

**PLEASE NOTE:** The following is a brief summary of the minutes of the North Carolina Manufactured Housing Board Hearing of July 19, 2011 (The official record is recorded and maintained on CD)

**MINUTES OF THE**  
**NORTH CAROLINA MANUFACTURED HOUSING BOARD**  
**JULY 19, 2011**

**RALEIGH, NORTH CAROLINA**

Tim Bradley chaired the July 19, 2011 meeting via Conference Call. Roll call taken, Members of the North Carolina Manufactured Housing Board that called in were: Wayne Carpenter, Jeff Mooring, Cliff DeSpain, Michael Harden, Brandon Goodman, Billy Glover, David Cranfield and Michael Perkins. Board Members were not available: Katrina F. Bryant and Dell Averette. Staff present: Chairman Tim Bradley, Joe Sadler, Karen Holden, Pat Walker, Ellen Tyndall, and LaShawn Piquant, Staff Attorney via telephone. Brad Lovin with the North Carolina Manufactured Housing Association was present.

1. Tim Bradley called the meeting to order.
2. Minutes of April 19, 2011 Meeting were reviewed. Motion was made by Wayne Carpenter and seconded by David Cranfield to accept the minutes as written. The motion carried unanimously.
3. **Old Business:**
  - A. Unlicensed activity update. Joe reported on a case regarding a setup contractor that we thought we would bring before the Board because of a previous filing against the bond when he applied for a new license. It appears that his wife would be applying for license and not the previous licensee. We were advised by LaShawn the Board could not take any action at this time until he applies as the qualifier for her company or applied for a new license. Joe informed the Board that Staff had received correspondence from Robeson County Director of Inspections, Jeff Britt advising that their office had issued 44 permits to set up a contractor, who was not licensed and he provided list of the homes. Joe advised that we had not received any complaints against him for these homes. It was fortunate that there are no complaints since there is no bond covering these setups and I imagine a lot of them were probably used homes. Needless to say we can submit this to District Attorney down in Robeson County and let them to proceed how they see fit. But since his wife is getting license, if he comes in and takes the test as the qualifier, we're going ask him to come before the Board before his wife is licensed. If he does not apply as the qualifier then she take the test as the qualifier for her license. I do not think there is not anything we can do in this case. LaShawn verified that we would have to take it on a case by case basis. Joe answered and responded to questions of the Board. Joe advised that he could look into how much it would cost to have the set-up contractor's license print like the salesperson with a pocket size card. Board member, David Cranfield advised that he is also licensed in the State of South Carolina and they do have cards, but they have to present a picture ID when using. It was mentioned that cards could be loaned to someone else or other misuse of a card. Chairman Bradley suggested implementing a process of notifying the Inspection Departments on a monthly basis when a set up contractor's license is inactivated and of any unlicensed set up contractors. The Board Members expressed their concern about the issuance of the permits to an unlicensed set up contractor and

