



## HOME ON THE ROAD

Voice of West Virginia's factory-built housing



WEST VIRGINIA HOUSING INSTITUTE, INC.

APRIL, 2006



### Under the dome — Antidiscrimination bill passes

CHARLESTON – Legislation to ban local ordinances that discriminate against locating factory-built homes solely on the basis they are manufactured housing is effective Sept. 1 across West Virginia.

Gov. Joe Manchin signed the bill April 4. It was approved 99-0 in the House of Delegates and 33-1 in the state Senate.

The legislation was the top priority of the West Virginia Housing Institute Inc., the 300-member lobbying arm of the factory-built housing industry.

“The proposal is elegant in its simplicity,” said Steve Brown, co-president of WVHI. “It lifts discriminatory ordinances against us while protecting local values.”

(Continued on page 5)

## 2006 CONVENTION AT SNOWSHOE

SNOWSHOE -- A major summer/winter attraction in the Allegheny highlands is the scene for the 2006 convention of the West Virginia Housing Institute Inc. Snowshoe Mountain Resort, in the mountains of Pocahontas County 100 miles east of Charleston, promises to be a fun destination for the July 19-21 event.

“Snowshoe was picked because of its quality of location – it just has everything,” said Steve Brown, co-president of the Institute. “It has a championship golf course; more than a dozen unique shops and restaurants in the village on top of the

mountain; layers of fun events for children, including several indoor and outdoor swimming pools; and spacious living and meeting quarters.”

Nearby is Cass Scenic Railroad and the National Radio Astronomy at Green Bank, where U.S. and world scientists listen to the heavens for contacts with aliens.

The Institute’s keynote speaker is Delegate Rick Thompson, D-Wayne,

(Continued on page 5)

### Excitement Mounts as Plans Announced 2006 annual meeting and convention Snowshoe Mountain Resort

Wednesday, July 19, 2006

**1:00 p.m.**

**Registration Desk Opens**

1:00 – 3:30 p.m.

WVHI Inc. Executive Board Meeting

4:00 p.m.

Check-in Time at Snowshoe

**5:00 – 5:30 p.m.**

**Welcome session:**

Featured speaker Delegate Rick Thompson, a Democrat and lawyer from Wayne County. *Rick is considered the frontrunner in the race next January to replace longtime Speaker Bob Kiss at the helm of the House of Delegates.* If so, the industry will have a strong friend in the House of Delegates.

**5:30 – 9:30 p.m.**

**Welcome reception.** Ride the ski lift to our lakeshore barbeque with hot dogs, hamburgers and all the fixins – bring

your appetite!

(Continued on page 7)

# The Podium

By Kevin Wilfong  
Co-President



*Kevin Wilfong*

*Co-President*

Thanks.

The passage of our antidiscrimination bill, Senate Bill 47, was the result of hard work and determination by the members of the West Virginia Housing Institute Inc.

I'm not sure how many of you worked the telephones, but I know it was your efforts that got the bill enacted. Co-President Steve Brown and I cannot thank you enough for your dedication and sacrifice.

General counsel John Teare and executive director Andy Gallagher got the bill in place in the Senate and House of Delegates. Two chairmen in each chamber had to be persuaded the bill was worthy. Then it had to pass two committees in the Senate – each composed of half of the 34 members – and two in the House – each composed of 25 House members – before it could be voted on by the 100-member House and the 34-member Senate.

Each step of the way, it was your telephone calls and the good arguments you made in favor of the legislation that sold it for us. I know you must have felt Gallagher was crazy for the number of times he asked us to make those calls. I know for a fact many of you took important time away from your work to go through those long lists of numbers to make those calls and talk to as many senators and delegates as you could. Steve and I both worked the phones, just like you, and many others, did.

I am sure there were a handful of members who stood outside and did nothing. A few like that exist in every bunch. They did not detract from what you accomplished, though.

I know a lot more of you knocked yourselves out to make this happen. And look at the response. We passed this bill 99-0 in the House and 33-1 in the Senate. Those are incredible numbers. Gov. Manchin, to his credit, did not hesitate to sign it into law.

So, do me a favor. Look in the mirror and smile. It isn't every day you can be sure you have completed a job well done. This time you have proof – a new law that you can take the credit for putting on the statute books of West Virginia.

