



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
MANUFACTURED HOUSING BOARD



Joan F. Cohen
Commissioner

Manufactured Housing Board Public Board Meeting Wednesday, December 11, 2024

MINUTES

Location: 76 Northern Ave
Gardiner, ME 04345

Option for Virtual Attendance by the Public:

In addition, though not required by law, this meeting is being made virtually available using the platform Zoom to members of the public who do not attend in-person. Here is the link for the public to access the Board meeting virtually:

Join Zoom Meeting:

Join Zoom Meeting

Join Zoom Meeting

<https://mainestate.zoom.us/j/89169075256?pwd=qmqfLL0SnRueLITetCxdLwkVZTG8pp.1>

Meeting ID: 891 6907 5256

Passcode: 93383270

Time: 9:00 a.m.

Contact: helen.m.tutwiler@maine.gov

Board Member Attendance:

	In Person	Zoom	Absent
Patricia Banks	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thatcher Butcher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Austin Gregory	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Margaret Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan MacKay	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harvey Wallingford	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Staff Present

Peter T. Holmes, Executive Director
Helen Tutwiler, Secretary Specialist
Ryan Chandler, Senior Manufactured Housing Inspector
Jessica Parlin, Manufactured Housing Inspector
Elizabeth Stivers/Assistant Attorney General

I. CALL TO ORDER at 9:00am

II. MODIFICATIONS AND APPROVAL

Motion to accept

Motion Made: Thatcher Butcher

Second: Margaret Jones

Vote Unanimous 5/0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III. MINUTES REVIEW AND APPROVAL

Review and Approval of August 13, 2024 Minutes

Motion to accept

Motion Made: Thatcher Butcher

Second: Margaret Jones

Vote Unanimous 5/0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. HEARING(S)

2024-MFG-19958 The Truman Corporation, DBA Turnkey Homes of Maine

Muncy Homes

Condition #1 – Motion made and seconded that the Board found that the Board Inspector had proven by a preponderance of the evidence that Licensee/ Appellant Turn Key Homes violated the installation warranty by failing to repair large sheetrock ceiling cracks to journeyman quality workmanship, and upheld the Inspector's Order, and required the Licensee/ Appellant to accomplish repairs, with confirmation of the repairs by the Board Inspector, within 60 days of the December 11, 2024 date of hearing.

Motion Made Geoffrey Smith
Second Margaret Jones
Vote 5-0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Condition #2 - The Board found that the Board Inspector had proven by a preponderance of the evidence that Licensee/ Appellant Muncy Homes, Inc. - Plant 3 violated the manufactured housing warranty by failing to repair floor squeaks in the kitchen and dining room to journeyman quality workmanship, and upheld the Inspector's Order, and required the Licensee/ Appellant within 90 days of the December 11, 2024 date of hearing, to select and retain a State of Maine licensed structural engineer to inspect the home, identify structural defects in the floor system and specify repairs, and to accomplish floor repairs in accordance with the engineer's findings.

Motion Made Thatcher Butcher
Second Geoffrey Smith
Vote 5-0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Condition #3 - The Board found that the Board Inspector had proven by a preponderance of the evidence that Licensee/ Appellant Muncy Homes, Inc. - Plant 3 violated the manufactured housing warranty by failing to repair a floor joist cut to remedy a

hump in the bedroom floor to journeyman quality workmanship and to provide a piece of missing bridging or blocking, and upheld the Inspector's Order, and required the Licensee/ Appellant within 90 days of the December 11, 2024 date of hearing, to select and retain a State of Maine licensed structural engineer to inspect the home, identify structural defects in the floor system, and specify repairs, and to accomplish floor repairs in accordance with the engineer's findings.

Motion Made Thatcher Butcher
Second Geoffrey Smith
Vote 5-0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Condition #4 -The Board found that the Board Inspector had failed to prove by a preponderance of the evidence that the Licensee/ Appellants violated the manufactured housing warranty or installation warranty by failing to repair a bedroom window, and vacated the Inspector's Order.

Motion Made Geoffrey Smith
Second Thatcher Butcher
Vote 5-0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. COMPLAINT PRESENTATION(S)

2024-MFG-20329

Motion to dismiss due to the complaint not falling under the statutory warranty period.

Motion Made: Geoffrey Smith

Second: Thatcher Butcher
Vote Unanimous 5/0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2024-MFG-20184

Motion to set for hearing and offer a consent agreement to settle the matter without a hearing. The consent agreement to include penalties of \$200.00 for each violation for a total of \$400.00 with signature and payment of penalty due within 30 days of the licensee receiving the CA.

Motion Made: Thatcher Butcher
Second: Margaret Jones
Vote Unanimous 5/0

	Motion	Second	In Favor	Opposed	Recused
Thatcher Butcher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2022-MFG-18399

One Board member recused causing the board not to have a quorum for this matter. Therefore, this presentation will be scheduled for the next board meeting.

2024-MFG-19749

Motion to dismiss in accordance with Chapter 370 Section 5(C) of the Boad rules.

Motion Made: Thatcher Butcher
Second: Geoffrey Smith
Vote Unanimous 5/0

Motion	Second	In Favor	Opposed	Recused
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Thatcher Butcher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theresa Desfosses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kimberly Nason	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geoffrey Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VI. BOARD ACTIONS

Discussion: None at this time

VII. DISCUSSIONS

None at this time

VIII. SR. INSPECTOR'S REPORT

Complaints are down, busy doing inspections,

IX. EXECUTIVE DIRECTOR'S REPORT

Advised Board of HUD adoptions specifically with the allowance of up to 4 individual dwellings in a single or multi-section home. Staff is working on sorting out changes that will be necessary in rules to accommodate these HUD changes and to avoid confusion. Unfortunately, at this point the specifics of how manufacturers as well as the DAPIAs will adapt is still unclear.

X. PUBLIC OPPORTUNITY TO COMMENT

No public comments

XI. ADJOURN

Motion to adjourn at 3:55

Motion made by: Theresa Desfosses

Second: Margaret Jones

Next scheduled board meeting will be held on Feb 12, 2025.