



# **Manufactured Housing Program**

**WV Housing Institute 2018 Convention Legal Forum**

# **General Information**



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**West Virginia Division of Labor**

**Manufactured Housing**

**1900 Kanawha Boulevard East**

**State Capitol Complex - Building 3, Room 200**

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# Administration

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# Staff



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**Consumer Complaints, Licensing, Quarterly Reports, Hearings & Final Orders**

# Staff



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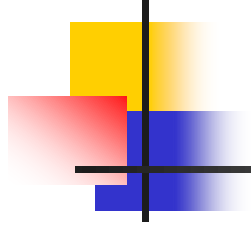
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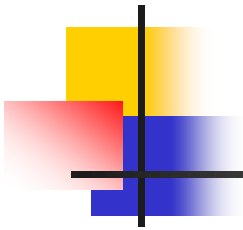
[Thomas.A.Stricklen@wv.gov](mailto:Thomas.A.Stricklen@wv.gov)

# Introduction



The following presentation explains the Manufactured Housing Program in West Virginia and provides training in record keeping, consumer complaint handling and other requirements of Federal and State Statutes. It also covers a few other programs within the Licensing.

# Investigative Steps and Correspondence



Complaint received, via telephone, if possible safety hazard described; an **Imminent Safety Hazard Letter** is sent to the licensee or licensees involved and copies are sent to HUD.

A **Complaint** may be filed by a consumer, licensee or the board.

Once a complaint is received:

**Notification of Complaint** letters are mailed to:

(consumer, manufacturer and S.A.A. where the home was built)

An inspector will perform a **Record Review** and copy the consumer's records.

The initial inspection is scheduled & performed.

**Letter of Correction** (30 days to correct) + Extensions

**Notice of Violation** (30 days to correct) \* + Extensions

\* Note: (10 days to request in writing for an informal presentation of views.)

# Investigative Steps and Correspondence



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Copies of correction letters are sent to the consumer along with a **Status Report**.

**Letter of Correction (LOC) Re-Inspection** where:

All non-compliances are corrected = Case closed without being presented to the board for sanctions.

All non-compliances are **NOT** corrected:

- a) reissued on a 2nd letter of correction or
- b) reissued to violation.

A reissued violation will result in sanctions from the board. (\$500 Minimum Fine)

2<sup>nd</sup> Letter of Correction Re-Inspection (Same process as LOC above)

**Violation Re-Inspection**

**Notice of Hearing**



# Investigative Steps and Correspondence



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**Final Order** (May include correction, fine, suspension and/or recovery fund language) (15 days to correct)

Final Order Re-Inspection

License Suspension & Notice

License Re-instatement Re-inspection

Release and Subrogation Agreement

Recovery Fund Re-Inspection

# Investigative Steps and Correspondence



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When processing a consumer complaint, licensees may be charged a **Re-Inspection Fee** for any follow-up inspections which are necessitated by a licensee failing to comply with an order of the board.

The Fee will be calculated using the inspectors hourly rate, mileage and postage. An **Invoice** will be sent to the licensee. If multiple licensees are involved, the fee will be divided equally.

# Policies and Procedures



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When a licensee **Requests To Be Notified** of the re-inspection, we will inform the licensee of the date/time and try to resolve any issues, within reason, during any re-inspection.

Contact person

E-mail address

Fax number

Telephone number

# Policies and Procedures



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We may accept a **Signed Work Order** (by a responsible party) on a case per case basis for items that can be inspected by the consumer.

## **Examples:**

- > Repair of damaged ceiling (cosmetic) due to roofing issue;
- > Floor covering replacement;
- > Adjustment of doors;

Corrections in areas where the responsible party cannot verify will be re-inspected.

# Exemption Contract Requirements



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A contractor **properly** licensed with the WV Contractor Licensing Board and is performing work according to a **written contract**, will not be required to be licensed with the West Virginia Manufactured Housing Board. A copy of the contract and West Virginia Contractor License shall be maintained in the **consumer's home file** and is subject to inspection.

