



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVE ARWOOD
DIRECTOR

MANUFACTURED HOUSING COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan
AGENDA
June 19, 2013
10:00 a.m.

1. Call to Order and Determination of Quorum
2. Approval of Agenda (Pages 1-2)
3. Approval of Minutes — February 20, 2013 (Pages 3-16)
4. Manufactured Housing Program Fund Financial Report (Page 17)
5. Imposition of Penalties
6. Variances
 - a. Independence Commons MHC, LLC (Eaton County) (Pages 18-24)
 - b. Woodland Ridge MHC, LLC (Livingston County) (Pages 25-31)
7. Committee Reports
8. Unfinished Business

The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Brenda Caron at (517) 241-9317 at least 10 work days before the event. LARA is an equal opportunity employer/program.

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9. New Business
 - a. Report on Annual Inspections of Manufactured Home Communities
 - b. License Approval (Pages 32-35)
10. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 6 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]
11. Chief's Report
12. Next Meeting — **August 21, 2013**
13. Adjournment



RICK SNYDER
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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
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MANUFACTURED HOUSING COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES
February 20, 2013
10:00 a.m.

MEMBERS PRESENT

Mr. Ronald Blank, Chairperson
Mr. Phillip Copeland
Mr. Peter Hennard

Mr. Mark Raukar, Vice-Chairperson
Mr. Jerome Ruggirello
Mr. Creighton Weber

MEMBERS ABSENT

Ms. Brenda Abbey
Ms. Carole Elliott
Resident of Licensed Community - Vacant

DEPARTMENT PERSONNEL ATTENDING

Mr. Irvin Poke, Director, Bureau of Construction Codes (BCC)
Mr. Keith Lambert, Deputy Director, BCC
Mr. Larry Lehman, Chief, Building Division, BCC
Mr. Charles Curtis, Asst. Chief, Building Division, BCC
Ms. Brenda Caron, Secretary, Building Division, BCC
Ms. Tracie Pack, Departmental Analyst, Building Division, BCC
Mr. Todd Cordill, Chief, Plan Review Division, BCC
Mr. Dave Viges, Director, Office of Management Services (OMS), BCC
Ms. LeeAnn Allaire, Departmental Analyst, OMS, BCC
Mr. John Wright, Assistant Attorney General

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OTHERS IN ATTENDANCE

- Ms. Amy Collins – Resident, Triangle Mobile Home Park
Mr. Robert Collins – President, Triangle Mobile Home Park Tenants Association
Mr. Marc Crance – Ironworker’s Local Union #25 (Lansing Office)
Mr. Tim DeWitt – MMHA
Ms. Ginger Dowdle – Creating Change
Mr. Dave Dukaj – Pure Michigan Homes LLC
Mr. Michael Edwin – Michigan Organizing Collaborative
Mr. Chuck G. (*)
Mr. Roger Hamill – Huron Manufactured Homes LLC
Ms. Angela Hunsicker – Creating Change
Ms. Misty Jensen – Resident, Triangle Mobile Home Park
Mr. John Lineberry – Wildwood Mobile Estates
Ms. Joyce Lynd – Resident, Triangle Mobile Home Park
Mr. Jerome Mocerri – Shelby Forest Associates
Mr. Mario Mocerri – Shelby Forest Associates
Mr. Barrett Newkirk – Battle Creek Enquirer
Mr. Taz Noon
Mr. Jose Perez
Mr. Jesse P. – Ironworker’s Local Union (*)
Mr. Bob S. (*)
Mr. Stephen Winter – Shelby Forest Associates
(* Last name illegible on sign-in sheet)

1. CALL TO ORDER AND DETERMINATION OF QUORUM

The meeting was called to order at approximately 10:03 a.m. by Chairperson Blank. A quorum was determined to be present at that time.

2. APPROVAL OF THE AGENDA

A **MOTION** was made by Commissioner Raukar and seconded by Commissioner Weber to approve the Agenda. **MOTION CARRIED.**
****Addendum 1

3. APPROVAL OF MINUTES

A **MOTION** was made by Commissioner Raukar and seconded by Commissioner Weber to approve the minutes of the December 19, 2012, meeting. **MOTION CARRIED.**
****Addendum 2

4. **MANUFACTURED HOUSING PROGRAM FUND FINANCIAL REPORT**

Ms. Allaire presented the Manufactured Housing Program Fund Financial Report for the 1st Quarter of FY 2013 and answered any questions. She noted that she looked back at prior records, and we are only down \$14,000 from the same time period in FY 2010 which was the last license renewal cycle.

5. **IMPOSITION OF PENALTIES**

There was no imposition of penalties.

6. **VARIANCES**

a. **Wildwood Mobile Estates (Roscommon County)**

Mr. Lineberry was present to represent the community.

Mr. Lehman reviewed the request.

After discussion, a **MOTION** was made by Commissioner Ruggirello and seconded by Commissioner Weber to approve Wildwood Mobile Estates' request for a variance to Rule 905(5), pursuant to Section 18(5) of 1987 PA 96, as amended, MCL 125.2318(5), thereby granting an extension to Permit to Construct No. 103277 for an additional 5 years until May 1, 2016, subject to the condition that any required DEQ permit be obtained prior to construction. **MOTION CARRIED.**

****Addendum 3

7. **COMMITTEE REPORTS**

There were no committee reports made.

8. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

9. NEW BUSINESS

a. Report on Annual Inspections of Manufactured Home Communities

Mr. Lehman reported that the 2013 annual inspection reports were just distributed to Bureau inspectors. He indicated that there were a few modifications made to the report form this year, and a copy of a memo and the revised form were given to each commissioner today for their information. He noted that any violations for Rules 708(1), 710(1) and 710(2) will now be re-inspected for determination of compliance. These rules are Item numbers 5, 7, 8 and 9 on the report form.

b. License Approval

A **MOTION** was made by Commissioner Hennard to approve all pending licenses on Pages 39 and Handout A.

