

Annual Meeting Minutes

The Annual Meeting of the North Dakota Manufactured Housing Association was held at the Radisson Hotel in Bismarck, North Dakota on Wednesday, January 15, 2014 beginning at 9:45 a.m.

President Larry Gullickson presided as chairman of the meeting.

The meeting was called to order. A quorum was present. The meeting was open for business.

EXECUTIVE SESSION

It was moved by Chad Evans, seconded by Glenn Bender, and unanimously carried that the minutes of the Annual Meeting held January 16, 2013 be approved.

Larry Gullickson presented the Treasurer's Report, attached as Exhibit A. It was moved by Corey Theis, seconded by Jim Farnsworth, and unanimously carried that the Treasurer's Report and all disbursements made from January 1, 2013 to December 31, 2013 be approved.

Larry Gullickson presented the nominations from the Nomination Committee for the Board of Directors positions expiring this year. The nominations were Larry Gullickson, Tom Erie, Lance Kennedy, Dan Masseth and Corey Theis for At-Large Directors. The floor was opened for further nominations.

It was moved by Ron Mitzel, seconded by Chad Evans, and unanimously carried that nominations cease and unanimous ballots be cast for Larry Gullickson, Tom Erie, Lance Kennedy, Dan Masseth and Corey Theis for At-Large Directors of the North Dakota Manufactured Housing Association for a two-year term.

Larry Gullickson reviewed membership numbers and encouraged members to promote membership within the industry.

Larry Gullickson presented NDMHA's new window decals. Members should contact Camie for new decals.

Larry Gullickson reported that Ward County Taxes more than doubled for manufactured homes. Larry contacted the Ward County Tax Department and was told the reason for the increase was due to a new computer program and they could not offer any answer to his questions regarding the drastic differences in taxes. The Tax Department did indicate they are receiving an overwhelming number of calls. Larry suggested NDMHA have the Kelsch Law Firm check into this issue.

Lance Kennedy indicated the statewide tax relief topic must be monitored during the 2015 Legislative Session to make sure that manufactured housing is included in statewide tax relief.

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GOVERNMENTAL AFFAIRS

The Legislative Panel consisted of Todd Kranda, Alex Kelsch, and Garrett Ludwig from Kelsch, Kelsch, Ruff and Kranda Law Firm, Mandan, ND. Todd reviewed 2013 Legislative action monitored and introduced by NDMHA.

Todd Kranda reviewed House Bill 1132. This Bill is to provide for a legislative management study of the feasibility and desirability of making political subdivision budget information accessible on the state budget database website and search for better ways to inform taxpayers of political subdivision budget, levy deliberations and legislative property tax relief.

Todd Kranda reviewed Senate Bill 2038 which was an attempt to synchronize taxable years for mobile homes and real property. Mobile homes pay the tax forward for the upcoming tax year while real property pays the tax backward for the past tax year. If SB 2038 would have been passed then mobile home taxes would have been paid forward at the beginning of the base year and again at the end of the year they would have been required to pay backward for the same base tax year. The net effect of the bill would have been to require the payment of a double tax by mobile home owners for the transitional base year. Thanks in part to the effort of NDMHA, this Bill did not pass.

Todd Kranda reviewed Senate Bill 2090. This Bill relates to sales and use tax on manufactured homes and provides an effective date. This Bill is effective for taxable events occurring after June 30, 2013.

Todd Kranda reviewed Senate Bill 2129. This Bill relates to the state building code and accessibility standards.

Todd Kranda reviewed Senate Bill 2132. This Bill amended section of the North Dakota Century Code, relating to the rebuilders loan program.

Todd Kelsch reviewed Senate Bill 2317. This Bill establishes the requirements for a manufactured home dealer license and bonding. This legislation was a joint effort with the ND Department of Transportation, Motor Vehicle Division and NDMHA. This basically establishes the same requirements for a manufactured home dealer license as exists with a mobile home dealer license. There remains the annual application process for a license or renewal license with a fee of \$35 but only a single license is required to operate as either or both a mobile home dealer and manufactured home dealer. Also, the bond that was established in 1971 was increased from \$10,000 to \$50,000.

Todd Kranda reviewed Senate Bill 2174, which was introduced by NDMHA. This requires electric and gas utilities regulated by the Public Service Commission to provide notification in writing in advance to the customer, as well as to a designated third party (landlord) if the customer provides an authorization for disclosure, before disconnection or termination of electric or gas service. The public utility may elect to provide notice to a designated third party by mail or electronic means. Notice by mail must be made no less than five days before discontinuance and notice by electronic means must be made no less than three days before discontinuance. This Bill affects all Public Service Commission regulated companies. Todd stressed the importance of having old and new tenants sign MDU's Consent to Release Disconnect Information form. The process must be followed through, which includes the Consent form being signed by tenants and filed with MDU. All members should document any notification failures by MDU. Failures in the termination process should be reported to NDMHA and Todd, however the process must be followed and documentation will be needed for NDMHA to take any action.

Alex Kelsch reported that interim committees are currently meeting to discuss and research how possible new laws would affect North Dakota and its residents. Studies and discussions are being monitored by the Kelsch Law Firm.

Garrett Ludwig reviewed his findings outlined in the Summary of Findings Regarding Manufactured Home Salesman Under the Fair Labor Standards Act, attached as Exhibit B. If the specific qualifications outlined in the Findings are met then manufactured home salesman are exempt from being paid overtime. Garrett urged employers to track salesman work hours.

Todd Kranda handed out the 2015 Legislative Deadline Schedule, attached as Exhibit C and a copy of the 2013 North Dakota Legislative Report for North Dakota Manufactured Housing Association prepared by the Kelsch Law Firm, attached as Exhibit D.

GENERAL SESSION

Rory Hoffman with the Department of Commerce indicated that he is currently in the process of setting up refresher courses for inspectors and installers. They are planning on running separate courses for inspectors and installers. Individuals who completed the online course will be asked to attend a new installer training course to become familiar with State Rules and Regulations.

Rory Hoffman reported they are having some issues with the XI2 systems on singlewides, only the XI2 system is installed but not the four corner anchors. These homes are not installed to the manufacturer requirements. Rory is hoping to obtain a video from XI2 for installer and inspector training purposes.

Rory reported that he has received approximately eight customer complaints on set-up issues, which he had to file with the home manufacturer and 852 installations for 2013. The current complaint program only allows for complaints within the first year after set-up.

Lance Kennedy stated he would like to see more installers on the Installation Committee.

There being no further business to come before the membership, it was moved by Jim Farnsworth, seconded by Lance Kennedy, and unanimously carried that the meeting be adjourned.

If you would like a copy of the Annual Meeting attachments, please email or call the NDMHA office.

Homes Shipped into North Dakota 2013

	Single Section	Multi Section	Monthly Total
January	50	34	84
February	42	35	77
March	25	32	57
April	18	18	36
May	28	26	54
June	40	35	75
July	30	36	66
August	41	45	86
September	27	32	59
October	49	43	92
November	33	21	54
December			
TOTAL	274	261	740

Manufactured Home Shipments per Year

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Shipments	166	203	300	449	600	707	897	940	775	671	503

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Shipments	308	311	297	258	288	287	315	403	261	739	1867

Year	2012	2013
Shipments	1468	