## Remember to Re-Member

It's really a cheap investment

Watch your mail for your dues' renewal notice in June. Your membership keeps the industry strong in West Virginia.

WHY RENEW . . . Our success in the past legislature is testament to the prominence of the West Virginia Housing Institute Inc., and the factory-built housing industry in West Virginia. Senate Bill 47 will allow greater access to home placement in all of West Virginia's 55 counties and numerous towns and cities. Our fight to hold fee increases on community owners was successful and will help insure profitability for communities in the future. We were able to help "kill" an onerous floodplain bill making its way through the Legislature . . . but fear it will resurface and we need to be ready for the next onslaught of bills troubling to our industry.

We made great strides in assuring a bright future for our dealer members and our park members, as well as, all other members, but the future holds many other challenges and we must be prepared.

*Don't forget that your voice in what happens with the regulatory agency and the Legislature in West Virginia is the West Virginia Housing Institute Inc. – don't let it be silenced by non-participation.* When you receive your dues' renewal form for 2006-2007 return it promptly with your check to keep good things happening throughout this great state!

**\$20 fee defeated**

The West Virginia Legislature defeated a proposed that would have imposed a \$20 fee on all factory-built housing sales transactions to pay for housing for low- and moderate-income people.

The Senate Finance Committee overwhelmingly voted down Senate Bill 600 after scoffing the fee was actually a tax increase.

The fee, supported by a broad range of housing-industry officials, would have raised about \$200,000 from the manufactured housing industry and about \$800,000 from other sales.

The \$1 million raised would have been combined with \$3 million in matching federal funds to fund the Affordable Housing Trust Fund. One stumbling block in enacting the legislation is that the federal government has not passed the bill to provide for the matching funds.

**Recovery fund made statutory**

The Legislature approved a bill that makes certain changes in the manufacturing housing recovery fund. Gov. Manchin signed it into law.

This fund was set up in rules and regulations to provide a location into which fines could be placed to help consumers who had been injured in some way in their dealings with members of the industry.

Legislative leaders wanted the fund to be written into the permanent body of law of the state, what is commonly referred to as statutes. The change itself provides permanence to the fund.

It changes none of the current procedures. Set up in the state treasury and appropriated by the Legislature, the



Snowshoe Lake in summer

fund will be known as the "State Manufactured Housing Recovery Fund."

The law says industry members may have a special financial assessment levied against them to maintain the integrity of the fund, but only if it falls below \$250,000. The fund now has about \$1.3 million.

**Remember your friends**

The antidiscrimination bill approved by the Legislature this year, Senate Bill 47, was sponsored in the Senate by Sens. Dan Foster, D-Kanawha; Roman Preizoso, D-Marion; and Randy White, D-Webster.

House of Delegates members who sponsored the same bill were: Delegates Tim Manchin, D-Marion; Bill Proudfoot, D-Randolph; Richard Browning, D-Wyoming; Ron Walters, R-Kanawha; Tim Miley, D-Harrison; Jack Yost, D-Brooke; and Randy Swartzmiller, D-Hancock

**GOP battles health increases**

Republicans in the House of Delegates failed in their support of the West Virginia Housing Institute Inc.'s attempt to defeat increases in health department fees for rental community owners.

Delegates Patrick Lane, R-Kanawha, and Mike Hall, R-Putnam, led efforts to strike the proposed fee increases from Senate Bill 350, but they were defeated.

The Legislature did support the Institute's position to cut the fees to 25 percent and made them permissive, not mandatory.

Delegate John Overington, R-Berkeley, asked the House to defeat even the 25 percent proposal, calling it a "hefty free increase," but his motion was rejected 28-70.

Delegate Chris Wakim, R-Ohio, supported Overington, telling the House "an additional fee or tax at this time is not prudent." Wakim this year is running for Congress in the 1<sup>st</sup> Congressional District.

**Remember 1971 changes**

Community owners should keep in mind that they have

health standards to meet under rules and regulations adopted in 1971.

These are formally known as Title 64 West Virginia Division of Health legislative rules, Series 40 (64 CSR 40) rules for mobile home parks.

Most county health departments have been generous in their willingness to be cooperative with our members when enforcing these rules and regulations. But instances have arisen where the counties have been more stern.