Mr. Winter, attorney for Shelby Forest, spoke in opposition of one of the pending licensees and felt that this should not be before the Commission for approval today since his client has an open complaint against the pending licensee. There followed a lengthy discussion regarding this particular pending licensee. Mr. Lehman indicated that the open complaint was recently closed, because Bureau staff investigated the matter and the applicant has since satisfied the items in question. Therefore, the Bureau determined that there is no reason to hold up this applicant's license.

The motion was repeated by Commissioner Hennard. There was no support for the motion. Commissioner Hennard withdrew his motion.

There followed further discussion. Then a **MOTION** was made by Commissioner Ruggirello and seconded by Commissioner Weber to approve all pending licenses on Pages 39 and Handout A excluding Huron Manufactured Homes LLC. A roll call vote was taken. Commissioners Blank, Copeland, Raukar, Ruggirello and Weber voted in support of the motion; Commissioner Hennard voted in opposition of the motion. The motion passed by a vote of 5 to 1. **MOTION CARRIED.**

Mr. Hamill of Huron Manufactured Homes LLC was allowed to speak in support of his pending Retailer license.

A **MOTION** was then made by Commissioner Hennard and seconded by Commissioner Weber to approve the pending license for Huron Manufactured Homes LLC. Commissioner Ruggirello voted in opposition of the motion. **MOTION CARRIED.**

****Addendum 4

10. **PUBLIC COMMENT**

Mr. Robert Collins, President of Triangle Mobile Home Park Tenants Association, asked to speak to the Commission on the overall condition of the park and had everyone that came with him introduce themselves as well. Chairperson Blank announced that he is being told by Bureau staff there is an open complaint involving Triangle Mobile Home Park, and on the advice of our Assistant Attorney General this is something that the Commission should not be commenting on nor should they be given any handouts regarding this matter during public comment. As a Bureau staff person, Mr. Lehman can receive the informational packet and redistribute to the commissioners as appropriate. Since Mr. Collins was not allowed to discuss their issues today, he asked if Bureau staff could have their inspector come out and re-inspect the park within 30 days.

11. **CHIEF'S REPORT**

Mr. Lehman announced that Gerrit Bakker, long-time analyst with the Bureau, retired effective January 1, 2013. So Tracie Pack is our only analyst in the Building Division, and we are receiving some assistance from Dianne Barmes as well, who is an analyst with the Bureau's Office of Administrative Services.

Mr. Lehman handed out a recent article that was written and put together by Ms. Pack regarding "Certificates of Manufactured Home Ownership (Titling)" which appeared in the Bureau's Winter 2013 issue of "Code Works".

12. **NEXT MEETING**

The next scheduled meeting of the Manufactured Housing Commission is Thursday, April 11, 2013.

13. **ADJOURNMENT**

At 11:06 a.m., a **MOTION** was made by Commissioner Weber and seconded by Commissioner Copeland to adjourn the meeting. **MOTION CARRIED.**



RICK SNYDER
GOVERNOR

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BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVE ARWOOD
DIRECTOR

MANUFACTURED HOUSING COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan
AGENDA
February 20, 2013
10:00 a.m.

APPROVED

1. Call to Order and Determination of Quorum
2. Approval of Agenda (Pages 1-2)
3. Approval of Minutes — December 19, 2012 (Pages 3-30)
4. Manufactured Housing Program Fund Financial Report (Page 31)
5. Imposition of Penalties
6. Variances
 - a. Wildwood Mobile Estates (Roscommon County) (Pages 32-38)
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11. Chief's Report
12. Next Meeting — Thursday, April 11, 2013
13. Adjournment



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVE ARWOOD
ACTING DIRECTOR

MANUFACTURED HOUSING COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES
December 19, 2012
10:00 a.m.

APPROVED

MEMBERS PRESENT

Mr. Ronald Blank, Chairperson
Ms. Brenda Abbey
Mr. Phillip Copeland
Ms. Carole Elliott

Mr. Peter Hennard
Mr. Mark Raukar, Vice-Chairperson
Mr. Jerome Ruggirello
Mr. Creighton Weber

MEMBERS ABSENT

Resident of Licensed Community - Vacant

DEPARTMENT PERSONNEL ATTENDING

Mr. Irvin Poke, Director, Bureau of Construction Codes (BCC)
Mr. Keith Lambert, Deputy Director, BCC
Mr. Larry Lehman, Chief, Building Division, BCC
Ms. Brenda Caron, Secretary, Building Division, BCC
Ms. Tracie Pack, Departmental Analyst, Building Division, BCC
Mr. Todd Cordill, Chief, Plan Review Division, BCC
Mr. Dave Viges, Director, Office of Management Services (OMS), BCC
Ms. LeeAnn Allaire, Departmental Analyst, OMS, BCC

OTHERS IN ATTENDANCE

Ms. Ida Barrons – Fremont Grove Estates
Mr. Michael Bertakis – Bertakis Development, Inc.
Mr. Andrew Blank – Franklin Group
Mr. Martin Boisture – Spartan Properties LLC
Mr. Tim DeWitt – MMHA
Mr. Darren Ing – MMHA

Mr. & Mrs. Tom Janes – First Choice M.H.S. Inc.
Ms. Carolyn S. Miller – Arbor Meadows HOA
Mr. Soleiman Seghatoleslami – Fremont Grove Estates
Ms. Debbie Smith-Ostrander – DEQ
Mr. Donald Westfal – Donald C. Westfal Associates
Mr. Stephen Winter – Shelby Forest

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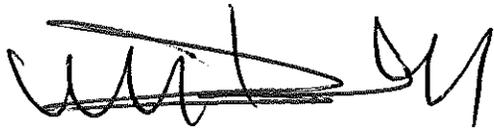
Signatures

