Several members of the West Virginia Manufactured Housing Construction and Safety Standards Board said the company should take responsibility for ensuring that the homes meet current state installation standards.

Mitch Woodrum, director of licensing with the state Division of Labor, said his agency would issue the license, but require that Mountaineer obtain a third-party inspector to inspect the homes and ensure they meet standards or include in its report how to meet those standards. The State Board agreed unanimously.

While Mountaineer would not assume the liability for any setting problems, the company would be required to clearly specify to the consumer what problems need to be corrected to meet the current installation standard. The consumer would be required to sign a contract accepting full responsibility for upgrading the installation to the current installation standards.

By assuming the responsibility, the consumer then would relieve the state recovery fund from any liability for a poor installation.

Voluntarily set up by the industry, the \$1.2 million recovery fund is available in cases where a retailer has gone out of business and has failed to properly protect the consumer.

Mountaineer’s application was filed by John K. Wohlever of Martinsburg, who was listed as the owner.

On other matters:

--Board assistant Shirley Starcher, off for bypass surgery, resumes her duties Feb. 9.

--The board tentatively set its next meeting for 10 a.m. March 26 in Charleston.