The West Virginia Housing Institute Inc., which represents community owners across the state, has been able to negotiate agreements in which the counties are willing to enforce these regulations when a home is moved out and is to be replaced by another.

So, get a copy of these rules and make yourself aware of what the law says and what you need to be in compliance in the future.

Cooperation with those who enforce the law, rather than confrontation, is a better way to deal with local and state regulators. Since they are being helpful to us, WVHI wants to encourage you to be helpful with them when you are ready to remove or replace your community's factory-built housing.



Snowshoe Village

**Customer satisfaction study in works**

The Manufactured Housing Institute's board of directors has approved a proposal for a national customer satisfaction index research project to be conducted by J.D. Power & Associates. Research begins this spring. Here are the objectives:

- assess current overall customer satisfaction levels for manufactured homes as well as for modular homes, which will include components such as home features, sales process, financing, warranty coverage, and customer service, among others.
- identify the components that drive overall satisfaction for manufactured homes as well as for modular homes, and the level to which each does so for each type of home.
- quantify the type, number, and resolution of problems experienced with manufactured homes and modular homes. For manufacturers who participate in the study, they will be able to assess their individual performance versus the industrywide metrics.
- compare each participating manufacturer to the industrywide measures and to establish prioritized recommendations directed at improving both the level of overall customer satisfaction for each manufacturer, as well as for the industry as a whole.
- examine overall customer satisfaction to assess whether any meaningful differences in experience exist between segments. Segmentation variables may include: gender, ethnicity, income, region, prior manufactured home ownership experience, residence prior to purchase.

Once the survey is completed, the J.D. Power & Associates index methodology will be used to identify and prioritize the critical elements of satisfaction among homebuyers. Index scores will be assigned to individual participating manufacturers, and will determine the industry average. This will allow MHI to establish a meaningful benchmark allowing for continued tracking of industry performance overtime. The participating manufacturers will be able to compare their company's performance against the industry average in addition to establishing their own company's benchmarks for tracking purposes.

**The results are confidential and the program is voluntary.**

**Home on the Road Newsletter**

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**Home on the Road** is a publication of the West Virginia Housing Institute Inc., published four times a year (March, June, September and December).

Free subscription with paid membership dues. All advertising must be paid in advance. *Home on the Road* reserves the right to reject any advertising. Make checks payable to WVHI. Send ads with payment and news to Beth O'Dell.

**Advertising rates**

Full page: \$200

Half page: \$100

Quarter page: \$60

Classified: \$30 for each 3 lines

## CONVENTION (FROM PAGE 1)

who has his sights on becoming the next leader of the House of Delegates.

“It is only rare that the top leadership in the Legislature changes,” said WVHI Co-President Kevin Wilfong. “We wanted to give the membership an opportunity to listen to Rick and learn whether he is the type of friend we should support.”

Thursday’s speakers include top state regulator Mitch Woodrum; Joe Hatfield, executive director of the West Virginia Housing Development Fund; and Paul Hodge of Nordyne, who will speak about SEER 13.

Members of the Institute demanded expanded time for the lawyers’ panel, which has been scheduled for Friday morning. Institute general counsel John Teare of the Charleston law firm of Bowles Rice McDavid Graff & Love chairs. Lawyers will describe legal challenges facing the industry and will respond to questions.

Thursday afternoon will be given to golf on the Gary Player-designed Raven Golf Course or shopping and outings for those not interested in swinging a club.

A special horse racing game hosted by Charleston entertainer Sandy Sowell follows Thursday’s banquet. Judy Ritchie of Elkins will head up this year’s auction.

“We have an exciting and interesting program lined up for our participants and we are building on the tremendous momentum started last year,” Wilfong said.



*Rick Thompson*

## Antidiscrimination (from page 1)



*Senator Ed Bowman*

“We are pleased Governor Manchin signed this important bill to end a second-class status that has been imposed on our industry in the six decades since the end of World War II,” said Kevin Wilfong, co-president of WVHI.

General counsel John Teare, with Bowles Rice McDavid Graff & Love LLC of Charleston, played a central role in the bill’s passage, as did Senate Government Organization Committee Chairman Ed Bowman, D-Hancock; and House Political Subdivisions Committee Chairman Bill Proudfoot, D-Randolph. It could not have been approved without countless hours of telephone calls made by WVHI members to encourage lawmakers to pass the bill.