Drafted by: Brenda S. Caron
Brenda S. Caron, Secretary
Building Division

Date: December 28, 2012

Approved by the Manufactured Housing Commission on:

February 20, 2013



Ronald A. Blank, Chairperson
Manufactured Housing Commission

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MANUFACTURED HOUSING COMMISSION
2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

WILDWOOD MOBILE ESTATES (Roscommon County)
MHC License No. (not yet licensed) / Plan Review Project No. 103277

c/o Mr. John Lineberry
6144 Northpoint Drive
St. Helen, Michigan 48656

(Applicant)

Issued and entered
this 20th day of February, 2013
by Ronald A. Blank, Chairperson

ORDER GRANTING VARIANCE

PROCEDURAL HISTORY

On September 13, 2012, the above named Applicant requested a variance from the 10-year time limit on construction permits imposed by Rule 905(5) of the Manufactured Housing Rules (the "Code"), MAC R 125.1905(5), for this partially completed 100-site development in Roscommon County (the "Request"). The permit to construct for this development was first issued on May 1, 1991. On June 13, 1997, a permit extension was granted until June 13, 2002. On February 13, 2008, the Manufactured Housing Commission (the "Commission") approved extension of the permit for an additional 5 years, with an expiration date of June 13, 2012.

ORDER GRANTING VARIANCE
WILDWOOD MOBILE ESTATES

On February 20, 2013, a hearing was held on this Request before the Commission. The Commission heard testimony from John Lineberry regarding the Applicant's justification for this Request, as well as testimony from the Bureau of Construction Codes regarding its technical review of the Request.

FINDINGS OF FACT

Based on the evidence presented at the hearing, the Commission finds that the literal application of the time limit on the construction permit imposed by Rule 905(5) of the Code, MAC R 125.1905(5), for this partially completed 100-site development in Roscommon County would result in an exceptional practical difficulty to the Applicant, but is neither so general nor recurrent in nature as to make an amendment of the Code with respect to the condition reasonably practical or desirable.

CONCLUSION OF LAW

An exceptional practical difficulty in the literal application of a substantive requirement of the Code constitutes grounds under Section 18 of the Mobile Home Commission Act, MCL 125.2318, for the Commission to grant a specific variance to a requirement of the Code.

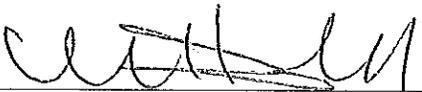
DECISION

NOW THEREFORE, IT IS ORDERED that the Request for a specific variance from the 10-year time limit of Rule 905(5) of the Code is hereby GRANTED in the amount of five (5)

ORDER GRANTING VARIANCE
WILDWOOD MOBILE ESTATES

additional years, thereby extending Permit to Construct No. 103277 until May 1, 2016, subject to the condition that any required DEQ permit be obtained prior to construction.

By:



MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Chairperson

Date: 2-20, 2013

A Copy of this Variance was sent by First Class Mail to:

Wildwood Mobile Estates
c/o Mr. John Lineberry
6144 Northpoint Drive
St. Helen, Michigan 48656

A Copy of this Variance was sent by Interdepartmental Mail to:

Todd Cordill, Chief
Plan Review Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Debbie Smith Ostrander
Environmental Quality Analyst
Resource Management Division
DEQ Kalamazoo District Office
7953 Adobe Road
Kalamazoo, MI 49009

PENDING LICENSE APPROVALS
FEBRUARY 20, 2013 – MANUFACTURED HOUSING COMMISSION MEETING

INSTALLER/SERVICER	RETAILER
Brandt F. Blair BF & B Home Repair 18909 Ridge Road Northville Township, MI 48168	Right Investments Inc. 30303 Ohmer Warren, MI 48092 Jacob M. Pasternac, Operator
QFD LLC d/b/a Home First Sales 401 S. Old Woodward Avenue, Suite 311 Birmingham, MI 48009 Richard Winkelman, Operator	
James R. Cole 4747 W. River Drive Comstock, MI 49321	

**ADDITIONAL PENDING LICENSE APPROVALS
FEBRUARY 20, 2013 – MANUFACTURED HOUSING COMMISSION MEETING**

INSTALLER/SERVICER	RETAILER
Gentry Sales Inc. d/b/a Crest Mobile Homes 193 S. Hughes Howell, MI 48843 Diana K. Gentry, Operator	Millstone Pond LLC 37781 Sandstone Trail Lenox, MI 48048 James T. Mestdagh, Operator
Leroy E. Riehl Riehl's Mfg. Home Setup 71321 Sevison Road White Pigeon, MI 49099	Pure Michigan Homes LLC 4565 Rau Road West Branch, MI 48661 David A. Dukaj, Operator
Richard K. Troxell Rich's Manufactured Home Repair 14195 S. Dixie Highway Monroe, MI 48161	Huron Manufactured Homes LLC 4269 Dove Street Port Huron, MI 48060 Roger B. Hamill, Operator
John Hastie 7877 Kolb Avenue Allen Park, MI 48101	Anthony J. Shiff SB Homes 525 Watkins, Suite 202 Birmingham, MI 48009
	Spring Harbor Management Company Inc. 208 Bayport Ann Arbor, MI 48104 Nickalee N. Sorter, Operator

Manufactured Housing Program Fund Revenue/Expenditure Report

FY 2013 - 2nd Quarter

Program Revenue

Licenses	\$ 18,078
Permits	\$ 235
Titles	\$ 546,775
Other:	
Publication & Copy Revenue	\$ 50
Land Sales-App. for Registration	\$ -
HUD Reimb. of Insp. Costs	\$ -
Mfrd. Housing Commission Fines	\$ 2,169
Common Cash Interest	\$ 892
RED-DCS 1%	\$ -
RED-Dept of State	\$ (60,418)
RED-AG	<u>\$ -</u>

