

**MEETING MINUTES**  
**South Carolina Manufactured Housing Board**  
**March 7, 2023 at 10:00 a.m.**

**Call to Order**

Chairman Randall A. Altman called the meeting to order at 9:59 a.m.

Other Board members in attendance were: Adam Reese; Dorothy Edwards; Steve Graham  
Richard Bagwell; W. Marion Moore; and Arthur Newton.

Staff members in attendance were: Molly Price, Board Administrator; Maggie Smith, Program  
Coordinator II; Megan Flannery, Office of Advice Counsel; Maurice Smith, Office of  
Investigations and Enforcement; Robert Elam, Office of Disciplinary Counsel; and Zahid  
Chinwalla, Administrator Coordinator I.

Members of the public in attendance were: Shell Suber, Manufactured Housing Institute of  
South Carolina (MHISC); Mark Dillard, MHISC; Jeff Eargle; and Bruce Kelly.

The court reporter was Sean Cary with Creel Court Reporting, Inc.

**Statement of Public Notice**

Mr. Altman announced that public notice of this meeting was properly posted at the Synergy  
Business Park, Kingstree Building and on the Agency's website, and provided to all requesting  
persons, organizations, and news media in accordance with Section 30-4-80 of the South  
Carolina Freedom of Information Act.

**Introduction of Board Members**

Mr. Altman welcomed everyone and noted that Al Randall, Jefferson Howell, and Shannon  
Tanner would not be attending the meeting.

**Approval of Agenda**

**MOTION:** Motion to approve the March 7, 2023, agenda.  
Edwards/Moore/approved

**Approval of Excused Absences**

**MOTION:** Motion to approve the absence of board members Shannon Tanner, Jeffrey  
Howell and Al Randall.  
Newton/Graham/approved

**Approval of Minutes**

**MOTION:** Motion to approve the minutes from the December 6, 2022, Board Meeting; and  
January 10, 2023, Committee Meeting.  
Graham/Newton/approved

**Board Chair's Remarks**

Mr. Altman stated that Mr. Randall was experiencing some health issues and asked everyone to  
keep him in their prayers.

### **Recognition of Service for Bruce Kelly and Con Eargle**

Mr. Altman presented Service Awards to Bruce Kelly and Jeff Eargle in memory of his father, Con Eargle. Bruce and Con partnered for many years in the pursuit of educating the manufactured housing industry through the SC Manufactured Housing Academy, which they opened together in the 1990's.

### **Staff Reports**

#### **Administrator's Report – Molly Price**

Ms. Price presented the Board's licensure statistics, cash report and PSI exam statistics, which were included in the Board meeting materials.

Ms. Price stated that the Manufactured Housing Contractor examination had a lower passing rate in recent months, so she plans to reach out to PSI to see if they have any concerns. She provided an explanation to the Board that it may be individuals from other states who are taking the exam without bringing the proper materials to the exam center. Mr. Moore suggested that the legal language may be tripping up exam takers and that it may be helpful to add more mechanical installation questions. Ms. Price stated that she was not certain of the exam breakdown by question type, but offered to contact PSI to get a copy of the exam for Mr. Moore to review. She stated that the other exams are performing well.

Ms. Price also reminded Board members to file their Statement of Economic Interest forms by March 30, 2023. She stated that Mr. Chinwalla sent reminder e-mails to Board members the day before the meeting. She strongly encouraged the members to complete and submit their forms prior to the deadline, since that is the deadline for all.

#### **Office of Investigations and Enforcement (OIE) – Maurice Smith OIE Report**

Mr. Smith reported that in 2022, OIE investigated 153 complaints, closed 137 cases and ended the year with 14 active investigations.

He also reported that OIE has opened 27 complaints since January 1, 2023, closed 12 cases and has 17 active investigations.

#### **Investigative Review Committee (IRC) Report – Maurice Smith**

Mr. Smith reported that the IRC met on February 13, 2023. They discussed 26 cases, with 24 cases recommended for dismissal and 2 cases recommended for formal complaints.