“A governing body of a municipality or county, when enacting residential design standards for the purposes of regulating the subdivision, development and use of land, shall uniformly apply such design standards and associated review and permitting procedures for factory-built and other single-family constructed homes,” the key provision of the bill reads.

It strikes down any local ordinance that bans the placement of homes solely on the basis they are factory-built, but



*John Teare*

### Energy Star contacts

The Energy Star program, which is aimed at cutting energy costs in factory-built homes, has two important tools for members of the West Virginia Housing Institute Inc.

The program has a suite of promotion materials available on its web site at: [http://www.mhrahome.org/pages/es\\_promotional\\_tools.htm](http://www.mhrahome.org/pages/es_promotional_tools.htm)

Members can sign for the Energy Star free newsletter to keep abreast of Energy Star program developments. The sign up form is at: <http://www.mhrahome.org/pages/home.htm>.

### Flooplain bill defeated

Legislation that would have required new local regulatory controls for the placement of factory-built housing in floodplains was defeated in the House of Delegates. It’s Senate Bill 206.

The West Virginia Housing Institute Inc. worked to eliminate severely punitive issues in the proposal. At one time, a retailer could have lost his license if he/she improperly certified that a home would be located in a floodplain. The bill was amended to where the Institute could support it, but it died in a House subcommittee.

The issue of regulating manufactured housing in floodplains is likely to return in the next legislative session. Attend regional meetings!

## Free internet listings      MHVillage introduces important resale tool

GRAND RAPIDS, Mich. – A critical new tool in the factory-built industry's efforts to promote resales is available free through an informal multiple listing service that deals with manufactured housing.

MHVillage of Grand Rapids, Mich., has introduced the industry's first Manufactured Home Listing Exchange (MH/LX).

Utilizing the data exchange, sales professionals voluntarily share listing information to co-broker homes, increase sales, stabilize prices, and improve market information. Unlike a formal MLS, the MH/LX does not enforce rigid regulations or require substantial investments of money, time, and energy.

MH/LX sales professionals are able to voluntarily identify their MHVillage listings available for co-brokering. They are not required to make all listings available. For the listings they do make available, they identify the commission amount and specify co-brokering terms on a listing-by-listing basis.

Only authenticated, participating MHVillage professionals are able to view the MH/LX listing information. The material is not viewable by consumers.

"Not only does MH/LX eliminate the most valid objections that prevent professionals from working together, it facilitates the process of helping them begin to work together, which is critical to the revitalization of our resale market." MHVillage President Dan Rinzema said.

"Ultimately we believe a full MLS may eventually be the right model because it imposes disci-

pline, forces standardization, and can allow for more efficiencies in the sales process. However, like all industries, we must learn to walk before we can run, and the MH/LX provides a very simple, straightforward, and cost-effective way to begin."

MHVillage's MH/LX is available to the Manufactured Housing Institute, West Virginia Housing Institute Inc., and other state association members at no charge. Nonmembers pay a monthly fee to encourage them to become members.

MHVillage is the factory-built industry's largest and fastest-growing Internet-based listing service, and the only listing service endorsed by MHI. It hosts more than 10,000 listings and attracts more than 7,000 visitors daily. For more information, visit [www.MHVillage.com](http://www.MHVillage.com) or call 877 853-0297.

### STATE CONVENTION JULY 19-21; DON'T MISS IT

#### West Virginia Housing Institute Convention 2006

#### REGISTRATION FORM

July 19, 20 and 21

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip \_\_\_\_\_

#### REGISTRATION FEES:

WVHI Member & Spouse/Guest . . . . .	\$125.00 <u>per person</u> if paid by June 21, 2006 \$150.00 <u>per person</u> after June 21
Children Under 12 . . . . .	\$ 50.00 <u>per child</u> if paid by June 21 \$75.00 <u>per child</u> after June 21
Children Under 1 year old	FREE
Non-Member Registration . . . . .	\$300.00 <u>per person</u> attending

