

Minutes

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**PREPARED BY:** Ms. Renee Cooper, Program Support Specialist, VA DHCD

**RE:** May 16, 2013 Virginia Manufactured Board Meeting Minutes

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## Call to Order

The Virginia Manufactured Housing Board

## Roll Call

### Board Leadership

#### Chairman

Mr. Walter Hughes – Not Present

#### Vice Chairman

Mr. Ben Flores

#### Secretary

Mr. Lorenzo Dyer

### Board Members

Ms. Carrie A Brace

Mr. Walter S Cleaton

Mr. Allen W. Dudley

Mr. James W. Roncaglione

Mr. Earl T. Satterwhite

Ms. Cindy F. Tomlin

## Virginia Department of Housing and Community Development Staff

### Division of Building and Fire Regulations

#### Deputy Director

Mr. Emory Rodgers

#### Sr. Construction Inspectors II

Mr. Lorenzo Dyer

#### Administrative Assistant

Ms. Janice Firestone

#### State Building Code Director

Ms. Cindy Davis

Mr. Eric Leatherby

Ms. Valrae Negley

### Legal Counsel

Assistant Attorney General of  
the Attorney General's Office,  
and Legal Counsel for DHCD

Mr. Steven Jack

Attorney and Legal Counsel for  
*Margaret and Richard Bien v.  
DBA Enterprises / d.b.a.  
Creative Homes*

Ms. Patty Anderson

### Additional Participants

*Juan and Aida Solvay v.  
Goldwell Claimants*

Ms. Aida Solvay

Mr. Juan Solvay

## Introduction and New Order of Business

- ❖ DHCD developed new name tags for board member distributed to members with the accompanying disclaimer regarding wearing the tags with the use of a heart monitor.

**"The new tags have a magnetic strip on the back of them. For those who may wear a heart monitor—the magnetic strip would interfere with the heart monitor, and therefore, cannot be worn by members wearing heart monitors, and would not be distributed to them."**

- ❖ All name tags were not available for new member and will be provided at the next meeting.
- ❖ A suggestion to have the two new members introduce themselves was made. Ms. Carey Brace is from Chester, Virginia and Mr. Walter Cleaton is from South Hill, Virginia and is the owner of a mobile home dealership. The new members were welcomed by the board.

## Agenda Requests

- ❖ The Deputy Director requested that item (E) on the agenda be deferred in his absence, to the end of the meeting.
- ❖ A motion to approve deferring the Secretary's report to the end of the meeting was made and the motion carried unanimously.

### Approval of Minutes

- ❖ A motion to approve the March 21, 2013 meeting minutes was made and the motion carried unanimously.

### Public Comments

- ❖ Mr. Tyler Craddock of the Virginia Manufactured Modular Housing Association welcomed the new members to the board.

### Committee Reports

#### Education Committee

- ❖ Mr. Dyer – The Media office has been provided the PSAs. They are prepared and ready to be sent out to the marketing areas, i.e. radio stations, etc. He has not received a response from DHCD media office as to when the PSAs will be distributed officially to the radio stations. Mr. Dyer will do more research on it and report back to the board.
- ❖ Mr. Dyer – The MHB pamphlet became outdated. A new version was produced and presented to the board in their packet for their review and any revisions / suggestions were requested. After review by the board, with no revisions or changes the pamphlet will go to the media department in for final preparation. A copy was given to the President of the Virginia Manufactured Modular Housing Association for their review and recommendations as well.

### Old Business

#### Appeal: Circuit Court in the City of Richmond – *D.B.A. Enterprises, Inc., d/b/a Creative Homes v. Margaret and Richard Bien*

- ❖ Circuit Court denied the appeal of CREATIVE HOMES d/b/a Enterprises and upheld the order of the board that CREATIVE HOMES is in violation of the Manufactured Housing Regulations. Therefore CREATIVE HOMES was ordered to proceed to follow the board's directive of the Final Order. No response was received from CREATIVE HOMES.
- ❖ CREATIVE HOMES was found to be in violation of the Manufactured Housing Licensing Regulations, a motion that the license of the regulant be revoked and that a \$500 penalty be imposed was made and the motion carried unanimously.
- ❖ Transaction Recovery Fund request – DHCD responded to a request made by Attorney Patty Anderson (representing Richard and Margaret Bien v Creative Homes dba Enterprises, inc.) to hold an Informal Fact-finding Conference to determine damages incurred. A motion to hold an IFF Conference Transaction Recovery Fund case was made and the motion carried unanimously.

### New Business

#### IFF Conference Case #D-2012-05 – *Harry W. Seymore v. CMH Manufacturing, Inc.*

- ❖ This is the Consent Order case that was previously ruled upon. All requirements of the Consent Order have been met and no additional action is required.

#### IFF Conference Case #D-2012-07 – *Blankenship & Damron v. Moody Homes*

- ❖ This case was previously heard by the board. The amount of \$25,000.00 was ordered to be paid to the claimant. No additional action necessary.

#### *Juan and Aida Solvay v. Goldwell*

- ❖ Mr. Herring was not present and provided a statement why he would not be present. His statement was read out loud citing numerous violations presented as arguments. Due process rights were explained by Mr. Jack concerning Ms. Herring's position and anyone's rights at large. The complainants were present. The board heard from the complainants of the case. An interpreter was present since the complainants are Spanish speakers.
- ❖ A motion to defer the hearing and reconvene the IFF Conference was made by the board and the motion carried unanimously.

### Recess Taken

### Successes, Improvements, and Strategies

- ❖ Mr. Rodgers welcomed new members. He suggested that the board critique itself periodically and provide input to staff on improving efficiency with regards to IFF Conferences. He also suggested the board should periodically identify to staff pertinent details to prioritize supporting information for best practices in collective decision making. Additionally, he stressed that IFF Conferences are a detailed procedure that is vital in protecting the agency and the board within any such legal processes. Finally, he discussed the Installer's program being online, and its benefits.

### Future Meeting and Location

- ❖ The next meeting is scheduled to be held in connection with the 2013 Virginia Manufactured Modular Housing Association Convention in Virginia Beach. The Conference runs July 31<sup>st</sup> - August, 2<sup>nd</sup> 2013. **Wednesday July 31, 2013 at 10 AM** is the current scheduled board meeting time; Mr. Dyer informed the board that he and the State Building Codes Director would be addressing the conference attendees Thursday morning to provide an overview of the proposed Manufactured Housing

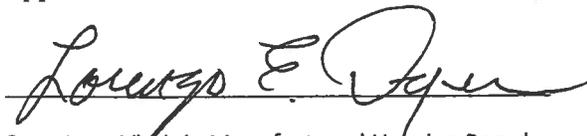
Safety Regulations. Mr. Dyer will follow-up with the board with confirmed times and locations.

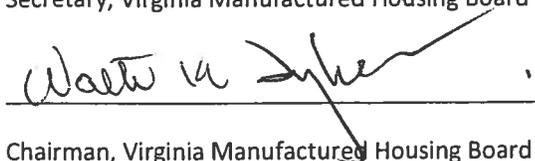
- ❖ The state will cover only 1 night for board members. Since the state approved hotel allocation amount is lower than the cost of the room, accommodations are being made to cover the rate excluding the last \$4.00 >or less amount. Members must pay for the cost of their rooms and will get reimbursed by the state afterwards.

### Adjournment

The meeting was adjourned.

### Approval

  
Secretary, Virginia Manufactured Housing Board

  
Chairman, Virginia Manufactured Housing Board