

Virginia Manufactured Housing Board Minutes
January 19, 2006

Board Members Present: William B. Toombs, Chairman
William H. Moody, Vice Chairman
Eric C. Anderson
Samantha Hedgspeth
Walter K. Hughes, Sr.
Ava Lewis
John M. Swecker, Jr.
James W. Roncaglione

Board Member Absent: Michael C. Nickell

Public Representative : Ron Dunlap, President, VAMMHA

A. Call to Order.

Chairman Toombs called the Virginia Manufactured Housing Board Meeting to order at 10:00 a.m.

Curtis L. McIver, Secretary to the Board did the Roll Call and a Quorum was present.

The new Manufacturer's Representatives were introduced to the Board -- Walter K. Hughes, Sr. and John M. Swecker, Jr.

B. Approval of the Minutes.

A motion was made by James W. Roncaglione and second by Eric C. Anderson to accept the Minutes from the October 20, 2005 meeting. The Minutes were accepted as written by a unanimous vote.

C. Public Comment.

None.

D. Committee Reports.

None.

E. Report of the Secretary.

1. Licenses and Recovery Fund Reports.

The cash balance in the Licensing Account is \$21,662.31. The cash balance in the Transaction Recovery Fund Account is \$889,937.82.

Currently licensed are 8 active brokers, 259 active dealers, 48 active manufacturers and 784 active salespersons.

2. Amendments to Regulations.

The amendments to the regulations will be published in the Virginia Register on Monday, January 23, 2006, for a 60-day public comment period. The open hearing for changes will be held during the Board meeting of March 16, 2006. The Regulations will become effective 15 to 30 days after the comment period, which will be mid April.

3. Communcations.

George C. Shoffstall, IV, salesperson, sent the Board a Christmas card, thanking the Board for his salesperson's license.

F. Unfinished Business.

1. Eddie Linville vs. Jerry Stoneman, Southern Showcase Housing.

The Board Members reviewed the findings and recommendations of the Hearing Officer resulting from the Formal Hearing held on October 3, 2005. After discussing the Hearing Officer's Findings and Recommendations, James W. Roncaglione made a motion that in accordance with the Hearing Officer's recommendation (1) Mr. Stoneman be ordered to pay \$500.00 to the Linvilles as a return of the deposit he received from them; (2) Mr. Stoneman pay \$3,500.00 to Southern Showcase Housing to reimburse the company for deposits Southern Showcase Housing refunded to customers due to actions by Mr. Stoneman; (3) If Mr. Stoneman does not pay the above amounts as ordered, the payments shall be made to the Linvilles and Southern Showcase Housing from the Manufactured Housing Transaction Recovery; (4) Mr. Stoneman be fined \$2,500.00 for the violations of the Regulations cited by the Hearing Officer; and (5) Notice of the actions by the Board against Mr. Stoneman be provided to the appropriate agencies in Maryland, West Virginia, North Carolina, Delaware, Tennessee and other neighboring states.

This motion was second by Walter K. Hughes, Sr. Aye's carried the vote. Board Member, Eric C. Anderson opposed. It is to be noted that Lorenzo E. Dyer refrained from all participation in this discussion.

Permission was given to the Secretary of the Board to draft the final order based on the Hearing Officer's recommendations for Chairman Toombs' signature. The Hearing Officer's Findings and Recommendations will be made a part of the Board's Final Order. Copies of the draft will be mailed out to each Board Member for their review.

2. John and Connie Stollar vs. HBOS, Inc. (Oakwood Homes).

After review and discussion, this item was tabled until the Board's next meeting scheduled for March 16, 2006. Staff was asked to obtain additional information, if available.

3. Pending Items – In Circuit Court.

- a. License application from John C. Witcher, Jr. – A-Gem Homes. – Still pending. No action taken.
- b. John and Geraldine Brain vs. Manufactured Housing Board – Still pending. No action taken.

4. Completed Agenda Items.

The first three cases listed below were part of a settlement agreement executed by counsel for the Board and counsel for CDM. Items a and b payments were made by CDM dba Colonial Homes to the claimants. Item c – Christine White. There were no monetary payments due in this case.

- a. Elizabeth Conn vs. Colonial Homes.
- b. Catherine Portman vs. Colonial Homes.
- c. Christine White vs. Colonial Homes.
- d. License application by George C. Shoffstall, IV – Preferred Brokers.
- e. License application by Jeannie Lee Costello – Quality M. H. Sales, inc.

G. New Business.

None.

H. Next Meeting date and location.

The next meeting date of the Virginia Manufactured Housing Board is scheduled for Thursday, March 16, 2006. The meeting is scheduled to be held at the Department of Housing and Community Development, The Jackson Center, 501 North Second Street, 1st Floor Board Room, Richmond, VA 23219; Telephone No. (804) 371-7160.

I. Adjournment.

The Virginia Manufactured Housing Board meeting adjourned at 1:00 p.m. by a motion made by James W. Roncaglione and second by Walter K. Hughes, Sr. The motion carried by a unanimous vote.