

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

Manager of the Manufactured Housing and )  
Modular Units Program of the Public )  
Service Commission, )

Complainant, )

v. )

Case No. MC-2006-

Four Season's Manufacturing, Inc. )  
d/b/a Four Seasons Housing, Inc. )

Respondent. )

**COMPLAINT  
AND  
MOTION FOR EXPEDITED ANSWER**

COMES NOW the Director of the Manufactured Housing and Modular Units Program of the Public Service Commission ("Director" and "Department"), by and through the Missouri Public Service Commission's ("Commission") Office of General Counsel, pursuant to section 700.100 RSMo 2000 and for his Complaint against Four Season's Manufacturing, Inc. d/b/a , Four Seasons Housing, Inc. ("Four Seasons") states as follows:

**AUTHORITY**

1. The Commission has jurisdiction over manufactured homes, modular unit homes and modular unit home dealers pursuant to Chapter 700 RSMo 2000<sup>1</sup>.
2. In Commission Rule 4 CSR 240-120.031, the Commission delegated to the Director all of its powers pertaining to manufactured homes under Chapter 700 RSMo, except

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<sup>1</sup> All references to the Revised Statutes of Missouri will be to RSMo 2000 and 2005 Supplement unless otherwise noted.

the powers to revoke, deny, refuse to renew or place on probation a registration under Section 700.090, which are retained by the Commission.

3. Four Seasons is currently registered, as set forth under Section 700.090 RSMo, as a manufacturer of modular units under the name "Four Season's Manufacturing, Inc.". The Commission issued Four Seasons its Certificate of Manufacturer Registration ("Certificate") and registration number 1207601 on April 1, 2005, and is valid until April 1, 2006. The Certificate, attached hereto as Appendix A and incorporated by reference, shows an address for Four Seasons at 1133 CR 2, Middlebury, Indiana, 46540.

4. As part of the registration process, the Commission received an Application for Manufacturer Registration ("Application") from Four Season's Manufacturing, Inc. on March 17, 2005. On its Application, Four Seasons lists the following officers and directors at its Middlebury, Indiana address: Richard Baidas, Austin Baidas, Brent Bardo, and Read Morrison. (Application is attached as Appendix B). According to the records of the Missouri Secretary of State, Four Seasons Housing, Inc. lists the same Indiana business address and the same individuals as officers and directors as are listed on the Four Season's Manufacturing, Inc. Application. (See the Missouri Secretary of State *Application for Certificate of Authority For a Foreign For-Profit Corporation* attached as Appendix C). The *State of Missouri Certificate of Authority*, attached as Appendix D, was granted by the Secretary of State on September 6, 2005 to Four Seasons Housing, Inc., using the same business name. Therefore, the business entity that filed its Application under the name "Four Season's Manufacturing, Inc.", and was subsequently granted a Certificate by the Commission under that name, is doing business as "Four Seasons Housing, Inc."

5. According to the Secretary of State's website, Four Seasons' registered agent is:

CSC-Lawyers Incorporating Service Company  
221 Bolivar Street  
Jefferson City, MO 65101

## **BACKGROUND**

6. This complaint originates from a Site Inspection Report, Modular Units ("Report") by Staff Inspector Tim Haden of a new modular unit home owned by Larry and Joyce King at 3607 County Road 328, Fulton, MO 65251. This Report, prepared and finalized on March 28, 2006 by Tim Haden, is the result of an investigation conducted by Staff Inspectors Tim Haden and Gene Winn upon learning of this home being blown off its foundation, collapsing, and causing injury to its owners during a period of storms that occurred on or about 1:00 am, Monday, March 13, 2006. Staff's Report is attached hereto as Appendix E and incorporated by reference herein.

7. This incident first came to the attention of Tim Haden because he resides in the Fulton area and was in the area when the storms came through. The *Fulton Sun* newspaper carried a story of this incident on March 14, 2006. (See Appendix F). The daughters of the homeowners provided Staff Inspector Haden an Inspection Request form. (See Appendix G).

## **ALLEGATIONS**

8. Larry and Joyce King purchased their new Four Seasons modular unit home, model no. M3264-01, from Blakely Manufactured Homes, a licensed modular unit home dealer, located at 7428 Primrose Lane, Fulton, Missouri, 65251. The Kings' dealer sales contract included delivery and set up.

9. On or about February 6, 2006, Four Seasons shipped the Kings' modular unit home, serial number (and manufacturer invoice number) FSM20251, to Blakely Manufactured Homes.

