

Licensing Division

Staff Report for the Texas Industrialized Building Code Council

July 14, 2022

Statistics

Manufacturers	FY 21	FY 22
New Licenses	31	22
Renewed Licenses	194	160
Total Licensed Population	224	226

Builders	FY 21	FY 22
New Licenses	52	44
Renewed Licenses	342	230
Total Licensed Population	390	374

Third Party Inspectors	FY 21	FY 22
New Licenses	0	1
Renewed Licenses	53	39
Total Licensed Population	65	61

Third Party Inspection Agencies

	FY 21	FY 22
New Licenses	5	0
Renewed Licenses	19	5
Total Facilities Licensed Population	8	7

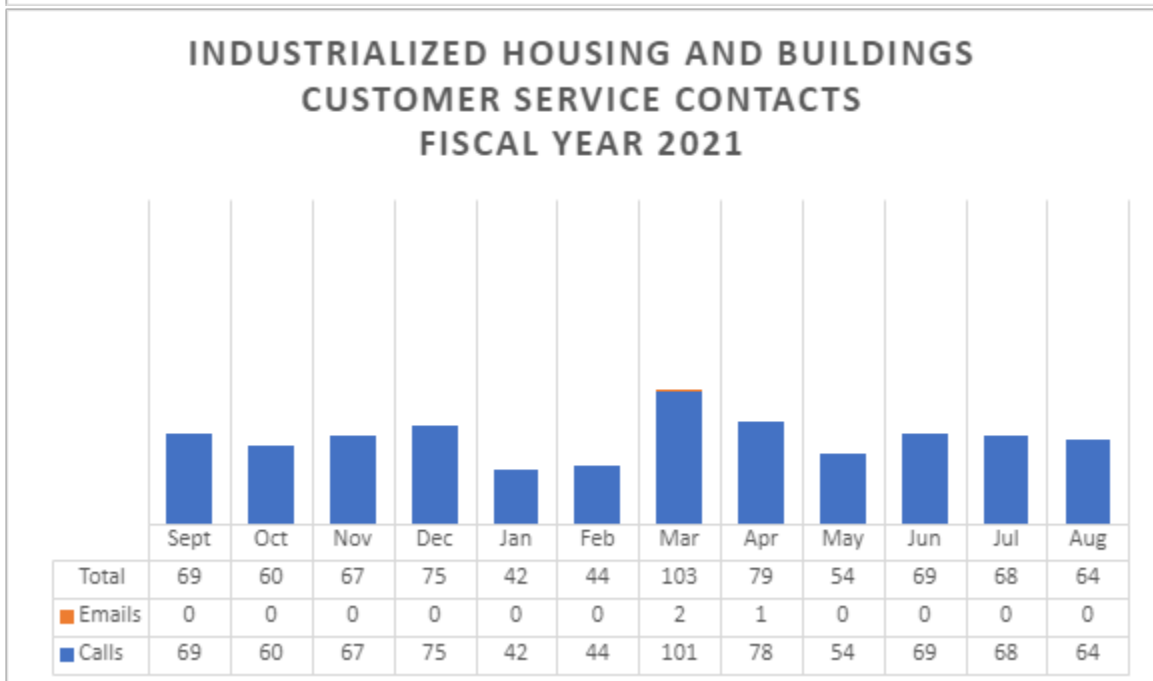
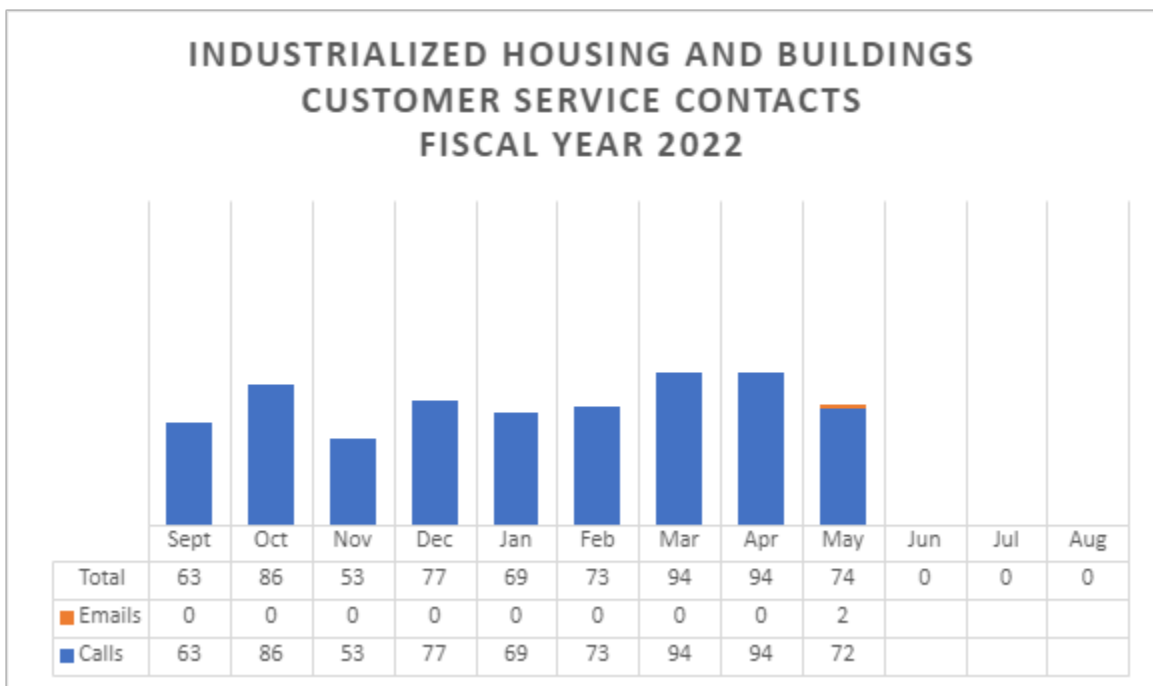
Design Review Agency

