

March 26, 2015

## **Manufactured housing inspectors being added by DOL**

*By A.V. Gallagher*

CHARLESTON -- The state Division of Labor has begun adding more manufactured housing inspectors as the agency's budget permits, Deputy Labor Commissioner Mitch Woodrum told the industry regulatory board Thursday. A new inspector has been hired already and will work 50 percent of his time on the manufactured housing program.

The additions are being made to address increase manufactured housing shipments into the state and a state Supreme Court ruling that upholds a law requiring all manufactured housing complaints be filed with the West Virginia Manufactured Housing Construction and Safety Standards Board before they can be taken to circuit court.

As the industry declined in past years, DOL had reduced the staff dealing with manufactured housing issues. Woodrum wants to get back to at least three or four full-time positions for the industry. He said the agency has been suffering under budget cuts exceeding 22 ½ percent. The West Virginia Housing Institute Inc. also asked for the additional inspectors to ensure sufficient staff would be available to preclude complaints being resolved in circuit court.

Woodrum and the DOL had anticipated industry concerns and had hired a person in Morgantown who will work half his time as a manufactured housing inspector. Woodrum hopes to assign another person half-time to inspections in the southern part of the state as the new budget comes into effect on July 1. "We're going to focus on consumer complaints and not random audits," Woodrum said.

West Virginia has one of the three top inspection programs in the nation and Woodrum wants to maintain that record, he asserted.

The DOL received 64 manufactured housing inspection complaints last year, which was up from the previous year.

Woodrum said he likes to have complaints inspected within 30 days of their receipt and to have action completed within 60 days, which is half the time allowed under federal law.

On a separate matter, the board discussed at length how the DOL should deal with the sale of repossessed homes and whether retailers where the repos are housed should be responsible for the sale paperwork.

Board member Steve Solomon said many repossessions are processed by banks that are not overseen by DOL, nor would they want to be. If they are forced to obtain a state license to sell repossessions, then the banks would stop financing homes and the industry would greatly suffer as a result. "I think it's important to protect our finances," Solomon said.

Woodrum said the board allows an individual in the state to engage in two private sales without having to obtain a retailer licenses from the DOL.

Woodrum said the DOL does not supervise the sale of repossessions by banks, the §21-9 does not apply to any bank or financial institution engaged in the disposal of foreclosed or repossessed manufactured homes. He said his office would issue a memorandum with all renewal

applications to deal with the issues of repossession sales and to outline what licensed retailers will have to do in the future with repos.

On other matters, the State Board:

--imposed \$2,550 in fines on seven companies. The primary violation was failure to comply with warranty obligations.

--issued cease and desist orders against Blevins & Associates of Tazewell, Va., for doing contracting work without a license; and Brincefield Group of Ashton, Md., for selling homes in a community in Hedgesville, Berkeley County, without a license. Blevins is getting a West Virginia license and Brincefield has halted sales.

--imposed \$975 in fines on 13 companies that failed to file business reports for the third quarter of 2014.

--issued contractor licenses to Larry Lambert Inc., of Oceana; That One Heating and Cooling of Princeton; and Mountaineer Home Repairs LLC of Lewisburg.

--agreed to pay for repairs for the home of Michael Kell of Pullman, W.Va., whose home manufacturer went out of business before the work was done properly.

--learned the voluntary fund the industry established to take care of damaged homes totals \$1.5 million.

--learned that a new law will require all air conditioning technicians to be licensed by the DOL starting January 1, 2016. The grandfathering period to apply will begin July 1, 2015 and be available until July 1, 2016.

--set its next meeting for May 21 via tele-conference.