

SC Manufactured Housing Board  
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Tuesday, August 09, 2005 - 10:00 AM  
110 Centerview Drive  
Kingstree Building Suite 108  
Columbia, South Carolina

**MEMBERS PRESENT**

Ralph Camp (Chairman)  
Thomas Gamble  
Paul Laurent  
Clarence Strickland  
Sharon Johnson  
Timothy Holt  
Randall Altman (Vice Chairman)  
Michael Levy

**STAFF**

David Bennett  
Angela Scott  
Sharon Dantzer  
Michael Platt  
Kent Lesesne  
Veronica Deneal

**OTHERS PRESENT**

Mark Dillard  
Margaret Robinson  
Joyce Holliday  
Fritz Lachoff  
Shannon Potect  
Edgar Robinson  
Michael Shanks  
Eddie Hall  
Toni Lachoff

**NOTE: Public Notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code of Laws, as amended, relating to the Freedom of Information Act.**

**Call to Order**

The August 9, 2005, Manufactured Housing Board meeting was called to order by Chairman Ralph Camp at approximately 10:00 a.m.

**Approval of Agenda**

Chairman Camp called for the approval of the agenda as previously noted. After review, Mr. Altman made a motion, seconded by Mr. Holt, to approve the amended agenda, adding Phil Phillips under Application Review and deleting Lakeside Homes and Myrtle Beach Housing from Administrative Hearing, because the issues have been resolved. The motion was unanimously carried.

**Approval of Minutes**

Chairman Camp called for the review and approval of the June 14, 2005, minutes. After review, Mr. Altman made a motion, seconded by Mr. Laurent, to approve the minutes. The motion was unanimously carried.

**Excused Members**

Chairman Camp informed the Board that Ms. Johnson and Mr. Iseman were not able to attend the meeting. Mr. Holt made a motion, seconded by Mr. Levy, to excuse those members' absences. The motion was unanimously carried.

### **Progress Reports**

#### **Status Report-Manufactured Housing**

The status reports for June and July 2005 were reviewed. Copies of the status reports are attached and hereby become part of the record. Mr. Bennett informed the Board that status report reflects the year-end totals for the Board.

#### **New Licenses**

Reports listing the licenses issued for June and July 2005 for Dealers, Manufacturers, Multi-Lot Salespersons, Contractors, Installers and Repairers were reviewed. Copies of the new reports are attached and hereby become part of the record.

Chairman Camp stated that he saw where there was a license issued to Melissa Scruggs, is she any relation to Stanley Scruggs. Mr. Bennett stated yes, she is Stanley Scruggs daughter. Also, Stanley Scruggs wife was previously issued a licensed. He stated that a letter was sent to both Melissa Scruggs and her mother, notifying them if Stanley Scruggs had any affiliation with their company their license could be suspended.

#### **Administrative Hearings**

Reports of Administrative Hearings for June and July 2005 were reviewed. Copies of the administrative hearing reports are attached and hereby become part of the record.

### **Unfinished Business**

#### **NASCLA**

Mr. Bennett informed the Board that NASCLA (National Association of State Contractors Licensing Agencies) would no longer update and print the manufactured housing reference publication, unless the Board came come up with a solution to make it cost effective. In order for testing to continue the reference material must be published and purchased. Mr. Bruce Kelly and Mr. Con Eargle, of the Manufactured Housing Academy has agreed to include the cost of this material in with the mandatory training and increasing the price fifty dollars (\$50). After review and discussion the Board agreed to allow the Manufactured Housing Academy to include

the cost of the National Association of State Contractors Licensing Agencies publication in with the mandatory training and to increase the cost of the training fifty dollars (\$50).

### **New Business**

#### **Bond Claims**

The bond claims submitted were reviewed. Mr. Holt asked staff to explain the statement on the claim submitted against Robert Varney, "did not fall within the effective dates." Mr. Bennett stated that Old Republic Surety originally paid the claim. When further investigation was done by Old Republic Surety it was determined that the bond was not in effect, therefore, staff is filing a claim against Cumberland Casualty on behalf of Old Republic Surety to recoup the monies paid to the Board. After review and discussion of the bond claim presented, Mr. Strickland made a motion, seconded by Mr. Holt, to approve the bond claim submitted. The motion was unanimously carried.

#### **Application Review**

##### **Edgar Robinson**

The Board reviewed the reviewed the installers application of Mr. Edgar Robinson. Mr. Altman swore in Mr. Robinson. Mr. Robinson waived his rights to counsel.

Mr. Bennett informed the Board that Mr. Robinson's installers application was received on July 18, 2005. Prior to the application being received, staff received information from Office of Occupational Safety Health Association (OSHA), that Mr. Robinson was installing manufactured homes prior to applying for a license. Also, that Mr. Robinson was involved in installing a manufactured home of July 13, 2005, when an employee was killed during an installation accident. After further investigation of the Board's records, it was established that while Mr. Robinson was in partnership with Isaac Gordon d.b.a. Sheldon Mobile Home Movers, and there was an outstanding penalty that needed to be paid.