	FY 21	FY 22
New Licenses	0	0
Renewed Licenses	8	6
Total Licensed Population	8	7

CUSTOMER SERVICE DIVISION

Staff Report for the Texas Industrialized Building Code Council
July 14, 2022

Statistics



Enforcement Division

Staff Report for Texas Industrialized Building Code Council July 14, 2022

Personnel Updates:

- On February 15, 2020, Debbie Hawkins was promoted to Legal Assistant Supervisor. Debbie has worked for TDLR for 8 years as a Legal Assistant in the Enforcement Division.
- On March 1, 2020, John Medlock was promoted to Chief Prosecutor. John has worked for TDLR for 7 years, previously serving as a Prosecutor and Senior Prosecutor in the Enforcement Division.
- On May 1, 2020, Trevor Theilen was promoted to Senior Prosecutor. Trevor has worked for TDLR for 9 years as a Prosecutor in the Enforcement Division.
- On August 31, 2020, Investigations Manager Gregg Dodson retired after 22 years of service with TDLR. Gregg oversaw the Investigations Section within the Enforcement Division, which includes 42 investigators. This position is currently posted on the Department's website, and we hope to conduct interviews soon.
- On August 31, 2020, Prosecution Legal Assistant Manager Daryl Kunze retired after 18 years of service with TDLR. Daryl oversaw the Prosecution Legal Assistant Section within the Enforcement Division, which includes 33 legal assistants and administrative assistants.
- On August 31, 2020, Senior Investigator Esmer Arguijo retired after 21 years of service with TDLR. Esmer conducted investigations of cases in the building and mechanical, water well, and property tax programs.
- On October 1, 2020, Jackie Revilla was promoted to Prosecution Legal Assistant Manager, to fill the vacancy created by Daryl Kunze's retirement. Jackie has worked for TDLR for 18 years, previously serving as a Legal Assistant Supervisor in the Enforcement Division.
- On November 6, 2020, Prosecutor Ken Sharp retired after 7 years of service with TDLR and 13 years of total service to the citizens of Texas. During his tenure at TDLR Ken worked briefly on the Transportation team before joining the criminal history review team where he evaluated thousands of criminal records in an effort to protect our citizens from those not fit to hold a license due to their criminal history. Ken was also very active in the Department's Veteran's Association, where he was both a cofounder of the organization and its first Commander.