Program Expenditures

Salaries	\$ 277,565
Longevity & Insurance	\$ 64,196
Retirement & FICA	\$ 165,363
CSS&M & Equipment	\$ 34,208
Travel	<u>\$ 2,761</u>
Sub-Total Direct Expenditures	\$ 544,093
Indirect Dept. Expenditures:	
Info Technology Services	\$ -
Rent	\$ 6,071
Property Management	\$ 5,273
Executive Director Programs	\$ 2,153
Administrative Services	<u>\$ 28,624</u>

TOTAL REVENUE \$ 507,780

TOTAL EXPENDITURES \$ 586,214

2nd Quarter Difference = \$ (78,434)

FY 2013 Year-To-Date Totals

Program Revenue

Licenses	\$ 245,290
Permits	\$ 235
Titles	\$ 1,030,150
Other:	
Publication & Copy Revenue	\$ 150
Land Sales-App. for Registration	\$ -
HUD Reimb. of Insp. Costs	\$ -
Mfrd. Housing Commission Fines	\$ 4,905
Common Cash Interest	\$ 892
RED-DCS 1%	\$ -
RED-Dept of State	\$ (60,418)
RED-AG	<u>\$ -</u>

Program Expenditures

Salaries	\$ 457,589
Longevity & Insurance	\$ 147,454
Retirement & FICA	\$ 292,354
CSS&M & Equipment	\$ 55,749
Travel	<u>\$ 4,616</u>
Sub-Total Direct Expenditures	\$ 957,762
Indirect Dept. Expenditures:	
Info Technology Services	\$ -
Rent	\$ 14,166
Property Management	\$ 10,546
Executive Director Programs	\$ 2,153
Administrative Services	<u>\$ 28,624</u>

TOTAL REVENUE \$ 1,221,203

TOTAL EXPENDITURES \$ 1,013,251

FY/13 DIFFERENCE (Through 2nd Quarter) \$ 207,953

FUND BALANCE (Through 2nd Quarter) \$ 2,651,186



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVE ARWOOD
DIRECTOR

MEMORANDUM

Date: March 22, 2013

To: Manufactured Housing Commission

From: Larry Lehman, Building Division *Larry Lehman*

Subj: REQUEST FOR VARIANCE in the matter of:
Independence Commons MHC, LLC (Eaton County)
License No. 1201122/Plan Review Project No. 104483/Permit to Construct No. PC-602-1

Ref: (a) MAC R125.1905(5) – A plans approval and permit to construct shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plans approval and permit to construct was issued.

(b) MAC R125.1948(2) – An applicant may file a request with the department for a specific variance if the specific requirement would cause an exceptional practical difficulty.

Purpose. To consider the enclosed submission from Kenneth Lipschutz, Vice President of Brookside Management Company, requesting a specific variance for 10 years from the above referenced rule which, in turn, would authorize the Bureau to renew Permit to Construct No. PC-602-1, beyond the currently-approved date of extension, December 31, 2011, and to establish a new permit expiration date of September 16, 2016, in line with the Commission’s previous policy, in order to allow the developer another 5 years (for a total of 20-years) to complete this partially completed development.

(*Note: The Commission’s previous policy has been to limit permit extensions to 5-year increments. So the Commission – if it chooses to maintain this policy – may limit extension date to September 16, 2016.)

Background. The original permit to construct for this community was issued on September 16, 1996, to Independence Commons, and approved a 281-site expansion of the existing 117-site licensed community in Eaton County’s Village of Pottersville and expired on September 16, 2001. On October 11, 2006, a permit extension was granted until December 31, 2011.

So far, construction of 163 of the 281 expansion sites has been completed, and significant additional financial investments, engineering and infrastructure improvements have already been made on the remaining 118 incomplete sites. Because of the 10-year time limit on permit extensions imposed by Reference (a), the Bureau may not further extend the developer’s permit to construct unless the Commission grants a specific variance pursuant to its authority under MCL 125.2318 and Reference (b) MAC R125.1948.

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MEMORANDUM – REQUEST FOR VARIANCE

Independence Commons MHC, LLC

March 22, 2013

Justification. The enclosed letter from Mr. Lipschutz, dated March 8, 2013, contains the applicable statements required by R125.1948(3) for Commission consideration. The letter states, in relevant part:

“We are requesting a variance from Rule 905(5) to renew Permit to Construct # PC-602-1 for Independence Commons located in Potterville, Michigan in order to complete the construction of the remaining 118 sites within the community. The request is being made pursuant to the correspondence received from Usha Menon, Plan Reviewer (copy attached).

The original Permit to Construct was granted on September 16, 1996 to Independence Commons, and approved a 281 site expansion of an existing 117 site community in Eaton County’s City of Potterville, consisting of sites 118-398, and it expired on September 16, 2001. On October 11, 2006, a permit extension was granted until December 31, 2011. The Permit to Construct expired before Independence Commons could finish the remaining lots. Our request for this extension is based on the severe economic climate in the local area and across the State over the past several years, which has made completion of the remaining lots financially unfeasible. It should be noted that in light of these conditions, 163 of the 281 expansion sites have been completed since the original Permit to Construct was granted. Based on the length of time it has taken to complete the existing sites, the dramatic improvement in the region’s economy over the past year adding more than 40 new families recently and bringing our occupancy to almost 80%; we respectfully request a renewal and a ten (10) year extension on the current Permit to Construct.

Approval of the requested variance by the Commission will allow the remainder of the sites in this community to be constructed as originally designed without further delay.”

The applicant has also filed a notice of the variance request with the municipal clerk’s office and the Michigan Department of Environmental Quality as required by R125.1948(3).