Mr. Robinson testified that prior to applying for a license with the Board, he engaged in the business of installing manufactured homes. Also, that on July 13, 2005, he was involved in the installation of a manufactured home that resulted in an accident that killed one of his workers. Mr. Robinson testified that he did not have any knowledge of the citation. He apologized to the Board for the accident and for working without a license and asked that the Board grant him a license.

After hearing testimony, Mr. Strickland made a motion, seconded by Mr. Holt for the Board to go into executive session for legal advice. The motion was unanimously carried.

The Board returned to public session. The Chairman stated for the record that no action had been taken in executive session. Mr. Holt made a motion, seconded by Mr. Strickland, to issue Mr. Robinson a two-year probationary license, and Mr. Robinson would have to pay a fine of one thousand dollars prior to receiving the license. The motion carried with two nay votes.

**(Official transcripts of the aforementioned person's appearance before the Board are available upon request for a thirty-day time period.)**

Mr. Phil Phillips

The Board reviewed the reviewed the renewal contractor's application of Mr. Phil Phillips. Mr. Altman swore in Mr. Phillips. Mr. Phillips waived his rights to counsel.

Mr. Bennett informed the Board that Mr. Phillips applied for the renewal of his contractor's license and upon staff review of the application, questions arose regarding the Applicant's conduct and character and fitness for licensure. While previously licensed as a contractor, a citation was issued on July 2, 2004, and a hearing was held on August 20, 2004, the citation and penalty were affirmed. The citation was paid on July 2, 2005. It was also established that while previously unlicensed Mr. Phillips pulled a permit for Shawn's Mobile Home Movers. After further investigation Mr. Phillips informed staff that he was currently on probation for involuntary manslaughter. Thereafter, Mr. Phillips was notified that staff could not issue a license to anyone who was currently on probation. Therefore, Mr. Phillips requested to appear before the Board.

Mr. Phillips testified that he is currently on probation and asked the Board to grant his renewal license.

After hearing testimony Mrs. Dantzler informed Mr. Phillips that South Carolina Code §40-29-200(G) provides that "Notwithstanding any other provision of law, the Board may not issue a license to an applicant who is currently under sentence, including probation or parole, for a felony."

**(Official transcripts of the aforementioned person's appearance before the Board are available upon request for a thirty-day time period.)**

**Administrative Hearings**

Joyce Holiday, d.b.a. Holiday Mobile Home Transport, LLC

The Board reviewed the complaint against Ms. Joyce Holiday d.b.a. Holliday Mobile Home Transport, LLC. Mr. Altman swore in Ms. Joyce Holiday, Mr. Fritz Lachoff, Mr. Eddie Hall, and Mr. David Bennett. Ms. Holiday waived her rights to counsel.

Mr. Kent Lesesne advised the Board that Ms. Holiday is licensed by the Board as a manufactured home contractor. On or about March 2, 2005, Ms. Holiday d.b.a. Holiday Mobile Home Transport contracted with Mr. Fritz Lachoff, to moved a manufactured home for three thousand two hundred dollars (\$3,200). Of the total contracted, Mr. Lachoff paid Ms. Holliday one thousand six hundred dollars (\$1,600). At that time Ms. Holliday workers informed Mr. Lachoff that a bulldozer was needed to move the home away from the existing location and that he would be responsible for making the arrangements. After several weeks a bulldozer was obtained, but the individual could not operate it. Therefore, he notified Ms. Holiday of the problem. In addition to this problem, inclement weather made moving the home impractical. Therefore, Mr. Lachoff contracted with another company to move his home and requested a refund from Ms. Holliday. Ms. Holliday refused to give Ms. Lachoff the full refund of sixteen hundred dollars (\$1600) because of expenses and services rendered to prepare the home for the move and offer Mr. Luchoff a refund of four hundred (\$400) dollars. Therefore, Mr. Lachoff filed a complaint with the Board. After receipt and investigation of the complaint Mr. Bennett, Administrator for the Manufactured Housing Board sent Ms. Holliday a letter directing her to reimburse Mr. Luchoff thirteen hundred dollars (\$1300). Mr. Holliday disagreed with directive therefore; a hearing was scheduled.

Mr. Bennett, Ms. Holliday, Mr. Eddie Hall and Mr. Luchoff all concurred with Mr. Lesesne opening statements. After hearing testimony, Mr. Levy made a motion, seconded by Mr. Strickland for the Board to go into executive session for legal advice. The motion was unanimously carried.

The Board returned to public session. The Chairman stated for the record that no action had been taken in executive session. Mr. Levy made a motion, seconded by Mr. Altman, that Ms. Holliday did not violated the Board's Practice Act and directed Ms. Holliday to refund Mr. Lachoff four hundred (\$400) dollars. The motion was unanimously carried.

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**(Official transcripts of the aforementioned person's appearance before the Board are available upon request for a thirty-day time period.)**

**Date of Next Meeting**

Tuesday, October 11, 2005

**Adjournment:**

There being no further business, Mr. Strickland made a motion, seconded by Mr. Altman, to adjourn. The motion was unanimously carried. The meeting was adjourned at 12:45 p.m.