

**FACTORY BUILT STRUCTURES ADVISORY BOARD
VIDEOCONFERENCE MEETING**

Tuesday – May 14, 2019 – 9:30 a.m. (MDT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello**

MINUTES OF THE MAY 14, 2019 MEETING

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, rather to record the significant features of those discussions.

Chairman Markus Alley called the meeting to order at 9:30 a.m. (MDT)

Board Members Present:

Markus Alley, Chairman
Brian Mattson
Ken Roche
Kenna Draper
Michael Hampton
Mike Jensen

DBS Staff Members Present:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Spencer Holm, Deputy Attorney General
Larry Jeffres, Regional Manager, Region 1
Patrick J. Grace, Regional Manager, Region 2
Adam Bowcutt, Regional Manager, Region 3
Jeff Egan, Building Program Manager
Lisa Stover, Building Program Supervisor
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

There were no new issues to discuss under open forum.

◆ **Approval of the May 14, 2019 Agenda**

MOTION: Mike Jensen made a motion to approve the agenda as presented. Ken Roche seconded. All in favor, motion carried.

◆ **Approval of the February 12, 2019 Draft Minutes**

MOTION: Ken Roche made a motion to approve the minutes as written. Michael Hampton seconded. All in favor, motion carried.

◆ **Amendments to the Idaho Installation Standard**

Deputy Administrator Ron Whitney would like to have a workshop with the collaborative either June 18th or 25th, to discuss the checklist and modifications to the Idaho Installation Standard. The intent is to update the Standard to the 2020 edition for possible approval at the 2020 Legislative Session.

◆ **Manufactured Home Installation Tag**

Lead Manufactured Home Inspector Mike Davis explained HUD requires DBS to obtain data on every first home installation. HUD’s contractor, Institute for Building Technology and

Safety (IBTS), only provides information to DBS on homes purchased from the manufacturer and installed directly to an Idaho home site. The Division receives additional information from installation tags on homes shipped to a dealer, and eventually to an Idaho home site. At this time, DBS would like to table the proposal of removing the installation tag.

◆ **Number of Units from Out-of-State Manufacturers/Retailers Unlicensed in Idaho**

In the last 12 months, there were 185 HUD homes shipped from out-of-state manufacturers into Idaho. The Board's main concern is unlicensed out-of-state retailers selling in Idaho. Deputy Attorney General Spencer Holm read the licensing definition of "manufacturer" and "retailer" from statute. It was further explained the state is imposing a requirement on its retailers operating in Idaho, and they are competing against potentially unlicensed retailers from other states. Sales tax was another issue. Deputy Administrator Whitney questioned whether there was a need to modify the installation tags; requiring the retailer license.

When asked, Lead Manufactured Home Inspector Davis offered to provide the number of homes sold in Idaho by non-Idaho licensed out-of-state retailers, as well as homes installed in the state of Idaho by non-Idaho licensed out-of-state installers.

ACTION: For the July 2019 Board meeting, the Lead Manufactured Home Inspector will provide statistics on non-Idaho licensed out-of-state retailers/installers selling/installing homes in the state of Idaho.

ACTION: The topic *Number of Units from Out-of-State Retailers/Installers Unlicensed in Idaho* will be placed as an informational item on the agenda for the July Board meeting.

◆ **Elimination or Consolidation of Manufactured Home Licenses**

In 2017, an executive order (EO) was issued asking all licensing boards to drill down on licensing requirements. In 2019, Governor Brad Little issued two additional EOs; 1) Red tape reduction and 2) Sunrise/sunset clauses.

The Idaho Housing Alliance (IHA) suggested the elimination of the resale broker, sales person and responsible managing employee (RME) license categories in favor of resale brokers being required to obtain a retailer license and bond, as well as retailers and installers being responsible for their own employees without the need for designating one of them as an RME or sales person. Currently, there are two retail brokers, 51 sales person and 14 RME's licensed with the Division. HUD requires only an installer license.

The Governor's office is particularly interested in rehabilitating individuals coming out of the criminal justice system, and specifically asked whether DBS has any licenses that require criminal background checks or requirements to any ethical practices as a conditional licensure renewal. The original retailer license is the only license requiring a criminal background check, and that was established in 2007.

In rules, a retailer is required to have a \$20,000 bond and the resale broker a \$30,000 bond. For the bond requirement to apply equally to both licenses, one will need to be increased or decreased. Regional Manager Patrick J. Grace will work with Deputy Attorney General

Holm to generate proposed language as recommended by the IHA. Until further notice, a criminal background check will be required to obtain a retailer license.

ACTION: The Regional Manager, with assistance from the Deputy Attorney General, will create draft language to remove resale broker, sales person and responsible managing employee (RME) license categories in the rules.

ACTION: The topic *Elimination or Consolidation of Manufactured Home Licenses* will be placed as an informational item on the July Board meeting agenda.

◆ **Administrator Report**

Except for a couple of inspectors retiring this summer, DBS is fully staffed and very busy.

◆ **Adjournment**

MOTION: Mike Jensen made a motion to adjourn the meeting. Kenna Draper seconded. All in favor, motion carried.

The meeting adjourned at 10:44 a.m. (MDT)

MARKUS ALLEY, CHAIRMAN
FACTORY BUILT STRUCTURES
ADVISORY BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

06/13/2019rb

DATE