

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

The Director of the Manufactured Homes  
and Modular Units Program of the  
Missouri Public Service Commission,

Complainant,

v.

Michael Goodwin

Respondent

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**Case No. MC-2018-0236**

**MOTION FOR PENALTIES**

**COMES NOW** the Manager of the Manufactured Housing and Modular Units Program of the Public Service Commission (“Manager”), by and through counsel, and for this *Motion for Penalties* (“Motion”), states as follows:

1. On June 11, 2018, Manager filed a complaint against Michael Goodwin, a licensed manufactured home installer, alleging that Mr. Goodwin improperly installed thirteen manufactured homes.

2. A Stipulation and Agreement (“Stipulation”) was filed on September 20, 2018. The Stipulation was approved by an order of the Commission on September 27, 2018 (“Order”), and the Order’s effective date was October 27, 2018.

3. The Order also required the Manager to file a status report (“Status Report”) no later than February 22, 2019, if the Manager had not dismissed the complaint in compliance with the Stipulation. A Status Report was filed on February 21, 2019.

4. The Status Report noted that under the terms of the Stipulation, Mr. Goodwin had 120 days from the effective date of the Order approving the Stipulation

in which to make payment to the public school fund; 120 days from October 27, 2018 was Sunday, February 24, 2019. Recognizing that February 24<sup>th</sup> fell on a weekend, Mr. Goodwin had until Monday, February 25, 2019, to make the payment agreed to in the Stipulation.

5. Mr. Goodwin agreed in the Stipulation<sup>1</sup> to provide to the Manager proof of the payment described in Paragraph 4 above.

6. The Stipulation provides under Miscellaneous Provisions, paragraph 2:

Upon Manager's reasonable belief that a violation of any of the above conditions has occurred, Manager may file a motion with the Commission seeking disciplinary action (for example, suspension or revocation of installation license) and penalties as Manager deems appropriate. The Commission may thereupon set the matter for hearing to determine whether a violation of the terms of this Agreement has taken place and, if so, the Parties agree that the Commission may enter an order regarding discipline and penalties that the Commission deems just and proper.

7. Upon Manager's reasonable belief, Mr. Goodwin has not made the payment described in Paragraph 4 above.

8. Manager has not received from Mr. Goodwin proof of payment.

9. Manager inquired of the Budget and Fiscal Services whether payment was made and was informed that no payment has been made.

10. Based on the foregoing, Manager files this Motion seeking penalties.<sup>2</sup>

**WHEREFORE**, Manager respectfully submits this Motion and requests the Commission order Mr. Goodwin to respond to this Motion, to determine whether a violation of the terms of the Stipulation has taken place, to enter an order regarding

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<sup>1</sup> Stipulation, The Parties' Agreement, p. 3 ¶ 4.

<sup>2</sup> With respect to disciplinary action, Manager notes that in the Stipulation Mr. Goodwin agreed to surrender his license for five years or until such time as Mr. Goodwin makes full payment of twenty-six reinspection fees. Because Mr. Goodwin does not have an active license, Manager requests no disciplinary action be taken at this time.

penalties that the Commission deems just and proper, to authorize its General Counsel to seek and/or enforce the penalties in an appropriate Circuit Court, and for such other and further relief as is deemed just under these circumstances.

Respectfully submitted,

**/s/ Alexandra L. Klaus**

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and/or counsel of record on this 5<sup>th</sup> day of March, 2019.

**/s/ Alexandra L. Klaus**