- On December 4, 2020, Prosecutor Michael Shirk retired after 8 years of service with TDLR and nearly two decades of service to the citizens of Texas. Michael was a member of the Transportation team where his enthusiasm for public service and protecting the citizen of Texas was clearly evident. He was a joy to work with and served as a mentor for many of our attorneys on staff. He will be missed but he left a legacy of public service that will be long remembered.
- Three Attorneys, Amanda Barrera, Aroosa Nizami and Natalie Olvera, were promoted to Attorney III positions to fill the vacancies that were created by the promotions and retirements in the Enforcement Division. Amanda's and Aroosa's promotions were effective December 15, 2020 and Natalie's promotion was effective January 1, 2021.
- On January 4th, 2021, Arthur Arevalo was hired to fill the Investigations Manager's position. Art retired from the Austin Police Department after nearly 26 years of service. Since then, he worked for the Travis County Sheriff's Office and more recently served as a Captain with the Texas State University Police Department. We look forward to his contribution to the success of our team as we continue to strengthen the Enforcement division with staff that embraces our mission and shares our dedication to make a positive impact serving the citizens of Texas.
- On January 15, 2021, Lisa Grant was promoted to Legal Assistant Supervisor in the Prosecution Section of Enforcement. Lisa has worked for TDLR for over 20 years, previously serving as a Legal Assistant I, Legal Assistant II, Legal Assistant III and Senior Legal Assistant.
- On April 1, 2021, Rosemary Potter was promoted to Senior Legal Assistant in the Prosecution Section of Enforcement. Rosemary has worked for TDLR for over 13 years, previously serving as a Legal Assistant III.
- Three attorneys, Sara McKinney, Rachel Seshan, and Hunter McKinley were hired as Attorney II positions to fill the vacancies created by promotions in the Enforcement Division. These three attorneys will be working our inspections cases and our unlicensed air conditioning and electrical cases. Their hiring's were effective April 15, 2021.
- On August 1, 2021, Cynthia Marple was hired as an Attorney III. She joins TDLR from the Department of Public Safety's office of Regulatory Counsel Division where she prosecuted compliance and enforcement cases. Cynthia is a member of the Transportation Team, which focuses on cases related to Tow, Vehicle Storage Facilities, Driver's Education and Motor Fuels.
- On September 15, 2021, Kimberly (Kim) Ferreiro Mitchell was promoted to Management Analyst III. Kim has worked for TDLR for 13 ½ years, previously serving as a Legal Assistant III and Legal Assistant II.
- On September 15, 2021, Estella Ramos was promoted to Senior Legal Assistant in our Intake Section. Estella has worked for TDLR for over 6 years, previously serving as an Intake Administrative Assistant and Legal Assistant II.

- Karen Cox retired January 31, 2022, after 17 years with TDLR and over 30 years working in State Government which include stints at the Texas Workforce Commission, Texas Department of Transportation, and the Texas Railroad Commission. She was promoted to Senior Prosecutor in, January 1, 2019, where she helped oversee and mentor attorneys within the Enforcement Division. She also helped develop and facilitate our expert witness training program utilized by the Health Professions Program. She will be greatly missed, but we wish her well in her retirement.
- On February 15, 2022, Robert Nino was promoted to the Investigations Team Lead Supervisor position for the South Region. Robert has worked for TDLR for over 14 years with vast knowledge and experience on case investigations, sting operations and working on very complex cases. Robert also assisted in the training and mentoring on newly hired investigators. Robert has had nearly 38 years of experience as an investigator and auditor with both federal and state government, as well as private industry.
- On May 1, 2022, Jessica Hurtado was promoted to Senior Prosecutor. Jessica has been with TDLR for over 4 years and has experience with a number of our programs including all the Health Related Programs, Transportation Programs, and most recently with our Criminal History Evaluation Team. Prior to joining TDLR, she spent time with the Texas Ethics Commission, Texas Workforce Commission, as well as some time in private practice.
- On May 15, 2022, Jack Phillips was promoted to the Investigations Team Lead Supervisor position for the North Region. Jack has worked for TDLR for over 7 years, previously serving as an Inspector. Jack has served Texans for over 28 years, including working for the Attorney General's and Texas Department of Criminal Justice. Jack is also a proud United States Veteran, serving 6 years in the United States Army and as a Reserve in the Texas National Guard as both a Combat Engineer and a Legal Specialist.

