

**SOUTH CAROLINA MANUFACTURED HOUSING BOARD  
SPECIAL MEETING**

**Synergy Business Park, Kingtree Building  
110 Centerview Drive, Kingtree Building, Room 108  
Columbia, South Carolina 29210**

**Minutes**

**Thursday, January 3, 2013**

**10:00 a.m.**

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Mr. Randall Altman, Board Chairman, announced that the meeting was held in accordance with §30-4-80 of the South Carolina Freedom of Information Act by notice mailed to all requesting persons, organizations, and news media. In addition, notice was posted on the bulletin boards at the main entrance of the Kingtree Building.

**WELCOME AND CALL TO ORDER:**

Chairman Altman called the special meeting of the South Carolina Manufactured Housing Board to order at 10:00 a.m. Other Board members present for the meeting included: David A. Randall, W. Marion Moore, Patrick M. Smith, Michael N. Levy, Arthur M. Newton, Richard L. Bagwell, Wayne E. Iseman, Adam Reese and Shane Ray.

Staff members participating in the special meeting included: Sheridan Spoon, Advise Council; Gary Wiggins Administrator; Lil Ann Gray, Esq., Program Coordinator; Jennie Meade, Program Coordinator; R.J. Kirby, Investigator; Crystal George, Project Assistant, and Diane M. Hendricks, Court Reporter.

Others present participating in the meeting included: Mark Dillard and Allen Hutto, Esq., both from the Manufactured Housing Institute of South Carolina.

**Approval of Agenda:**

**MOTION:**

Mr. Randall made a motion to approve the January 3, 2013 agenda. Mr. Smith seconded the motion, which carried unanimously.

**Approval/Disapproval of Absent Members:**

**MOTION:**

Mr. Iseman made a motion to excuse the absence of Ms. Dorothy Edwards. Mr. Newton seconded the motion, which carried unanimously.

**Chairman's Remarks:**

Chairman Altman thanked everyone for coming to the meeting.

**Administrator's Remarks:**

Chairman Altman recognized Ms. Gray. Ms. Gray stated that this special meeting is based upon the Board's request to have a special meeting to receive public comments on proposed legislation which was introduced to Council at the last meeting of December 11, 2013.

**New Business:**

**Proposed Legislation**

Chairman Altman recognized Mr. Dillard. Mr. Dillard gave a synopsis of the reason for the meeting.

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**Drafted Legislation**

*Manufactured Housing*

Mr. Dillard recalled that the Manufactured Housing Board (MHB) passed policy, in 2005, which stated, manufactured homes of South Carolina shall be installed by a licensed installer while adopting the financial responsibility guidelines for licensees, their credit score, and their net worth. Mr. Dillard recommended that instead of setting a specific credit score and net worth requirement the Board periodically review those criteria and set them.

Mr. Iseman suggested that the words “on an annual basis” be omitted. Mr. Bagwell suggested that policy be amended to state “The Board shall as necessary” instead of “on an annual basis”.

*Financial Statement*

Mr. Dillard specified that the language used in the drafted legislation is “review financial statements”. Mr. Dillard suggested the verbiage be tweaked to say, “It will be reviewed by a licensed CPA or a CPA will review financial statement”.

Ms. Gray stated that the Board could modify the financial conditions, and in addition to looking at personal financial statements, the Board could also, under the proposed legislation, which says, “Should the Board issue a license to an applicant unable to meet the financial responsibility guidelines, the Board shall have the authority to place modifications or restrictions upon the activities of the licensee”.

*Re-Sell of Repossessed Homes*

Mr. Dillard referred to the Re-Sell of Repossessed Homes policy which the Board approved April 14, 2001 as an example of longstanding policy, and needing to make it a matter of South Carolina law.

*Licensed by Other Boards*

Mr. Dillard stated that this policy states, “Persons licensed by other boards may repair, inspect, or improve, but not install a manufactured home”. Mr. Dillard added that this is a longstanding policy that can be moved to South Carolina law.

**Continuing Education**

Mr. Dillard stated that at the last meeting the question of concern was the issue of testing.

Mr. Ray suggested that the language for Continuing Education be amended. Mr. Ray also suggested that there could be a policy that states, “Continuing education components shall include a testing and interactive component”.

Mr. Dillard stated that the Board could approve each provider, each course, and each test. Mr. Levy added that the staff would administer, and then on the renewal they, the applicants, would sign an affidavit that said they had their CE’s and LLR’s staff would audit the CE’s.

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Ms. Gray stated that in conjunction with subpart 7, which was the original language, said, “Copies of the test would be produced to the Board”. However, it could be reworded that the copies of the examinations will be retained by the test provider for a specific period of time.

Mr. Iseman suggested that there be an additional provision that says, “or certification from the instructor that the applicant has successfully completed the course”.

**Financial Responsibility**

Mr. Dillard stated that under this section the wording states, “That if an applicant is unable to meet financial responsibility guidelines, that the Board can increase their bond”. This statement makes it possible that if a person does not meet the full criteria, the Board, in its judgment, can put conditions on that license or increase the bond.

**Unlicensed Sales**

Mr. Dillard informed the Board that the leading retailers of the state got together to look for the best way to identify unlicensed people in hopes of getting them licensed.

**License Lending**

Mr. Dillard pointed out that Section 40-29-80(A) basically states that you cannot build without a license.

**Failure to Obtain Building Permits**

Mr. Dillard addressed section 500 A and B. Item A states that there has to be a building permit, and Item B says that the building official does not issue a permit unless the installer has a license. Local officials are verifying that people have licenses in effort to protect consumers.

**MOTION:**

Mr. Randall made a motion to approve proposed legislation. Mr. Bagwell seconded the motion, which carried unanimously.

**Public Comments:**

NONE

**Date of Next Meeting** – March 19, 2013; 10:00 A.M., Room 105, Kingtree Building

**Adjournment** – Mr. Newton made a motion to adjourn the meeting. Mr. Iseman seconded the motion, which carried unanimously. Recessed from 10:43 to 10:50 am

Meeting adjourned at 2:57 p.m.

*(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)*