Recommendation. The Bureau’s **Plan Review Division** has reviewed the original plans and this request and **has no objection to its approval**. If the Commission is persuaded that the existing permit to construct should be renewed and approved for another extension, then it will be understood that the remainder of this partially completed community may continue to be built to its currently engineered standards and that it will not be subject to any higher or newer standards until the expiration of a renewed permit. The Commission has the option of amending requests and attaching conditions to its approvals. Based on review of the variance request and supporting documentation, the Building Division recommends extending the permit to construct to September 16, 2016.

LL/bsc

Encl: (1) Kenneth Lipschutz’s letter of March 8, 2013 (w/attachments)

cc: Todd Cordill, BCC, Plan Review Division

BROOKSIDE COMPANIES

March 8, 2013

Mr. Larry Lehman, Building Division
State of Michigan
Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909

RECEIVED

MAR 14 2013

BUILDING DIVISION

Re: Variance Request (Manufactured Housing Commission)

Dear Mr. Lehman:

We are requesting a variance from Rule 905(5) to renew Permit to Construct # PC-602-1 for Independence Commons located in Potterville, Michigan in order to complete the construction of the remaining 118 sites within the community. The request is being made pursuant to the correspondence received from Usha Menon, Plan Reviewer (copy attached).

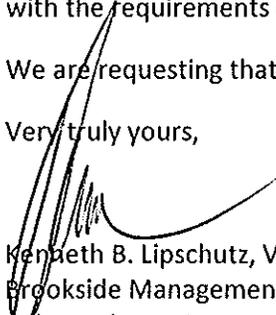
The original Permit to Construct was granted on September 16, 1996 to Independence Commons, and approved a 281 site expansion of an existing 117 site community in Eaton County's City of Potterville, consisting of sites 118-398, and it expired on September 16, 2001. On October 11, 2006, a permit extension was granted until December 31, 2011. The Permit to Construct expired before Independence Commons could finish the remaining lots. Our request for this extension is based on the severe economic climate in the local area and across the State over the past several years, which has made completion of the remaining lots financially unfeasible. It should be noted that in light of these conditions, 163 of the 281 expansion sites have been completed since the original Permit to Construct was granted. Based on the length of time it has taken to complete the existing sites, the dramatic improvement in the region's economy over the past year adding more than 40 new families recently and bringing our occupancy to almost 80%; we respectfully request a renewal and a ten (10) year extension on the current Permit to Construct.

Approval of the requested variance by the Commission will allow the remainder of the sites in this community to be constructed as originally designed without further delay.

Please be advised, we sent a letter to the City of Potterville apprising them of our request and our desire to complete the build out of the Independence Commons Manufactured Home Community. This will only enhance the value of the community. In addition, we also sent a letter to the DEQ in accordance with the requirements of the Commission Rule. Copies of these letters are attached.

We are requesting that the matter be on the agenda for the April meeting.

Very truly yours,


Kenneth B. Lipschutz, Vice President of
Brookside Management Company, Manager of
Independence Commons MHC, LLC



COPY

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVE ARWOOD
DIRECTOR

February 14, 2013

Brookside Communities
401 S Old Woodward Avenue
#311
Birmingham, MI 48009

RE: Project Number: 104483 - Eaton
Arch. Project Number: N/A
Independence Commons
1776 Constitution Circle
Potterville, MI

Construction Type: Renewal
No. of Sites: 118
Site Sequence:

Dear Mr. Lipschutz:

This project has been reviewed for compliance with the State of Michigan Manufactured Housing General Rules.

2008 Manufactured Housing General Rules - Usha Menon

1. The additional materials submitted along with the application show that you are requesting to renew the permit to construct for 118 sites. Please provide the site numbers for this 118 sites.
2. Rule 905(5)-The plan approval and permit to construct and shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan approval and permit to construct was issued.

Our records indicate that the initial approval was on September 16, 1996 and expired on September 16, 2001 for 281 sites. On October 11, 2006 Manufactured Housing Commission issued a variance extending the permit until December 31, 2011. Since the rules restrict the renewal to a maximum of 10 years from the initial plan approval and permit to construct, plan review division can not renew the permit.

Inorder to receive a renewal you may apply for a variance from the Manufactured Housing Commission. For details please contact Building Division at (517) 241- 9317.

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Brookside Communities
Page 2
February 14, 2013

Upon receipt of a written satisfactory response to each code plan review comment, the approval will be forwarded.

If you have any questions regarding your plan review, please contact our office at (517) 241-9328.

Sincerely,

Usha Menon, Plan Reviewer

UM/lg

cc: BCCFS – Building Division
Ripstra & Scheppelman Inc - Jack Ripstra



March 8, 2013

Potterville Clerk
c/o Ms. Wanda Darrow
City of Potterville
P.O. Box 477
Potterville, MI 48876

Re: Variance Request

Dear Ms. Darrow:

We are in the process of requesting a variance from the Manufactured Housing Commission for the extension of our Permit To Construct additional sites at the Independence Commons Manufactured Home Community in Potterville, Michigan. No changes will be made to the plans as submitted and approved for construction by the Manufactured Housing Commission under our prior permit # PC-602-1 granted on September 16, 1996, and renewed through December 31, 2011. This notification is in accordance with the requirements of the Commission Rule MAC R125.1905 and MAC R125.1948.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Kenneth B. Lipschutz, Vice President of
Brookside Management Company, Manager of
Independence Commons MHC, LLC

BROOKSIDE COMPANIES

March 8, 2013

COPY

Ms. Debbie Smith Ostrander
Environmental Quality Analyst
Resource Management Division
DEQ Kalamazoo District Office
7953 Adobe Road
Kalamazoo, MI 49009

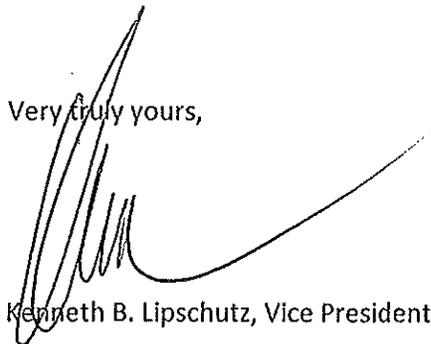
Re: Variance Request

Dear Ms. Ostrander:

We are in the process of requesting a variance from the Manufactured Housing Commission for the extension of our Permit To Construct additional sites at the Independence Commons Manufactured Home Community in Pottersville, Michigan. No changes will be made to the plans as submitted and approved for construction by the Manufactured Housing Commission under permit # PC-602-1 granted on September 16, 1996, and renewed through December 31, 2011. This notification is in accordance with the requirements of the Commission Rule MAC R125.1905 and MAC R125.1948.