# Current License Fees



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Contractor/Installer	(148)	\$125.00
Dealer/Distributor	(86)	\$250.00
Manufacturer	(34)	\$750.00

# Current Recovery Fund Fees



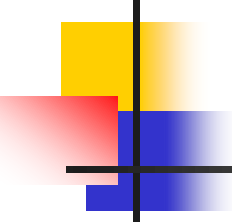
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Contractor/Installer	\$500.00
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Dealer/Distributor	\$1,000.00
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Manufacturer	\$2,500.00
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# Fiscal Year 2016 (7/1/2015 – 6/30/2016)

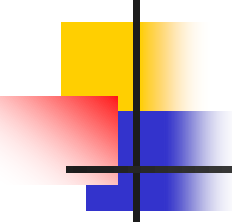


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Complaints Received:	52
Initial Inspections	51
Letter of Corrections	100
Violations	06
2 <sup>nd</sup> Letter of Corrections	13
Reissues (L.O.C. to Violation)	02
Violations for Sanctions ( <b>Board</b> )	12
Final Orders / Correction Language	02
Final Orders / Recovery Fund	03
Total Re-Inspections	152
Cease & Desist Orders Issued	02



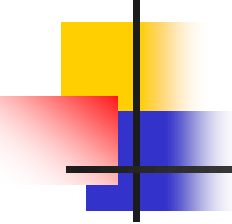
# Fiscal Year 2017 (7/1/2016 – 6/30/2017)



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Complaints Received:	32
Initial Inspections	29
Letter of Corrections	52
Violations	05
2 <sup>nd</sup> Letter of Corrections	10
Reissues (L.O.C. to Violation)	00
Violations for Sanctions ( <b>Board</b> )	05
Final Orders / Correction Language	00
Final Orders / Recovery Fund	06
Total Re-Inspections	70
Cease & Desist Orders Issued	04

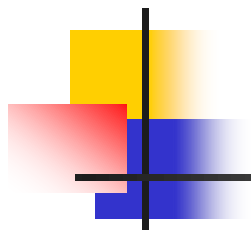
# Fiscal Year 2018 (7/1/2017 – 5/31/2018)



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Complaints Received:	24
Initial Inspections	20
Letter of Corrections	40
Violations	03
2 <sup>nd</sup> Letter of Corrections	11
Reissues (L.O.C. to Violation)	01
Violations for Sanctions ( <b>Board</b> )	02
Final Orders / Correction Language	00
Final Orders / Recovery Fund	00
Total Re-Inspections	00
Cease & Desist Orders Issued	02

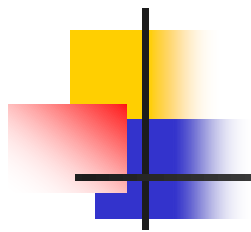
# **(Recovery Fund 7/1/2015 – 6/30/2016)**



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Homes Repaired through Recovery Fund	06
Consumers reimbursed due to fraud or misappropriation of funds	04

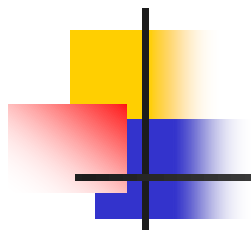
# **(Recovery Fund 7/1/2016 – 6/30/2017)**



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Homes Repaired through Recovery Fund	07
Consumers reimbursed due to fraud or misappropriation of funds	01

# **(Recovery Fund 7/1/2017 – 5/31/2018)**



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Homes Repaired through Recovery Fund	03
Consumers reimbursed due to fraud or misappropriation of funds	00

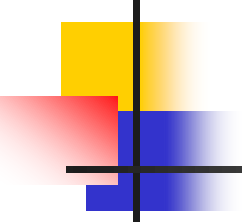
# (Recovery Fund Totals 2002-2018)



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**250** Consumers Totaling **\$869,584.70**

# Modular Home Installations



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The West Virginia Manufactured Housing Board does not have jurisdiction regarding the installation of modular homes. However, the **Contractor Licensing Board** does have licensing jurisdiction on the entities that are involved in the installation of Modular Homes.