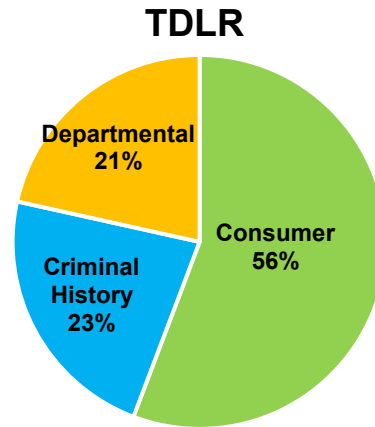
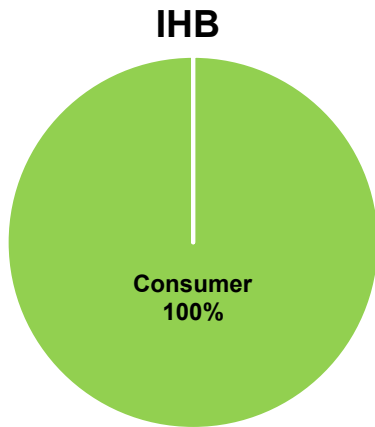
Statistics:

Shown below are the Complaints Received, Enforcement Performance Measures, and key statistics for the Industrialized Housing and Buildings (IHB) program and for all TDLR programs combined **through May of Fiscal Year 2022:**

Complaints Received Break Down	IHB	TDLR
Consumer	20	11,915
Criminal History	0	26,030
Total Complaints Received	20	37,945

Key Statistics	IHB	TDLR
Cases opened	7	8,483
Cases closed	4	8,328
Average time to close (days)	690.50	220.95
% of cases resolved within 6 months	25.00%	56.18%
% of cases resulting in disciplinary action	25.00%	11.35%
Cases pending at end of May	12	6,813

Source of Cases Opened through May Fiscal Year 2022



Case Outcomes	IHB	TDLR
Commission Orders	0	18
Default Orders	0	283
Agreed Orders	1	560
Penalties Assessed	\$0.00	\$1,908,985.00
Penalties Collected	\$0.00	\$1,053,331.00
Licenses Revoked (Disciplinary)	0	39
Licenses Suspended	0	4
Licenses Denied/Revoked (Criminal History)	0	141
Cease & Desist Orders	0	12
Informally Resolved	3	7,383

IHB Alleged Violations at Opening through May of Fiscal Year 2022

Violation:	Count
Construction building codes	3
False, misleading, or deceptive act	2
No registration	1
No or incomplete site inspection report	1
Not installed or permanent foundation	1

IHB Violations Resulting in Disciplinary Action through May of Fiscal Year 2022

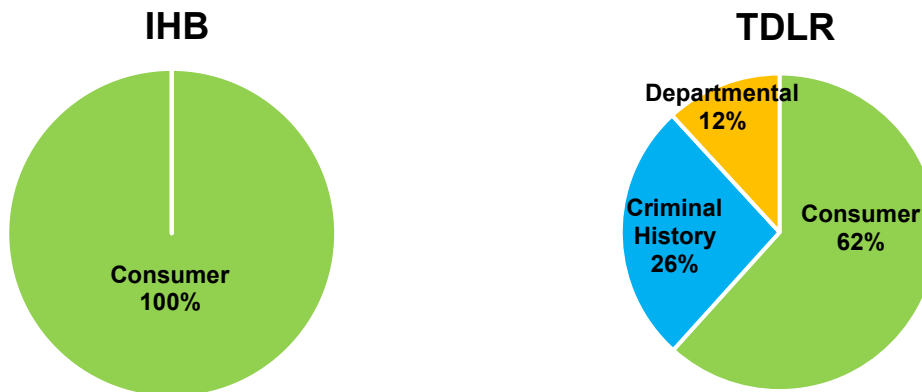
Violation:	Count
Construction building codes	1