If you have any questions, please do not hesitate contact me.

Very truly yours,



Kenneth B. Lipschutz, Vice President of
Brookside Management Company, Manager of
Independence Commons MHC, LLC



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVE ARWOOD
DIRECTOR

MEMORANDUM

Date: March 22, 2013

To: Manufactured Housing Commission

From: Larry Lehman, Building Division *Larry Lehman*

Subj: REQUEST FOR VARIANCE in the matter of:
Woodland Ridge MHC, LLC (Livingston County)
License No. 1201267/Plan Review Project No. 104484/Permit to Construct No. PC-639-E1 and PC-639

Ref: (a) MAC R125.1905(5) – A plans approval and permit to construct shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plans approval and permit to construct was issued.

(b) MAC R125.1948(2) – An applicant may file a request with the department for a specific variance if the specific requirement would cause an exceptional practical difficulty.

Purpose. To consider the enclosed submission from Kenneth Lipschutz, Vice President of Brookside Management Company, requesting a specific variance for 10 years from the above referenced rule which, in turn, would authorize the Bureau to renew Permits to Construct No. PC-639-E1 and PC-639, beyond the currently-approved date of extension, December 17, 2012, and to establish a new permit expiration date of December 17, 2017, in line with the Commission’s previous policy, in order to allow the developer another 5 years (for a total of 15-years) to complete this partially completed development.

(*Note: The Commission’s previous policy has been to limit permit extensions to 5-year increments. So the Commission – if it chooses to maintain this policy – may limit extension date to December 17, 2017.)

Background. The original permit to construct for this community was issued on December 17, 2002, to Woodland Ridge, and approved a 481-site expansion of the existing 110-site licensed community in Livingston County’s City of South Lyon and expired on December 17, 2007. On January 5, 2009, a permit extension was granted until December 17, 2012.

So far, construction of 323 of the 481 expansion sites has been completed, and significant additional financial investments, engineering and infrastructure improvements have already been made on the remaining 158 incomplete sites. Because of the 10-year time limit on permit extensions imposed by Reference (a), the Bureau may not further extend the developer’s permit to construct unless the Commission grants a specific variance pursuant to its authority under MCL 125.2318 and Reference (b) MAC R125.1948.

Providing for Michigan’s Safety in the Built Environment

MEMORANDUM – REQUEST FOR VARIANCE

Woodland Ridge MHC, LLC

March 22, 2013

Justification. The enclosed letter from Mr. Lipschutz, dated March 8, 2013, contains the applicable statements required by R125.1948(3) for Commission consideration. The letter states, in relevant part:

“We are requesting a variance from Rule 905(5) to renew Permit to Construct #62087 (PC-639-E1 and PC-639) for Woodland Ridge located in South Lyon, Michigan in order to complete the construction of the remaining 158 sites within the community. The request is being made pursuant to the correspondence received from Usha Menon, Plan Reviewer (copy attached).

The original Permit to Construct was granted on December 17, 2002 to Woodland Ridge, and approved a 481 site expansion of the community in Livingston County’s Green Oak Township, consisting of sites 6-183-190-266, 271-277, 282-423, 425-463, 468-481 and 548-571. This expired on December 17, 2007. A renewal was issued on January 5, 2009 for the same 481 sites, and it expired on December 17, 2012. The Permit to Construct expired before Woodland Ridge could finish the remaining lots. Our request for this extension is based on the severe economic climate in the local area and across the State over the past several years, which has made completion of the remaining lots financially unfeasible. Based on the length of time it has taken to complete the existing sites, the state of the local economy, which has dramatically improved over the past year adding more than 70 new families recently and bringing our total occupancy to almost 80%; we respectfully request a renewal and a ten (10) year extension on the current Permit to Construct.

Approval of the requested variance by the Commission will allow the remainder of the sites in this award winning community to be constructed as originally designed without further delay.”

The applicant has also filed a notice of the variance request with the municipal clerk’s office and the Michigan Department of Environmental Quality as required by R125.1948(3).

Recommendation. The Bureau’s **Plan Review Division** has reviewed the original plans and this request and **has no objection to its approval.** If the Commission is persuaded that the existing permit to construct should be renewed and approved for another extension, then it will be understood that the remainder of this partially completed community may continue to be built to its currently engineered standards and that it will not be subject to any higher or newer standards until the expiration of a renewed permit. The Commission has the option of amending requests and attaching conditions to its approvals. Based on review of the variance request and supporting documentation, the Building Division recommends extending the permit to construct to December 17, 2017.

LL/bsc

Encl: (1) Kenneth Lipschutz’s letter of March 8, 2013 (w/attachments)

cc: Todd Cordill, BCC, Plan Review Division

BROOKSIDE COMPANIES

March 8, 2013

Mr. Larry Lehman, Building Division
State of Michigan
Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909

RECEIVED

MAR 14 2013

Re: Variance Request (Manufactured Housing Commission)

BUILDING DIVISION

Dear Mr. Lehman:

We are requesting a variance from Rule 905(5) to renew Permit to Construct # 62087 (PC-639-E1 and PC-639) for Woodland Ridge located in South Lyon, Michigan in order to complete the construction of the remaining 158 sites within the community. The request is being made pursuant to the correspondence received from Usha Menon, Plan Reviewer (copy attached).

