

**LLR – MANUFACTURED HOUSING BOARD**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Kingstree Building, Room 108**  
**Columbia, South Carolina 29210**  
**MINUTES**

**Tuesday, June 9, 2009**

**10:00 A.M.**

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**Welcome And Call To Order:**

Paul Laurent, Vice-Chairman called the regular meeting of the Manufactured Housing Board to order at 10:00 a.m. Other members present for the meeting included: Mr. Tim Holt, Mr. Clarence Strickland, Mr. Wayne Iseman, Ms. Jane Ballagh, Sharon Johnson and Vanessa Gardner.

Paul Laurent, Vice-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 Kingstree Building.

Staff members participating in the meeting included: Sheridan Spoon, Deputy General Counsel, Michael Anderson, Administrator, Angela Scott, Administrative Assistant, Dottie Buchanan, Administrative Assistant, and Janice Meetze, Administrative Assistant.

Others present participating in the meeting included: Mr. Mark Dillard, Mr. Johnny Gardner, Mr. Rusty L. Todd and Mrs. Cathey G. Holt.

**Approval of Agenda:**

*Tuesday, June 9, 2009*

**MOTION:**

Ms. Holt moved the Board to approve the Tuesday, June 9, 2009, agenda as previously noticed. Mr. Strickland seconded the motion, which carried unanimously.

**Approval of Minutes – Tuesday, February 10, 2009**

*Tuesday, February 10, 2009*

**MOTION:**

Mr. Iseman moved the Board to approve the Tuesday, February 10, 2009, meeting minutes. Mrs. Ballagh seconded the motion, which carried unanimously.

**Approval/Disapproval of Absent Members:**

Mr. Altman and Mr. Levy received an excused absence.

**Chairman's Remarks:**

Mr. Laurent thanked everyone for attending the meeting.

**Administrator's Remarks For Information:**

**Advisory Opinions**

*Sheridon Spoon*

NONE

**Legislative Update**

*Mr. Robert Selman*

Mr. Anderson stated that staff is still working with the Manufactured Housing Institute on the apprentice legislation.

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Telephone Listing

Mr. Anderson informed the Board that per the request of Mr. Randy Bryant, Deputy Director, a copy of the Office of Licensure Telephone Listing was sent via e-mail and placed in their booklets for informational purpose.

Customer Care Center

Mr. Anderson informed the Board that the Customer Care Center is a part of the Office of Communication and Mrs. Connie Huffsettler is the supervisor. The Customer Care Center will begin with three Boards but eventually accept all calls that come into agency. Some calls may be referred to the Board's administrator for technical assistance or the licensing section.

FYI

Mr. Anderson informed the Board that an "FYI" section has been added in their booklets for review.

**Progress Reports**

The status reports for February, March, April and May 2009, were reviewed. Copies of the status reports are hereby part of record.

**New Licenses for February, March, April and May 2009**

*New Licensees*

Reports listing the new licensees issued for February, March, April and May 2009, for Manufacturers, Dealers, Multi-Lot Salesperson, Salespersons, Contractors, Installers and Repairers were reviewed. A copy of the report hereby becomes part of the record.

**Administrative- Protest Hearings & Citations for February, March, April and May 2009**

*Administrative Hearings:*

NONE

**Old Business:**

NONE

**New Business:**

Authority of Administrator

Mr. Holt reported in fall of 2008, someone reported on two different occasions' concerns regarding a member of the industry. The member's license was not renewed; he had been arrested and charged several times for breach of trust. The Board moved in August 2008, to suspend any license in which he may hold. Subsequently the member applied under a different name and his license was approved and issued in December 2008. The licensing staff did what they were supposed to do; base upon the tools available. He stated that licensing someone under indictment with multiple counts would and could affect the industry and harm consumers; therefore, he would like to propose a means they may protect the industry.

**MOTION:**

Mr. Holt made a motion, to convey the Administrator of the Manufactured Housing Board the authority to withhold applications on new or renewal applicants for any reason he seems necessary pending review by the Board. Ms. Ballagh seconded the motion, which carried unanimously

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Bond Claim

**MOTION:**

Mr. Holt made a motion, to approve the bond claim submitted. Mr. Strickland seconded the motion, which carried unanimously.

**Application Review:**

*Mr. Rusty Todd*

Mr. Todd appeared before the Board because his application could not be approved at staff level because his credit score was less than the Board requires. Mr. Todd was represented by Mr. Johnny Gardner, Esquire. Mr. Todd was sworn in by Mr. Eric Gore, Court Reporter.

Mr. Gardner informed the Board that Mr. Todd has completed the necessary paperwork to receive a license but there was some questions regarding Mr. Todd's credit report.

Mr. Todd testified that his mother passed away some years ago and he desired to continue operation at his mother's prior location selling used manufactured homes. He has obtained a bond and passed the examination. Mr. Todd testified that he has approximately \$24,000.00 in reported delinquencies on his credit report.

**MOTION:**

Mr. Iseman made a motion to enter into executive session to seek legal advice. Mr. Strickland seconded the motion, which carried unanimously. Ms. Ballagh made a motion to come out of executive session. Mr. Holt seconded the motion, which carried unanimously.

**MOTION:**

Mr. Iseman made a motion, to grant Mr. Todd's a Retail Dealer's License. Prior to issuance of Mr. Todd's Retail Dealer license, he must submit additional documentation satisfactory to the Board in the form of consolidated financial statements reflecting both his personal and business assets and liabilities and he must submit additional documentation satisfactory to the Board which provides an explanation of the delinquencies which appear on his credit report.. Mr. Holt seconded the motion, which carried unanimously.

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

*Mr. Joel O'Quinn*

Mr. O'Quinn was not present. No Action Taken.

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

**Public Comments:**

*Mark Dillard*

Mr. Mark Dillard from the Manufactured Housing Institute of South Carolina invited the Board to attend the Industries Annual Convention on July 17 – 19, 2009. This would give the members the opportunity to learn what is going on in the industry.

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Mr. Dillard reported that a new legislation was passed requiring dealers to be license as mortgage lenders. Dealer's that finance manufactured homes will have to be licensed as a mortgage lender and new rules as to what can be used as down payments. The Association filed a brief supporting the Manufactured Housing Board in regards to someone whose license was revoked and several licenses were denied and continue selling manufactured homes without a license. The Administrative Law Judge ruled against the Manufactured Housing Board in this matter. After research, it was found that the Manufactured Housing Board has the authority to license dealers who sells use manufactured homes and the sell detitled manufactured homes. The Institute is in the process of trying to get this reinforced and overturned in support of LLR. The Institute is continuing to support the Manufactured Housing Board and to keep people from abusing the industry. He presented copies of the brief to the Board.

**Dates of Next Meeting:**

*August 11, 2009, Room 108*

The next meeting for the Manufactured Housing Board is scheduled for Tuesday, August 11, 2009, in conference room 108.

**Adjournment:**

Mr. Strickland moved the meeting be adjourned. Ms. Johnson seconded the motion, which carried unanimously. The June 9, 2009, meeting of the South Carolina Manufactured Housing Board was adjourned at 12:30 p.m.