Shown below are the Complaints Received, Enforcement Performance Measures, and key statistics for the Industrialized Housing and Buildings (IHB) program and for all TDLR programs combined for **Fiscal Year 2021**:

Complaints Received Break Down	IHB	TDLR
Consumer	15	13,759
Criminal History	1	18,896
Total Complaints Received	16	32,655

Key Statistic	IHB	TDLR
Cases opened	6	10,121
Cases closed	8	9,335
Average time to close (days)	515.88	209.86
% of cases resolved within 6 months	25.00%	60.00%
% of cases resulting in disciplinary action	0.00%	13.41%
Cases pending at end of FY 2021	9	6,627

Source of Cases Opened for Fiscal Year 2021



Case Outcomes	IHB	TDLR
Commission Orders	0	44
Default Orders	0	455
Agreed Orders	0	711
Penalties Assessed	\$0.00	\$2,570,716.00
Penalties Collected	\$0.00	\$1,140,068.95
Licenses Revoked (Disciplinary)	0	103
Licenses Suspended	0	8
Licenses Denied/Revoked (Criminal History)	0	240
Cease & Desist Orders	0	19
Informally Resolved	8	7,976

IHB Alleged Violations at Opening for Fiscal Year 2021

Violation:	Count
Construction-building codes	3
No registration	3
False, misleading, or deceptive act	1

IHB Violations Resulting in Disciplinary Action for Fiscal Year 2021

Violation:	Count
There were no violations resulting in Disciplinary Action for Fiscal Year 2021 for the IHB program	N/A

Case Highlights:

- Case No. IHB20180009663- Oak Creek Homes LLC

On September 9, 2021, the Deputy Executive Director David Gonzales signed for the Executive Director an Agreed Order that finalized the settlement agreement between the Department and Respondent, Oak Creek Homes LLC. Respondent accepted the determination of the Department, for failing to construct a unit in accordance with the International Residential Code, 2009 edition including K, O and P, published by the International Code Council. As part of this negotiated settlement, Respondent must comply with the result of the anticipated arbitration within 30 days from the effectiveness of the arbitration. Failure to comply with the result of the arbitration within the 30 days will result in a \$12,000 administrative penalty.

Regulatory Program Management Division

Staff Report for the Texas Industrialized Building Code Council

July 14, 2022

Personnel Updates

- On March 31, 2021, Yvonne Feinleib retired as the RPM Building and Mechanical Section Manager after many years of state service. Chris Russey was promoted to Building and Mechanical Section Manager on May 15, 2021, to fill the vacancy created by Yvonne's retirement.
- On May 31, 2021, Donna Lipke retired as the IHB Program Manager after over 35 years of service with TDLR and the IHB program.
- On November 15, 2021, Kelly Kelly was promoted to IHB Team Lead, to fill the vacancy created by Donna's retirement. Even before the promotion was made official, Kelly worked furiously to cover the duties assigned to the Team Lead position until it could be filled.
- Kelly was recently featured in an article published on the International Code Council (ICC) website by the Building Safety Journal. In this article, Kelly discusses her participation in developing a national code for the modular program, and the steps Texas can take to be more in line with national standards. You can view the article through the following link: <https://www.iccsafe.org/building-safety-journal/bsj-perspectives/drawing-on-over-three-decades-of-texas-modular-construction-expertise/>
- In January 2022, Jennie Le was designated as the sole Administrative Assistant to provide support to the IHB program. This specialization allowed her to quickly expand her knowledge of the program, from a better understanding of the IHB database, to facilitating the decal and insignia ordering process for the entire program.