In order to be involved in the installation of a Modular Home a Contractor Licensing Board license is required with a classification that covers the installing or sub-contracting out the installation:

Residential; or

General Building; or

General Engineering

# Other Licensing Programs



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Contractor Licensing

Crane Operator Certification

HVAC Technician Certification

Plumber Certification



# Contractor License



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## License Fees

Initial & Renewal License Fee: **\$90.00**

Sole Proprietorship (Only Electrical Classification) Fee: **\$20.00**

# Contractor License



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## Reciprocity Agreements

- Alabama - HVAC
- North Carolina - Electrical Only
- Ohio - Electrical
- Ohio - Plumbing
- Ohio - HVAC
- WV Fire Marshal – Master Electrician / Electrical
- NASCLA (General Building Only – After 9/1/2013)

# Contractor License



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## Renewals

Renewal applications are mailed 45 days prior to the expiration date and access to the online renewal process will be available.

Late Fee if renewal is received or postmarked more than 15 days from the expiration date: **\$25.00**

A license expired ninety (90) days or more cannot be renewed and access to renew online will not be available.

A re-application must be processed through the Charleston Office.

Duplicate License Fee: **\$10.00**

# Crane Operator Certification



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Crane Operator Initial & Renewal Certification Fee: **\$75.00**

Fixed Cab – Telescoping / Lattice Boom-Crawler

Lattice Boom-Truck / Swing Cab – Telescoping / Tower

Renewal applications are mailed 45 days prior to the expiration date.

Late Fee if renewal is received or postmarked more than

15 days from the expiration date: **\$25.00**

A certification expired ninety (90) days or more cannot be renewed and access to renew online will not be available.

A re-application must be processed through the Charleston Office.

Duplicate License Fee: **\$10.00**

# HVAC Technician Certification



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## Fees

Technician Initial & Renewal License Fee: **\$75.00**

Technician in Training Initial & Renewal Registration Fee: **\$50.00**

Late Fee if renewal is received or postmarked more than 15 days from the expiration date: **\$25.00**

Renewal applications are mailed 45 days prior to the expiration date.

A license or certification expired ninety (90) days or more cannot be renewed and access to renew online will not be available.

A re-application must be processed through the Charleston Office.

Duplicate License or Certification: **\$10.00**

# HVAC Technician Certification



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## Coming Soon!!!! New HVAC Technician Classification

The Legislature passed SB506 on March 9, 2018 with an effective date of June 7, 2018. This bill creates a new **Residential Technician** classification within the Regulation of Heating, Ventilating and Cooling Work Act.

A grandfathering period will be available until **December 31, 2019** which allows a person having 2,000 hours of experience and/or training working on HVAC systems to acquire the Residential Technician Certification without taking an examination.

# Plumber Certification



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Master – Journeyman

Initial & Renewal Certification Fee: **\$75.00**

Plumber in Training

Initial & Renewal Certification Fee: **\$50.00**

Renewal applications are mailed 45 days prior to the expiration date.

Late Fee if renewal is received or postmarked more than

15 days from the expiration date: **\$25.00**

A certification expired ninety (90) days or more cannot be renewed and access to renew online will not be available.

A re-application must be processed through the Charleston Office.

Duplicate Certification Fee: **\$10.00**

# Website



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Our website [labor.wv.gov](http://labor.wv.gov) has search engines for several types of certifications and licenses issued by the Division of Labor.

Contractor License (#, Name, City or County)

Crane Operator Certification (#, Name, City or County)

HVAC Technician Certification (#, Name, City or County)

Manufactured Housing (#, Name or City)

Plumber Certification (#, Name, City or County)

If you have any questions, please do not hesitate to contact our office or send an email to [Licensing@wv.gov](mailto:Licensing@wv.gov)