

**Building Codes Division  
Manufactured Housing Ownership & Dealer Regulation Committee  
March 8, 2006 Meeting Minutes**

**Present:**       **Committee Members**  
Bryan Peck, CU Factory Built Lending  
Chuck Lynch, Skyline Corporation  
Sandi King for Lee Peterson, Oregon Department of Revenue  
Diane Belt, Washington County Collector's Office  
Theresa Swearingen, Marion County Assessor's Office  
Dallas Boggs, Representing Manufactured Housing Retailers (Dealers)  
Pat Schwoch, Representing Manufactured Home Owners  
Paul Brewer, Representing Manufactured Home Park Owners  
Jyl Meier, Representing Title/Escrow Companies

**Guests/Interested Parties:**  
Don Miner, OMHA  
Ron Northcraft, Douglas County Assessor's Office  
Wolf Dyner, Linn County Assessor's Office  
Marci Ferries, Marion County Assessor's Office  
Janice Lance, First American Title  
Cindy Foster, First American Title

**BCD/DFCS Staff:**  
Joan Fraser, BCD Deputy Administrator  
Barry Jones, BCD Manufactured Home Ownership Program Manager  
Albert Endres, BCD Manufactured Home Program  
Sherry Mitchell, BCD Manufactured Home Ownership Program  
Gary Basin, BCD Administrative Projects Manager

**1. Opening Comments and Introductions:**

Joan Fraser began the meeting by announcing that Robert Wagoner will no longer be representing Flooring/Inventory Lenders. BCD will have confirmation of the new Flooring/Inventory Lender representative at the next meeting. Ms. Fraser also introduced Dallas Boggs who will be replacing Les Toth as the Dealer representative on the Committee. BCD has made progress toward a Mortgage Lender representative, and will update the Committee on the progress at the next meeting. Ms. Fraser advised the Committee that Barry Jones will be facilitating the meetings.

Mr. Jones asked for any issues or changes to the minutes. The Committee agreed that the minutes are approved without any changes.

**2. Program Update**

Ms. Fraser advised the Committee that BCD has received signed IGA's from all Counties.

Mr. Jones updated the Committee regarding document archiving.

Gary Basin updated the Committee regarding the progress of the imaging project. BCD has hired an expert on data management who will review how we image, index, research, and access information as well as how these documents will be made available through the LOIS system for viewing. BCD will report back to the Committee at the next meeting on the progress of this project. BCD anticipates implementation of this new imaging system shortly after reporting back to the Committee. BCD is not currently planning on imaging the old records that are being sent in now, but will archive the documents for future reference.

Mr. Jones updated the Committee regarding the optional items requested by the Counties. The Committee was asked to review the information distributed in their packet to make sure all requested information was captured. Mr. Jones will forward the handout to all Counties along with a link to the LOIS test website for an additional opportunity for feedback. The Committee was reminded that entry of this information into the LOIS system is voluntary. All feedback on the supplemental information should be submitted to Barry Jones or Sherry Mitchell by March 15, 2006.

Mr. Basin distributed and discussed an updated LOIS System Modification sheet with the Committee. Bryan Peck asked if the system could be modified to perform a search when a new home is entered into the system. This may be a solution for double entry of homes. Mr. Peck is concerned that double entry may become a serious issue if two ownership documents are issued to two owners for the same home. Mr. Basin will discuss this modification with BCD's IT representatives and report back to the Committee.

### **3. Discussion of issues from 12/13/05 meeting**

Mr. Jones reported to the Committee that BCD had discussed the process of changing homes recoded in the LOIS system from "Pending County Exemption" to "Active" if the home has been pending passed the 25 day limit with the Fiscal department. They would have to bill home owners for the \$55.00 fee if BCD implemented this process. Because of the various issues this would create, BCD will not change homes from "Pending" to "Active". "Pending County Exemption" was discussed in more detail later in the meeting .