Statistics

REVENUE FROM DECALS/INSIGNIA/ALTERATION DECALS

FY	TOTAL SOLD	TOTAL REVENUE
22	5,548	\$240,160.03
21	6,028	\$264,814.41

IN-PLANT INSPECTIONS BY THIRD PARTIES

FY	TOTAL UNITS INSPECTED	TOTAL FACILITIES INSPECTED
22	5,302	933
21	5,594	959

CERTIFICATION INSPECTIONS

FY	# OF CERTIFICATION INSPECT. BY STAFF	# OF CERTIFICATION INSPECT. BY TPI
22	60	25
21	126	18

PLANS APPROVED BY THIRD PARTIES

FY	# OF APPROVALS
22	962
21	1,223

PLANS REVIEWED BY STAFF

FY	# OF APPROVALS
22	89
21	159

Current Projects

- In December 2021, we launched an online ordering and payment portal for IHB Decals and Insignias. This portal allows us to greatly reduce the turnaround time on these orders, and we continue to see an increased use as 83.53% of decals and insignias are now submitted through this online system. At this time, the online payment portal is limited to the purchase of decal and insignias; however, we are hoping this can be expanded for other types of payments and programs in the future. This portal can be accessed through the following link: <https://feepay.txapps.texas.gov/tldr/industrialized-housing-building-payments/>

	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
# Of Decals/Insignias Ordered Online	150	369	375	326	187	984	289
# Of Decals/Insignias Ordered by Mail	135	283	296	222	157	145	57
Total # of Decals/Insignias	285	652	671	548	344	1,129	346
Percentage Ordered Online	52.63%	56.60%	55.89%	59.49%	54.36%	87.16%	83.53%

MANUFACTURERS CERTIFIED SINCE LAST MEETING

IHM #	MFG. NAME	CITY, STATE	DATE CERTIFIED	TYPE
547	REDGUARD	WICHITA, KS	10/15/20	EQUIPMENT BUILDINGS
608	SERVTECH INC	LOUISVILLE, CO	10/21/2020	EQUIPMENT BUILDINGS
632	PUFFER-SWEIVEN	STAFFORD, TX	11/24/2020	EQUIPMENT BUILDINGS
601	XTREME CUBES	HENDERSON, NV	12/15/2020	EQUIPMENT BUILDINGS
616	BRITCO	TEAGUE, TX	2/5/2021	OFFICE
631	BOX PREFAB	HOUSTON, TX	2/5/2021	RESIDENTIAL
487	HARVARD INTEGRATIONS	TEA, SD	2/23/2021	EQUIPMENT BUILDINGS
417	DENIOS INC.	LOUISVILLE, KY	2/26/2021	EQUIPMENT BUILDINGS
659	BP HOME INVEST.	PRISHTINA, KOSOVO	4/29/2021	ROOF PANELS
631	BOX PREFAB	HOUSTON, TX	4/29/2021	CERT UPDATE FOR IBC
567	SE-MAR ELECTRIC	WEST SENICA, NY	5/1/2021	EQUIPMENT BUILDINGS
617	CURRENT POWER	HOUSTON, TX	6/8/2021	INTEGRATOR
527	MMR CONSTRUCTORS	BATON ROUSE, LA	6/25/2021	EQUIPMENT BUILDINGS
665	STURDI STEEL	HEWITT, TX	8/2/2021	PRESS BOXES
461	A-1 SHEET METAL	TULSA, OK	8/9/2021	COMMERCIAL
555	LONESTAR ENERGY	BAYTOWN, TX	8/27/2021	EQUIPMENT BUILDINGS
635	ECHO DCL	DURANT, OK	11/4/2021	COMMERCIAL
633	INSTABUILT	AUSTIN, TX	11/4/2021	RESIDENTIAL
645	PANELMATIC	BROOKFIELD, OH	12/9/2021	EQUIPMENT BUILDINGS
668	BRODIE MODULAR	AUSTIN, TX	12/9/2021	RESIDENTIAL
635	ECHO DCL	DURANT, OK	2/24/2022	CERT UPDATE (WOOD)
542	MADISON INDUSTRIES	CONYERS, GA	3/4/2022	CERT. UPDATE
547	REDGUARD LLC	WICHITA, KS	3/4/2022	CERT. UPDATE
627	BATH SYSTEMS	HOUSTON, TX	3/28/2022	COMPONENTS
641	MODULAR DESIGN	EULESS, TX	3/30/2022	COMPONENTS
667	STARFLITE SYSTEMS	ZELIENOPE,	4/21/2022	EQUIPMENT BUILDINGS