## Minutes of July 19, 2011 Manufactured Housing Board Meeting

### Page 2 of 3

what action, if any, can be taken against the Inspection Department. Karen Holden verified that the Counties do call and check with our office to verify if the setup contractor is licensed. Joe advised that whenever a license is inactivated each month, we can send out mass mailing over the email and include our website address to check if they want to go online and check it anytime. Chairman Bradley advised Joe to coordinate with the Qualification Board staff, because it is incumbent upon the local inspector to check these things and it concerns him that someone has gone a year or nine months or three months without a license and it was not caught. What we will do, if it is okay with the Board, is ask Joe start to implement a process by which we notify the County Inspection Department monthly of those if may have lost their license and that we send out a reminder in conjunction with the Qualification Board staff that the Inspection Department personnel are required to check the licensure of an individual before they are allowed to issue a permit to the set up contractor. Board Member Brandon Goodman asked what the ramifications were for a County issuing a permit to an unlicensed set-up contractor. Chairman Bradley explained that it is a violation of the Code Qualification Board requirements, the problem is that it is difficult to penalized all thought we can send them a warning message, it would have to be malicious and gross in context before the Q Board would take significant disciplinary action, we could remind them and for repeat offenders, if for example after we send this notice out, we have an inspector that is still not checking or issuing on someone that we notified that they lost their license we can issue a warning. If they repeat issuing licenses without checking the status it would constitute bringing them before the Q Board. Chairman Bradley indicated that he is on the Electrical Licensing Board that they have issued lot of disciplinary actions on has been is Inspectors issuing permits to unlicensed individuals or licensed individuals selling their license to someone that not licensed and someone who lost their license going and getting a permit from an unknowing inspection department. So it is getting to be an issue with all the Licensure Boards and the Counties are becoming more and more aware of their responsibility to check. We will give them a reminder and if it happens in this county again then that would be cause to take issue to the Q Board. Chairman Bradley felt that if we send out monthly notices to inspection department we would have much better argument and then there will not be any real excuse that they did not know they lost their license. Chairman Bradley also advised that the inspection departments are there to catch those individuals who are not doing it properly but it is encumbered but upon a licensure to follow the rules and an individual who obtain a license or permit falsely under state law is a fault and I suspect that when this is brought before you, as far as an individual loses is his license, one of the things you want to consider is the fact that he knowingly took a number permit when he knew that his license had expired and that should be taken into consideration on any disciplinary action or suspension or whatever action the Board should take. Board member Glover gave another scenario of individuals working under someone else license and taking permits out in someone's name. Chairman Bradley advised that in the Notice to the Inspection Department we will let them know to guard against individuals taking licenses out under other licensee's name to make sure they check with the individual whose name is taken out on that they are in fact approving the permit and are in fact will do the work themselves. Board Member Cranfield commented that he was licensed in both North and South Carolina. South Carolina does issue a card and when you go to obtain a permit, you have to show a picture ID. If we did that in North Carolina should show a picture ID. Joe responded and answered questions from Board members. Chairman Bradley commented that Staff will pursue the issue of the cards; pursue informing the inspection departments monthly as well as letting them know initially by mail out that is encumbered upon them to check these permit holders licenses verification on the internet before they issue a permit.

- B. Fee increase update to Brad Lovin. Joe advised that he is talking to our legislative liaison and they are not pushing forward any new legislation right now. But he will get with her

**Minutes of July 19, 2011 Manufactured Housing Board Meeting**

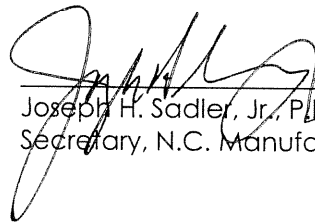
**Page 3 of 3**

to write up what we want to do and when it becomes more conducive to get it through APA. Chairman Bradley also commented that General Assembly this year was very anti-rules, very anti fee increase. They basically want no new requirements;

**4. New Business:**

- A. HUD Updates: Joe gave report HUD conditional approval for North Carolina. North Carolina's installation program has been accepted conditionally. We have three years to have the program fully accepted with HUD. Our regulations are close to HUD's but we need to change a few items to be complaint. One item that HUD had a problem with is allowing the dealer to set-up homes that they sell without training as a set-up contractor. A training program will need to be implemented for all set-up contractors. Chairman Bradley directed Joe before our next meeting to pull out their rules and compare them with ours to show Board member how they will affect our rules.
- B. License renewal updates: Joe gave renewal updates and we have notified local Building Department of those that have not renewed as of June 30, 2011.
- C. Joe advised that he will look at submitting couples of things to the Manufactured Housing Consensus Committee who is the Statutory Federal Advisory Committee to HUD. He advised that one must go through them to make changes to HUD regulations or recommendations to suggest changes. The Committee is administered by NFPA and can be accessed the NFPA website to view their activities.
- D. Chairman Bradley announced next Board Meeting will be October 18, 2011 at 9:00 AM in Raleigh.

Motion was made to adjourn the meeting and motion passed. Meeting adjourned.



---

Joseph H. Sadler, Jr., P.E.  
Secretary, N.C. Manufactured Housing Board