10. During a period of several days preceding the March 13, 2006 storm, Blakely Manufactured Homes completed delivery and set up of the Kings' new Four Seasons modular unit home. On March 14, 2006, Staff Inspectors Tim Haden and Gene Winn inspected the damaged home that is the subject of Staff's Report and this complaint.

11. Staff's Report identified significant violations of Chapter 700, RSMo and Commission Rules (4 CSR 240-123) on the part of the manufacturer, Four Seasons, and the dealer, Blakely Manufactured Homes. Commission Rule 4 CSR 240-123.080(3) requires modular unit homes to be manufactured in accordance with the *International Residential Code-2000*. The Staff is addressing the home installation violations contained in its Report in a separate complaint case against Blakely Manufactured Homes, to be filed concurrently with this case.

### **COUNT 1**

12. Specifically, Four Seasons violated Section 700.015(4) RSMo and Commission Rule 4 CSR 240-123-030(1) in that Four Seasons failed to place the required Missouri "Seal"<sup>2</sup> on the Kings' new modular unit home as is required of manufacturers that sell these homes in Missouri. Section 700.015(4) states, in relevant part:

No person shall offer for rent, lease or sale a modular unit ...unless such modular unit complies with the code and bears a seal issued by the commission evidencing compliance with the code.

Commission Rule 4 CSR 240-123-030(1) requires "No modular unit...shall be...sold...in this state unless a seal or approved insignia is properly affixed to it."

### **COUNT 2**

13. Four Seasons violated 4 CSR 240-123-080(6) in that Four Seasons:

- (1) failed to affix a manufacturer "Data Plate" to the Kings' new home; and,
- (2) failed to list, on a copy of the manufacturer "Data Plate" that Four Seasons faxed to the Commission subsequent to Staff's March 14, 2006 inspection, the codes to which the Kings' new modular unit home was built.

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<sup>2</sup> Section 700.010(13) defines "Seal" as "...a device, label or insignia issued by the public service commission, U.S.Department of Housing and Urban Development, or its agent, to be displayed on the exterior of the manufactured home, or modular unit to evidence compliance with the code;"

Commission Rule 4 CSR 240-123-080(6) states, in relevant part, that "Each modular unit shall bear a data plate affixed in a permanent manner near the main electrical panel or other readily accessible and visible location." This rule further requires that "Each data plate shall include...the code the unit was built to ...".

### **COUNT 3**

14. Four Seasons violated 4 CSR 240-123-040(11) in that, at the time Four Seasons manufactured the Kings' home on January 30, 2006, and shipped it into Missouri on February 6, 2006, Four Seasons did not have current approval from the Commission for the modular unit plan used in manufacturing the Kings' home. Commission Rule 4 CSR 240-123-040(11) requires that "All subsequent modular unit plans and installation diagrams for each additional type of modular unit (or model) to be manufactured must also be submitted to the director for approval."

### **PENALTIES**

15. Section 700.115.1 RSMo provides that "...a violation of the provisions of sections 700.010 to 700.115 shall constitute a violation of the provisions of section 407.020, RSMo". Section 700.115.2 RSMo states:

*Notwithstanding any provisions of subsection 1 of this section to the contrary, whoever violates any provision of this chapter shall be liable to the state of Missouri for a civil penalty in an amount which shall not exceed one thousand dollars for each such violation. Each violation of this chapter shall constitute a separate violation with respect to each manufactured home or with respect to each failure or refusal to allow or perform an act required by this chapter; except that, the maximum civil penalty may not exceed one million dollars for any related series of violations occurring within one year from the date of the first violation.*  
[emphasis added]

16. Section 700.040(5) provides that "The Commission may issue and promulgate such rules and regulations as necessary to make effective the code and the provisions of sections 700.010 to 700.115." Commission Rule 4 CSR 240-123.080(3) requires modular unit homes to

be manufactured in accordance with the *International Residential Code-2000*. Because Section 700.010(2) defines "Code" as "the standards relating to manufactured homes, or modular units as adopted by the commission.", any modular unit code or commission rule violations fall within the ambit of the civil penalty provisions of Section 700.115.2 RSMo.

17. Section 700.100.3(4), RSMo provides that "any conduct which constitutes a violation of the provisions of section 407.020" is "grounds for the suspension, revocation or placing on probation of a manufacturer's or dealer's registration." Therefore, because Four Seasons' violation of Section 700.015(4) for its failure to place a "Seal" on the Kings' modular home is a violation of Section 407.020 under Section 700.115.1 RSMo, such violation constitutes grounds for disciplinary action against Four Seasons by the Commission.