**\*\*\*Registration Fees Must Accompany Registration Form and are PER PERSON attending\*\*\***

**Please return completed registration form and your check to:**

**WVHI, Inc.  
PO Box 2182  
Charleston, WV 25328-2182  
Questions, please call Beth 304/346-8985**

*Mark your calendars now – don't miss out  
It's educational and fun*



**Thursday, July 20, 2006**

- 9:00 – 9:15 a.m.**      **Annual meeting** with election of officers
- 9:30 –10:15 a.m.**      **Morning session:**  
**Paul Hodge** of Nordyne will focus on the extremely topical subject SEER 13 and what it means for air conditioning efficiency in the industry.
- 10:15-10:45 a.m.**      **Joe Hatfield**, executive director of the West Virginia Housing Development Fund’s remarks will center on programs his agency and others have that benefit the factory-built housing industry.
- 10:45-11:30 a.m.**      **Mitch Woodrum**, director of the manufactured housing section of the WV Division of Labor. Mr. Woodrum, who heads our regulatory program, will discuss proposed legislative changes and entertain your concerns at a question & answer session immediately following
- Noon                      Lunch - at your convenience
- 12:15 p.m.**              **Golf Tournament begins.** First tee time at Snowshoe’s Gary Player-designed Raven Golf Course, just down the mountain from the lodge.
- Free Time**                Not a player – check out the multitude of other possibilities at the Snowshoe from recreation to a multitude of restaurants and shops along the central parkway. If that doesn’t interest you, take a ski lift to the far summits and explore the best skiing paths in the East. Nearby are Cass Scenic Railroad and Green Bank’s big ear into outer space.
- 6:00 p.m. – Midnight** **Reception and banquet.** Celebrate the success of meeting the challenges 2005-2006. Get your bets in with Sandy Sowell of Charleston, who has horse racing as our evening entertainment. Judy Ritchie will be repeating our political action committee-fundraising auction.

**Friday, July 21, 2006**

- 9:00 –10:30 a.m.**      **Legal Forum.** Hosted by, John Teare, Bowles Rice McDavid Graff & Love, PLLC. This is your opportunity for the best legal advice the industry can offer at a price you can’t afford to miss.

**Registration Form**                                      Registration remains an affordable \$125.00 per person

**Room Reservations**                                      Contact Snowshoe: (877) 536-9757. [www.snowshoemtn.com](http://www.snowshoemtn.com)

For our Reserved Block of Rooms mention West Virginia Housing Institute, Inc. convention

**Which side are you on about Title I?**

CHARLESTON -- U.S. Sens. Robert C. Byrd and Jay Rockefeller, both D-W.Va., have declined to date to sponsor changes the factory-built housing industry believes is critical in helping the industry with federal-sponsored home-lending programs.

The West Virginia Housing Institute Inc., which represents the industry in West Virginia, has asked both senators to sponsor S. 2123, which would make important reforms to the Federal Housing Administration Title I mortgage insurance program. The Manufactured Housing Institute in Washington has made this its top priority legislation.

The bill would modernize the loan program for manufactured housing. It would raise loan limits and annually index them for inflation. It would give the U.S. Department of Housing and Urban Development the authority to increase insurance premiums and improve underwriting standards. It would allow borrower’s to finance part of their closing costs.

This would mean a stronger program and allow the federal loan program known as Ginnie Mae to increase participation with more lenders certified to originate these loans.

Brian Cooney, MHI's vice president for government affairs, believes the industry needs grassroots help. "Nothing gets passed in Washington unless senators and members of Congress hear from the folks back home. It would be very helpful if many industry participants in West Virginia would urge both Senators Rockefeller and Byrd to co-sponsor this important legislation"

The best way to reach the senators is through email. Byrd can be reached by writing [Caryn\\_Compton@byrd.senate.gov](mailto:Caryn_Compton@byrd.senate.gov) and Rockefeller can be reached by writing [Amy\\_Barber@Rockefeller.senate.gov](mailto:Amy_Barber@Rockefeller.senate.gov) .



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**P R O V I D I N G   T H E  
A M E R I C A N  
D R E A M**

**WVHI—Promoting and  
Protecting the  
General Welfare of  
The Factory-built Housing Industry**

**Invest in your future ...**

**Join WVHI today**

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**(304) 346-8985**

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