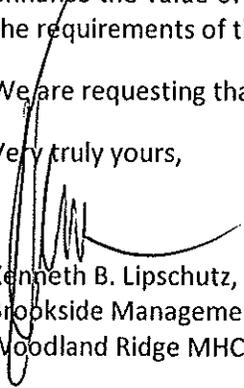
The original Permit to Construct was granted on December 17, 2002 to Woodland Ridge, and approved a 481 site expansion of the community in Livingston County's Green Oak Township, consisting of sites 6-183-190-266, 271-277, 282-423, 425-463, 468-481 and 548-571. This expired on December 17, 2007. A renewal was issued on January 5, 2009 for the same 481 sites, and it expired on December 17, 2012. The Permit to Construct expired before Woodland Ridge could finish the remaining lots. Our request for this extension is based on the severe economic climate in the local area and across the State over the past several years, which has made completion of the remaining lots financially unfeasible. Based on the length of time it has taken to complete the existing sites, the state of the local economy, which has dramatically improved over the past year adding more than 70 new families recently and bringing our total occupancy to almost 80%; we respectfully request a renewal and a ten (10) year extension on the current Permit to Construct.

Approval of the requested variance by the Commission will allow the remainder of the sites in this award winning community to be constructed as originally designed without further delay.

Please be advised, we sent a letter to the Green Oaks Township apprising them of our request and our desire to complete the build out of the Woodland Ridge Manufactured Home Community. This will only enhance the value of the community. In addition, we also sent a letter to the DEQ in accordance with the requirements of the Commission Rule. Copies of these letters are attached.

We are requesting that the matter be on the agenda for the April meeting.

Very truly yours,



Kenneth B. Lipschutz, Vice President of
Brookside Management Company, Manager of
Woodland Ridge MHC, LLC



COPY

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVE ARWOOD
DIRECTOR

February 19, 2013

Mr. Kenneth B. Lipschutz
Brookside Communities
401 S Old Woodward Avenue
#311
Birmingham, MI 48009

RE: Project Number: 104484 - Livingston	Construction Type: Renewal
Arch. Project Number: N/A	No. of Sites: 158
Woodland Ridge Manufactured Housing Community	Site Sequence:
12250 Woodland Ridge Circle	
Green Oaks Township, MI 48178	

Dear Mr. Lipschutz:

This project has been reviewed for compliance with the State of Michigan Manufactured Housing General Rules.

2009 Michigan Building Code - Usha Menon

1. The additional materials submitted along with the application show that you are requesting to renew the permit to construct for 158 sites. Please provide the site numbers for the 158 sites.
2. Rule 905(5)-The plan approval and permit to construct and shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan approval and permit to construct was issued.

Our records indicate that the initial approval for an expansion was issued on December 17, 2002 and expired on December 17, 2007 for 481 sites with site numbers 6 -183-190 -266, 271 - 277, 282 - 423, 425 - 463, 468 - 481 and 548 - 571. A renewal was issued on January 05, 2009 for the same 481 sites and expired on December 17, 2012. Since the rules restrict the renewal to a maximum of 10 years from the initial plan approval and permit to construct, plan review division can not renew the permit.

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Mr. Kenneth B. Lipschutz
Page 2
February 19, 2013

In order to receive a renewal you may apply for a variance from the Manufactured Housing Commission. For details please contact Building Division at (517) 241- 9317.

Upon receipt of a written satisfactory response to each Building code plan review comment, the approval will be forwarded.

If you have any questions regarding your plan review, please contact our office at (517) 241- 9328.

Sincerely,

Usha Menon, Plan Reviewer

UM/kc

cc: BCCFS – Building Division
Nowak and Fraus - Michael Peterson

March 8, 2013

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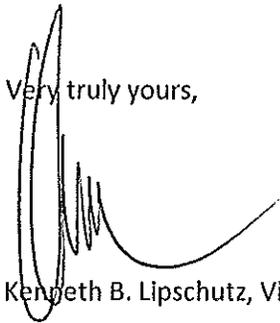
Mr. Michael Sedlak
Green Oak Township Clerk
Green Oak Charter Township
10001 Silver Lake Road
Brighton, MI 48116

Dear Mr. Sedlak:

We are in the process of requesting a variance from the Manufactured Housing Commission for the extension of our Permit To Construct additional sites at the Woodland Ridge Manufactured Home Community in Green Oak Township, Michigan. No changes will be made to the plans as submitted and approved for construction by the Manufactured Housing Commission under permit # 62087 (PC-639-E1 and PC-639) granted on August 17, 2001, and renewed December 17, 2002 and January 5, 2009. This notification is in accordance with the requirements of the Commission Rule MAC R125.1905 and MAC R125.1948.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Kenneth B. Lipschutz, Vice President of
Brookside Management Company, Manager of
Woodland Ridge MHC, LLC

cc: Mark St. Charles, Township Supervisor

March 8, 2013

COPY

Ms. Debbie Smith Ostrander
Environmental Quality Analyst
Resource Management Division
DEQ Kalamazoo District Office
7953 Adobe Road
Kalamazoo, MI 49009

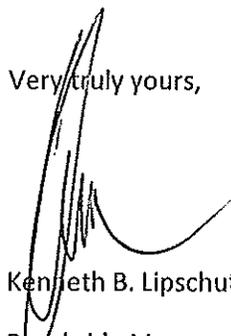
Re: Variance Request

Dear Ms. Ostrander:

We are in the process of requesting a variance from the Manufactured Housing Commission for the extension of our Permit To Construct additional sites at the Woodland Ridge Manufactured Home Community in Green Oak Township, Michigan. No changes will be made to the plans as submitted and approved for construction by the Manufactured Housing Commission under permit # 62087 (PC-639-E1 and PC-639) granted on August 17, 2001, and renewed December 17, 2002 and January 5, 2009. This notification is in accordance with the requirements of the Commission Rule MAC R125.1905 and MAC R125.1948.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Kenneth B. Lipschutz, Vice President of
Brookside Management Company, Manager of
Woodland Ridge MHC, LLC

