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For more information contact: Andy Gallagher (304) 415-4197
Andy_wvhi@verizon.net

Ethics head says regulators can meet informally with regulated

CHARLESTON – State law and ethical standards do not bar regulators from meeting informally and sharing meals and drinks with those they regulate, the head of the state Ethics Commission said Tuesday.

Nothing prevents members of the West Virginia Manufactured Housing Construction and Safety Standards Board from discussing in informal work session issues of concern with the factory-built housing industry, Lew Brewer told the State Board.

The factory-built housing industry's association, the West Virginia Housing Institute Inc., can pay for hotel rooms and related costs for State Board members if the state regulators hold a meeting at a location requested by the industry, Brewer said.

Brewer addressed ethical standards with the State Board after WVHI asked state regulators to hold informal work sessions with the industry.

The State Board asked the Ethics Commission whether it could meet.

Brewer said informal sessions must be announced publicly and minutes kept, but nothing prevented them or barred regulators from accepting industry food and drinks.

Regulators took no action on whether to hold informal meetings.

In other action, the State Board:

--Clarified that a person who has a plumber's license from the Contractors Licensing Board does not need a separate manufactured housing license to work on plumbing in factory-built housing.

--Issued a retail dealer's license to Judy Fato for Twin Oaks Home Sales, LLC, of Buckhannon after she and her husband, Frank Fato, agreed to reimburse \$25,448 Frank owed the state recovery fund. The Fatos declined to pay interest on the money, which had accumulated at a rate of 10 percent a year, and the board lawyer said the interest likely could not be collected.

In the early 1990s, Fato's original retail outlet went out of business without completing some work. Money was taken from the recovery fund to pay for that work. The recovery fund was voluntarily established by the industry through fines and fees to compensate consumers hurt when a retailer went out of business.

--Issued dealership licenses to Crown Homes of Morgantown and Barker's Mobile Homes Inc of Hagerhill, KY; a manufacturer license to Crest Homes of Middlebury, IN; and a contractor license to Tri County Manufacturer Homes of Bunker Hill, Jefferson County.

--Heard the state's installation program has been submitted to the U.S. Department of Housing and Urban Development for review. Fran Cook, chair of the board, said she does not know when HUD's review of the state proposal will be complete. The new installation standards should be effective Oct. 26.

--Scheduled its next meeting for 10 a.m. Oct. 16.