IHM #	MFG. NAME	CITY, STATE	DATE CERTIFIED	TYPE
		PA		
640	PRIMICERI S.P.A.	MODUGNO, ITALY	5/2/2022	EQUIPMENT BUILDINGS
683	VERTIV CORP.	DELAWARE, OH	5/5/2022	EQUIPMENT BUILDINGS
648	INTEGRATED MODULAR	MESA, AZ	6/2/2022	IBC
687	MOSAIC HOUSING	HOUSTON, TX	6/8/2022	RESIDENTIAL
616	SCHNEIDER ELECTRIC	WEST CHESTER, OH	6/16/2022	INTEGRATOR

MANUFACTURER CERTIFICATIONS IN PROCESS

IHM #	MFG. NAME	CITY, STATE	DATE STARTED	TYPE
535	MODERN MOD (OMEGA MOD GROUP)	NEOSHA, MO	6/22/2020	IBC RESIDENTIAL
544	COMMERCIAL STRUCTURES	NAPPANEE, IN	10/4/2021	IBC
596	FISHER ROSEMOUNT	ST. LOUIS, MO	8/16/2021	EQUIPMENT BUILDINGS
673	EQUIPMENT MANAGEMENT	HOUSTON, TX	12/13/2021	IRC AND IBC
495	QUALITY ELECTRIC	MIDVALE, UT	11/16/2021	IBC
685	MODULAR BUILDERS	ROCHESTER, IN	1/24/2022	IBC
658	LELANDS CABINS	GRANDVIEW, TX		RESIDENTIAL
648	RJ RUSSO	PHEONIX, AZ	5/23/2022	IBC
690	AMERICAN PRODUCTS	STAFFORD, MO	7/18/2022	IBC
649	SMITH ANALYTICAL	PEARLAND, TX	5/9/2022	INTEGRATOR
628	ARNING COMPANIES	CASSVILLE, MO		KIOSK
661	MODULAR STEEL	BLOOMBURG, PA	6/27/2022	RESIDENTIAL
469	PROMOD MFG	ELLAVILLE, GA	4/27/2022	CERT. UPDATE IBC/IRC
666	BOXMAN STUDIO	CHARLOTTE, NC	6/14/2022	COMPONENT (BATHROOM)
692	GUARDIAN BOOTH LLC	ORANGEBURG, NY	7/18/2022	IBC

100% INSPECTIONS APPROVED

IHM #	MFG. NAME	CITY, STATE	DATE LABELED	TYPE
555	LONESTAR ENERGY FABRICATION	BAYTOWN, TX	4/15/2021	EQUIPMENT BUILDING
527	MMR CONSTRUCTORS	BATON ROUSE, LA	12/4/2020	EQUIPMENT BUILDING
621	PANEL BUILT	BLAIRSVILLE, GA	4/8/2022	EQUIPMENT BUILDING
654	RANGER ANALYTICS	STAFFORD, TX	3/15/2021	INTEGRATOR

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IHM #	MFG. NAME	CITY, STATE	DATE LABELED	TYPE
652	MODULAR ENGINEERING	ERIE, PA	3/22/2021	IBC
635	ECHCO	DURANT, OK	5/7/2021	OFFICE
656	SCHNEIDER ELECTRIC	WEST CHESTER, OH	2/10/2021	INTEGRATOR
695	FISHER ROSEMOUNT	ST. LOUIS, MO	IN PROCESS	EQUIPMENT BUILDINGS