**MOTION:** Motion to approve the February 13, 2023, IRC Report as presented.  
Moore/Graham/approved

#### **Office of Disciplinary Counsel (ODC) – Robert Elam**

Mr. Elam provided the Board with the ODC report.

## **Disciplinary Hearing**

### **Case No. 2019-028**

The hearing was closed and confidential. The respondent was not present. A quorum of the Board was present. All persons testifying were sworn in by the court reporter.

**MOTION:** Motion to go into executive session for legal advice.  
Moore/Bagwell/approved

**MOTION:** Motion to come out of executive session.  
Moore/Graham/approved  
*No votes were taken during executive session.*

**MOTION:** Motion to uphold the citation that was previously issued and the respondent must appear before the Board before the license can be reinstated.  
Bagwell/Newton/approved

**MOTION:** Motion to go into open session.  
Graham/Newton/approved

## **Old Business**

### **2020-2022 Continuation Education (CE) Audit**

Ms. Price reviewed the CE audit process and explained that there are licensees who completed the required six (6) hours of CE, however, they failed to respond to the Board's request for information. Staff requested advice from the Board to determine how these cases should be addressed. Mr. Dillard made a comment that MHISC has invested in making sure that the industry complies with CE requirements and can be a resource for the Board.

**MOTION:** To issue a Letter of Caution with the requirement that they be audited at the next renewal cycle if they complied with the audit but did not reply to the Board's request for information.  
Bagwell/Moore/approved

Ms. Price requested consent agreement parameters from the Board for those licensees who did not comply with the audit process. She also mentioned to the Board that those cases would not have to go to OIE to be investigated and that it can sent directly to ODC for a formal complaint. One of the recommendations that Ms. Price suggested to the Board was doing a voluntary consent agreement for a disciplinary action or requesting a hearing before the Board. The Board suggested sending an electronic announcement via e-mail in reference to CE hours, prior to the next renewal cycle.

**MOTION:** To authorize consent agreement, with Mr. Altman authorized to sign for the Board, with a \$250.00 fine to be paid within 30 days of the order, and the requirement that the licensee obtain the required CE hours within 30 days of the order. License will be administratively suspended if non-compliant with the consent agreement and must be part of the next CE audit. The Board gave Mr. Elam discretion to dismiss cases as necessary.

Moore/Bagwell/approved

### **Committee Reports**

#### **Regulatory Review Committee**

Ms. Price provided a summary of the Regulatory Review Committee's progress, and at Mr. Bagwell's request went into detail about cleaning up the licensure and compliance requirements for retail dealers in particular. The Committee will continue to discuss these issues and bring a draft of the proposed regulation changes to the Board.

During the discussion, Mr. Newton requested that Chairman Altman excuse him from the meeting, and he agreed.

#### **Election of Officers**

Ms. Price opened the nominations for Chairman of the Board.

**MOTION:** To nominate Mr. Altman as Chairman of the Board.  
Moore/Bagwell/approved

Mr. Altman accepted the position as Chairman for the Board. Mr. Altman opened nominations for Vice Chairman of the Board.

**MOTION:** To nominate Mr. Randall as Vice Chairman of the Board.  
Graham/Moore/approved

#### **Public Comments**

Mark Dillard, MHISC, thanked Mr. Bagwell and Ms. Price for their work on the Regulatory Review Committee and spoke about the CE tracking software that MHISC developed. He discussed the administrative cost on MHISC for maintaining the CE software, and inquired if the Board has plans to use it. Ms. Price explained that Board staff utilized the website to review CE hours as needed throughout the audit process, but ultimately licensees are responsible for supplying that information to the Board when requested. Mr. Moore asked if the Board can provide money to MHISC to cover costs for the CE hours, and Ms. Flannery advised that the Board could not take any votes during public comments, but that this topic can be placed on the agenda for a future meeting if further discussion and a vote is warranted.

#### **Adjournment**

**MOTION:** To adjourn the meeting at 12:36 p.m.  
Bagwell/Graham/approved