

PLEASE NOTE: The following is a brief summary of the minutes of the North Carolina Manufactured Housing Board Hearing of April 17, 2012 (The official record is recorded and maintained on CD)

MINUTES OF THE
NORTH CAROLINA MANUFACTURED HOUSING BOARD
April 17, 2012

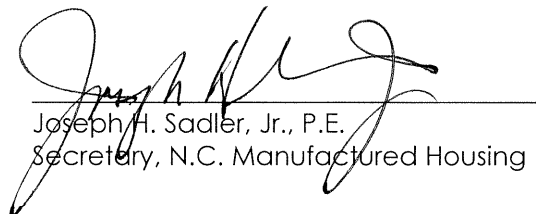
RALEIGH, NORTH CAROLINA

Joe Sadler chaired the April 17, 2012 meeting. Members of the North Carolina Manufactured Housing Board were present: Wayne Carpenter, Michael Harden, Brandon Goodman, David Cranfield, Cliff DeSpain, Dell Everett and Jeff Mooring. Chairman Tim Bradley and Board Member Michael Perkins and Staff member Pat Walker were not present. Staff present, Joe Sadler, Karen Holden, Ellen Tyndall, Steve Smith and LaShawn Piquant, Staff Attorney Brad Lovin with the North Carolina Manufactured Housing Association was present. Respondent, Mr. Mike Schwartz of Mike's Mobile Home Movers was present.

- 1 Joe Sadler called the meeting to order.
2. January 17, 2012 minutes were approved as written. Motioned by Michael Harden and seconded by David Cranfield. Motion carries.
3. Hearings
 - A. MHB FB 1-2012 – McMillian Properties, LLC, License #45079 – Continued to July 17, 2012 Meeting at the request of Mr. McMillian's Attorney.
 - B. MHB FB 2-2012 – Mike's Mobile Home Movers – License Application. Joe Sadler was sworn in and presented case to Board Members. Joe responded and answered questions from Board Members. Inspector Steve Smith was called to testify and was sworn in. Inspector Smith testified that he hand delivered Notice of Hearing to Mr. Schwartz. Mr. Michael Schwartz was called to stand and sworn in. Mr. Schwartz testified and responded to questions from the Board. Mr. Schwartz submitted four (4) documents into evidence. 1) Letter from Beaufort County Inspection Department that he has not been issued any permits in 2012; 2) Letter from Mid-Atlantic Property Management, LLC advising they have been doing business with Mr. Schwartz since 1995 as their set-up contractor throughout the years and on a part time basis. Once they found that he no longer held his set-up contractor's license they stopped using him; 3) Letter from Down Home Mobile Home Movers, Inc. advising they have used Mr. Schwartz as a certified vehicle escort and worked on a per job basis as needed; 4) Copy of utility bill. After questions to Mr. Schwartz and discussion, Mr. Schwartz was dismissed and advised that he will be notified of the Board's decision.
4. **Old Business:**
 - A. Update on Service Recovery, Inc. Case Bond Disbursements. Joe reported to Board the progress of disbursement of Service Recovery's cash bond. Joe presented Handout #4 showing all money that has been paid out to date. Joe advised that there were two more left to be paid and one that staff has not received the complaint. Joe reported that the total amount paid from cash bond is \$15,400.00, leaving balance of \$25,656.80.

1. New Claim against Service Recovery, Inc. Bond – Joe reported to Board that he received a message from Ms. Rupert, who could not be at hearing because the home in question burned down the night before. Joe advised the case would be closed.
 2. Karen Holden reported back to the Board members that the Staff currently has four set up contractors with cash bond placed with the Manufactured Housing Board and one dealer, who is Service Recovery bond that we are paying claims out of.
- B. Update on revision of the manufactured Home Regulations: Joe gave update on revision of codes, hopefully finished by this month. Dealer would possibly need to be licensed as set up contractor and have continuing education.
5. **New Business:**
- A. Discussion for direction regarding contract content for new and used home: Joe advised that there needs to be a way to better educate licensees about contracts. He stated that NCGS 143-143.21A is clear on what should be included in sales contracts.
 - B. Interest in Rule-Making class from Board members: Joe advised the Board of the possibility of Staff and Board Members who are interested in taking class on Rule making class. Joe deferred to LaShawn. LaShawn indicated that if there was enough interest that perhaps we can arrange for the class to be here after a Board meeting. She also advised that when she took the class it was eight hours but may not be that long for us because of number of people.
 - C. Ethics Training for SEI Information: Joe updated Board Members of their status for Ethic Training and current Statement of Economic Interest.

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



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

BOARD'S DECISION
April 17, 2012

Hearings:

- A. **NCMHB vs. McMillian Properties, LLC, License #45079,(MHB FB 2-2012) Continued until July 17, 2012.**
- B. **NCMHB vs. Michael Schwartz dba Mike's Mobile Home Movers (MHB FB 2-2012) request for license.**

Motion was made to suspend license for 30 days from April 17, 2012 to May 17, 2012, Mr. Schwartz must take continuing education before June 30, 2012; place Mr. Schwartz on probation for two years (Until June 30, 2014) and pay fine of \$1000.00 before license is issued. Motion made by Brandon Goodman and seconded by Tonnie Prevatte.

Motion carried.