

MINUTES
South Carolina Manufactured Housing Board
Board Meeting
June 11, 2019 at 10:00 a.m.
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 108, Columbia, South Carolina

Meeting Called to Order

David Al Randall, Vice Chairman called the meeting to order at 10:16 a.m. Other members attending the meeting included: Randall A. Altman, chairman (via phone), Richard Bagwell (via phone), W. Marion Moore, Arthur Newton and Adam Reese.

Staff members present included: Emily Farr, LLR Director; Molly Price, Administrator; Crystal Varn, Program Assistant; Hardwick Stuart, Office of Advice Counsel; and Gwyn Morris, Office of Investigations and Enforcement.

Members of the public attending the meeting included: Mark Dillard, Manufactured Housing Institute of South Carolina; Con Eargel, South Carolina Manufactured Housing Academy; Shell Suber, Manufactured Housing Institute of South Carolina; Michael Lee, Manufactured Housing Institute of South Carolina; and Michelle Manni, Huseby Court Reporting Agency.

Statement of Public Notice

Mr. Randall announced that public notice of this meeting was properly posted at the South Carolina Manufactured Housing Board's office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Introduction of Board Members and Others

Molly Price, new administrator, and board members introduced themselves.

Approval of Excused Absences

MOTION

A motion was made and seconded to excuse Dorothy Edwards; Michael Levy; Patrick Smith; Wayne Iseman; and Jonathan Jones.

Altman/Newton/approved.

Approval of Meeting Minutes – March 12, 2019

MOTION

A motion was made and seconded to approve the March 12, 2019 minutes as published.

Altman/Moore/approved.

Board Chairman's Remarks – David Al Randall (Vice Chairman)

Mr. Randall welcomed everyone to the meeting.

LLR Director's Remarks – Emily Farr

Ms. Farr announced that she was glad to meet the board members; and introduced Molly Price as the administrator. Ms. Farr informed the board that there has been some financial restructuring of internal

and cash reports. Public notice placed in the Register about the agency reviewing license fees for regulatory changes that might need to be made in the next legislative session. The new website and new logo should be released in July 2019.

Staff Reports

a. Administrator's Report – Molly Price

Ms. Price announced that she is happy to work with the board. She members to send her an email letting her know if they wanted to continue/end their board appointment. The members briefly reviewed the Inspection and New Applicants/MCO Report. Ms. Price explained the Manufactured Housing Financial Report. There is a cash balance of \$548,382.49.

b. Advisory Opinions (if needed), Office of Advice Counsel – Harwick Stuart

Mr. Stuart did not have any advice. Mr. Stuart announced that Roger Lowe, former administrator, was doing well and sent his regards, thanking all for their prayers.

c. Office of Investigations and Enforcement – Todd Bond

Mr. Bond announced that there were 40 new complaints this year; 37 active investigations and 37 closed cases.

d. Investigative Review Committee (IRC) Report – Todd Bond

Mr. Bond announced that the IRC met May 23, 2019 to discuss 25 cases. 24 have been recommended for dismissal and 1 citation.

MOTION

A motion was made and seconded to accept the IRC Report as presented.
Newton/Moore/approved.

e. Office of Disciplinary Counsel Report – Kyle Tennis

Mr. Tennis reported that there are 7 open cases, 6 cases pending review and 1 case to be heard before the board today.

New Business

a. Nomination and Approval of Alternate Professional IRC Member – Todd Bond

Mr. Bond explained that the person selected is not an alternate, but a full professional member. John T. Hanner of Ken-Co Homes of Florence, SC was recommended. Mr. Hanner has over 20 years of experience in the Manufactured Housing industry.

MOTION

A motion was made and seconded to approve John T. Hanner as an IRC Member.
Moore/Reese/approved.

b. Discussion and Action: Delegation of authority to Board Chair to issue Cease & Desist for unlicensed practice – Hardwick Stuart

Mr. Stewart explained that LLR is working to streamline its process for Cease & Desist by delegating authority to the chair or, in his absence, the vice chair for signature.

MOTION

A motion was made to approve and seconded to delegate authority to the chair or vice chair to sign Cease & Desist without it going to the IRC Committee.
Newton/Moore/approved.

c. Travel Approval for MHISC Fall Meeting, November 6-8, 2019, in Charleston, SC

MOTION

A motion was made to approve and seconded Ms. Price's attendance at MHISC Fall Meeting November 6-8, 2019 in Charleston, SC.
Moore/Newton/approved.

Disciplinary Hearing

a. Case No. 2018-95

This hearing was to determine if disciplinary action should be brought against the Respondent's Manufactured Dealer's License. Respondent, representative nor counsel appeared today. Member Arthur Newton recused himself. Witness and Complainant gave testimony.

MOTION

A motion was made and approved to go into executive session for legal advice.
Moore/Reese/approved.

MOTION

A motion was made and approved to come out of executive session.
Moore/Reese/approved.

MOTION

A motion was made and approved that Respondent has thirty days from date of receipt of Order to pay the Complainant in full. If Respondent does not pay within 30 days, the license will be suspended for one year and a \$5,000 fine, payable before license becomes active. If the contractor is paid 60 days from date of receipt of Order, Respondent will be placed on 2 years' probation and a fine of \$5,000.

Moore/Reese/approved.

Application Review Hearing

a. Joey J.K. Williams – MS. 11273 (lapsed)

The purpose of this hearing was to determine if applicant should be granted a license as a manufactured home retail salesperson. Applicant was present. Applicant waived the right to be represented by counsel. Mr. Williams gave testimony of why the board should grant licensure.

MOTION

A motion was made and approved to go into executive session for legal advice.
Moore/Bagwell/approved

MOTION

A motion was made and approved to come out of executive session.
Newton/Moore/approved

MOTION

A motion was made and approved to grant Mr. Williams his license on a probationary period running concurrent with the time of his parole. Other conditions were held in private session.

Moore/Newton/approved

Public Comments

NONE

Executive Session

Included in Motions

Return to Public Session

Adjournment

MOTION

A motion was made and approved to adjourn the meeting.

Newton/Moore/approved