Mr. Jones discussed security interest holders and what constitutes lien perfection in the state of Oregon. ORS 446 indicates that the exclusive means of perfecting interest in a manufactured home is entry into the LOIS system. The lien perfection date is reflected as the date the interest was added in the LOIS system by any user.

The Committee also discussed the possibility of BCD implementing a Transitional Ownership Document (TOD) similar to the one issued by DMV. Because security interests can be added to a home at anytime as a second interest until the original security interest is released, the Committee agreed that there is no need to create the TOD.

The Committee is concerned that if a home owner files bankruptcy within 90 days, there may be a question of the validity of the perfection and a bankruptcy court may determine that the lien is not valid. Mr. Miner asked that BCD adopt a rule that states if lien is modified by releasing an interest, and the same interest is subsequently added back on the home, the lien perfection date

reverts to the original lien perfection date. BCD will discuss this request and report back to the Committee at the next meeting.

#### **4. Discussion of Pending County Exemption – cleanup process**

Mr. Jones discussed the pending county exemption process clean up as requested by the counties. BCD is in the process of training dealers to not set the pending county exempt status until they are ready to remove their “Dealer Holds Interest” flag. This may help in minimizing the number of homes that exceed the 25 day timeframe to complete the exemption process. A work group will be created to discuss this issue further. Anyone interested in participating in the work group should send an e-mail to Barry Jones.

#### **5. Transporters who are not getting permits**

The Committee was asked to review correspondence from their packet to transporters and homeowners. This correspondence was created to assist in resolving this issues. Mr. Miner will have Rick Lastell from the State Motor Carrier Division contact Sherry Mitchell to clarify requirements for transporters moving a home in Oregon. Mr. Miner asked that BCD publish a list of transporters who move homes without a license. BCD will not publish lists, but it is public record when transporters are issued violations.

#### **6. Protocol for new forms and how people are notified**

BCD agreed that the LOIS Home Page message would be updated to alert users when forms are revised and posted on both the website and LOIS system. An e-mail will also be sent to users advising of any form revisions. Ms. Mitchell will request that the message be changed to announce that the new Notice of Sale form will be available on BCD’s website and all pre-filled forms will be available on the LOIS system on April 17, 2006.

#### **7. Future LOIS enhancements**

Mr. Jones informed the Committee that future LOIS enhancement will be implemented once per year unless the change is a critical fix to the LOIS system. Requests will be collected until September 30 each year. The Committee will review requests at each meeting as they are received and determine whether the suggested changes should be made. BCD will respond to the party requesting the enhancement on whether the request is accepted. Changes will then be made according to the timeframe given by DCBS IMD.

#### **8. Manufactured Structure (MS) Tech Group and it’s role in the LOIS system**

Diane Belt recommended that the MS Tech Group continue to meet every three months. Ms. Belt also recommended that BCD coordinate the MS Tech Group. Wolf Dyer proposed that the name of the group be changed to LOIS Users Group and be facilitated by BCD. The Committee agreed to the creation of the LOIS Users Group to be facilitated by BCD and to include all user types. The purpose of the group will be to provide education and training and discuss issues that surface during processing manufactured home transactions. The Department of Revenue will maintain a presence in the group. BCD will look into having the meetings at the Washington County headquarters.

#### **9. User Manuals**

Mr. Jones advised the Committee that BCD will begin updating all User Manuals, beginning with the Dealer Manual, after the changes are implemented on April 17, 2006. Mr. Jones asked that any Committee member interested in assisting with the manual updates should contact Sherry Mitchell.

**10. HB 2724**

HB 2724 created new requirements for protecting the home and mailing addresses of public safety officers. Diane Belt asked if the county receives a request from an officer to keep their records confidential should they send these to BCD. Ms. Fraser indicated that it seems that, as our agent, when the county receives a request it is the same as the state receiving it. Mr. Jones indicated that BCD will research this house bill and report back to the Committee.

**11. Next Meeting**

The next meeting of the Advisory Committee is scheduled for June 14, 2006 at 1:30 in the Building Codes Division Conference Room A. Requests for agenda items for the June meeting should be submitted to Barry Jones.