PENDING LICENSE APPROVALS
APRIL 11, 2013 – MANUFACTURED HOUSING COMMISSION MEETING

INSTALLER/SERVICER	RETAILER
Jamie B. Cummings JC Mobile Home Service 5622 Cade Road Brown City, MI 48416	O'Hearn Properties LLC 128 Chicory Comstock Park, MI 49321 Timothy J. O'Hearn, Operator
	PS Homes LLC 1281 Pontaluna Road, Lot 7 Norton Shores, MI 49456 Jackie Slocum, Operator

**ADDITIONAL PENDING LICENSE APPROVALS
APRIL 11, 2013 – MANUFACTURED HOUSING COMMISSION MEETING**

INSTALLER/SERVICER	RETAILER
<p>Harry S. Burgess 7105 W. Vienna Road Clio, MI 48420</p>	<p>Meadowstone Phase II, LLC d/b/a Meadowstone Phase II 842 Barfield Hastings, MI 49058 Paulus C. Heule, Operator</p>
<p>Jamie B. Cummings d/b/a JC Mobile Home Service 5622 Cade Road Brown City, MI 48416</p>	<p>Tiburon Ventures LLC d/b/a Eastlake Estates 1700 W. Big Beaver, Suite 120 Troy, MI 48084 Carolina D. Furnari, Operator</p>
<p>Element Restoration DRT LLC 580 N. Main Street, Apt. B7 Almont, MI 48003 Isaac T. Davidson, Operator</p>	<p>AMHP Realty LLC 7940 S. Circle Parma, MI 49269 Thomas E. Masaschi, Operator</p>
<p>Tim M. Thomas CCS Mobile Home Company 73051 Caldwell Lane Romeo, MI 48065</p>	<p>OMHP Realty LLC 47 Bluebird Lane Orion, MI 48359 Thomas E. Masaschi, Operator</p>
<p>Optimum Manufactured Home Maintenance LLC 5325 VanOrden, Lot 751 Webberville, MI 48892 Michael L. Sartor, Operator</p>	<p>Greenbriar Mobile Home Park LLC 4070 Greenbriar Boulevard Burton, MI 48529 Thomas E. Masaschi, Operator</p>
<p>Andrew Lahti Andrew Lahti Contracting 1104 Birch Street Hancock, MI 49930</p>	<p>Williamson Holdings, Inc. 622 Division Newaygo, MI 49337 James D. Williamson, Jr., Operator</p>
<p>Charles L. Potter Advanced Property Maintenance Services 35105 Markey Westland, MI 48186, Operator</p>	<p>Modern Homes North LLC 730 Winter Park Lane Petoskey, MI 49770 George D. Spanos, Operator</p>
<p>Stephen A. Lawton All Weather Home Improvement & Repair 2422 Harrison Rochester Hills, MI 48307</p>	<p>Lakeshore Michigan Sales LLC 601 Abbott Road East Lansing, MI 48823 Joseph I. Wolf, Operator</p>

INSTALLER/SERVICER	RETAILER
Kevin Goodman KG Mobile Home Set Up & Repair 6304 Shoshoni Flint, MI 48506	
Melvindale Mobile Home Park, Inc. 18630 Dix Melvindale, MI 48122 Nadim Ajlouny, Operator	
Gerald Burkland 7600 Trumbower Millington, MI 48746	
James L. Crapo Sunrise Awnings 1439 S. M-52 Owosso, MI 48867	
Level Set Modular Construction, Inc. 509 Joslyn Lake Orion, MI 48362 Brian F. Curtiss, Operator	
USA Mobile Homes LLC 1106 Marion Holly, MI 48442 Justin M. Hause, Operator	
Anderson Mobile Home Service, Inc. 8231 S. Stoney Creek Carleton, MI 48117 John R. Lobato, Operator	
Daniel R. Lobato Andersen Manufacture Service 24404 Joyce Brownstown, MI 48134	

PENDING LICENSE APPROVALS
JUNE 19, 2013 – MANUFACTURED HOUSING COMMISSION MEETING

INSTALLER/SERVICER	RETAILER
Discount Mobile Home Services Inc. 6820 Reinhart Drive Belding, MI 48809 Paul Reinhart, Operator	South Park Homes Inc. 600 Commerce Drive Reed City, MI 49677 William O. Lutz, Operator
Alan F. Arce AMA Home Service 102 W. Vine Monroe, MI 48162	TOS Holding LLC 401 W. Front Street, Suite 1 Traverse City, MI 49684 Frank W. Tafelsky, Operator
Jerry Jay Duford J&J Mobile Home Service 1414 Elizabeth Street Midland, MI 48640	D Bay Homes LLC 10250 State Line Road, #17 Edwardsburg, MI 49112 Daniel J. Bayer, Operator
Dennis Westbrook Pelham Services 28925 Harper St. Clair Shores, MI 48081	D Bay Homes LLC 520 13 th Street Three Rivers, MI 49093 Daniel J. Bayer, Operator
Nicholas Holtschlag 20157 Churchill Trenton, MI 48183	D Bay Homes LLC 2006 Ontario Road, #147 Niles, MI 49120 Daniel J. Bayer, Operator
Jennifer Hollon 993 E. Michigan Avenue Battle Creek, MI 49014	
Michael Gruber 993 E. Michigan Avenue Battle Creek, MI 49014	
Davidson Restoration LLC 11229 29 Mile Road Washington, MI 48095 Chad A. Hoppe, Operator	
Rivers Edge Mobile Home Comm. LLC 135 N. Jane Street Sturgis, MI 49091 Steven P. Hagadorn, Operator	