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State is going to have to increase manufactured housing inspections, HUD says

CHARLESTON -- State factory-built housing regulators are going to have to step-up inspections on manufactured homes, according to information released at the West Virginia Manufactured Housing Construction Standards Board on Wednesday.

The U.S. Department of Housing and Urban Development (HUD), which oversees manufactured housing programs nationally and supervises West Virginia's program, said it expects the state to conduct more inspections in the future, although it did not specify how many, said Labor Commissioner Mitchell E. Woodrum.

HUD provided oversight of the state manufactured housing regulatory program and the Division of Labor (DOL) provides administrative, clerical and enforcement services for the State Board, while the labor commissioner acts as the board's chair.

HUD issued a letter, which was received by the state on June 18, advising the State Board of changes federal regulators expect the state to make to ensure its program remains in compliance with federal regulations. In addition to an unspecified increase in inspections, the HUD letter says the state must begin yearly continuing education requirements for those business it regulates.

The changes will require a rule change, which must be approved by the Legislature, Woodrum said. It also could be costly both for the State Board and for the industry.

The current inspection system is complaint-driven, meaning inspections of homes are made by state inspectors when a consumer complains about how an installation was done. HUD said that system is not satisfactory, and that the state will have to do a minimum percentage of inspections of new home installations to remain in compliance with the federal program.

Failure to comply with the HUD orders could mean that the federal government would assume control of the state program, with industry fears of bureaucratic red tape and extensive delays in inspections.

Last year, 1,127 manufactured homes were installed in West Virginia; only 20 consumer complaints were filed with the State Board during that same time, Woodrum said. The state program now is running with one full-time and three part-time inspectors.

The HUD changes may require the hiring of additional staff, which will be difficult on the extremely tight budget of DOL. The state program has never fully covered its costs.

The state has a continuing education program in its rules, which requires eight hours of continuing education every three years, but the state decided to delay its implementation until ordered by HUD. The industry may have to take over the creation of specific education classes if industry members do not wish to take the state's online education program,

Woodrum said the State Board, to comply with HUD's demands, would create a recommendation plan, which then would be released to the industry, consumer groups, and the public before a final plan was refined and sent to HUD and the Legislature for their approvals.

State Board members said they hoped the changes could be made with a minimum of disruption and cost to the industry and consumers.

In other action, the board:

--Approved a license for Gardner Enterprises LLC, doing business as Gardner Mobile Home Sales, of Princeton to become a retailer; and for Cousins Contracting of Chapmanville, Logan County, to become a contractor.

-Fined 10 companies for failing to file the proper paperwork for work they did in the previous three months of business.

--Decided to review licensing standards and fees to try to make it simpler to attract installers and contractors, which are chronically in short supply in the building industry and the manufactured housing industry in particular.

--Set its next meeting for 10 a.m. Oct. 18 in Charleston.

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