18. Furthermore, Section 386.600 RSMo provides that:

An action to recover a penalty or a forfeiture under this chapter or to enforce the powers of the commission under this or any other law may be brought in any circuit court in this state in the name of the state of Missouri and shall be commenced and prosecuted to final judgment by the general counsel to the commission. [*emphasis added*]

#### **MOTION FOR EXPEDITED ANSWER**

19. Commission Rule 4 CSR 240-2.070(7) provides that, unless otherwise ordered by the Commission, a complaint must be answered by respondent within 30 days. However, rule 4 CSR 240-2.080 (16) permits any party to seek expedited treatment.

20. Because the combination of the failures of Four Seasons to (1) place a Seal on the home, (2) to affix a Data Plate with required code data on the home, and (3) to have the unit home plan approved by the Commission, represent an unacceptable disregard for quality control and the ultimate safety of home buyers, the Staff recommends that the Commission grant Staff's motion for expedited answer. Accordingly, in the interest of public safety, the Staff recommends that the Commission allow Four Seasons not more than 15 days from notice of complaint to provide its answer to the allegations contained herein.

**WHEREFORE**, the Director respectfully requests that the Commission:

- a. Find that Four Seasons failed to place the required Missouri Seal on the Kings' new modular unit home as is required under Section 700.015(4) and 4 CSR 240-123-030(1);
- b. Find that Four Seasons failed to affix a Data Plate to the Kings' new home and subsequently failed to provide to the Commission on a later copy of the Data Plate information the required construction codes required by 4 CSR 240-123-080(6);
- c. Find that Four Seasons failed to have current Commission approval for the Kings' home plan as required by 4 CSR 240-123-040(11).
- d. Under the authority provided the Commission in Section 700.100.3, not allow Four Seasons to renew its Manufacturer Registration until such time as all deficiencies are corrected, or a period of 60 days, whichever is longer;
- e. Authorize the Commission's General Counsel to seek civil penalties in circuit court from Four Seasons pursuant to Section 700.115.2;
- f. Order Four Seasons to provide an expedited answer not later than 15 days from the Commission's notice of complaint; and,
- g. Issue other findings and orders as are just and reasonable.

Respectfully submitted,

**s/Robert S. Berlin**

Robert S. Berlin  
Associate General Counsel  
Missouri Bar No. 51709

Attorney for the Director of the  
Manufactured Housing and Modular Units  
Program of the Missouri Public Service  
Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 526-7779  
(573) 751- 9285 (Fax)  
Email: bob.berlin@psc.mo.gov

## **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the persons listed below on this 7<sup>th</sup> day of April 2006.

**s/Robert S. Berlin**

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**Four Seasons Housing Inc.  
CSC-Lawyers Incorporating Service Company  
221 Bolivar Street  
Jefferson City, MO 65101**

**President  
Four Seasons Housing Inc.  
11333 C.R. 2  
Middlebury, IN 46540**

**Office of Public Counsel  
Lewis Mills  
200 Madison Street, Suite 650  
Jefferson City, MO 65102  
opcservice@ded.mo.gov**

**Mr. Thomas Riley  
Riley & Dunlap, PC  
13 East Fifth St.  
Fulton, MO 65251  
tom@riley-dunlap.com**



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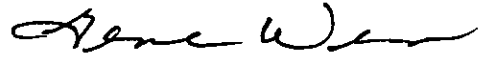
Respondent. )

VERIFICATION

STATE OF MISSOURI )

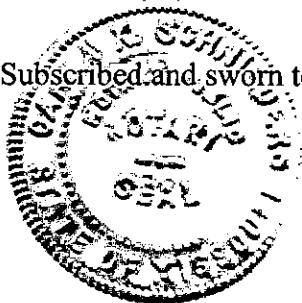
COUNTY OF COLE )

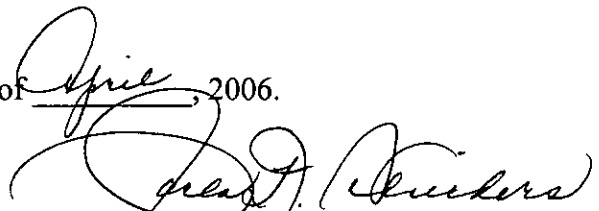
I, Gene Winn, Manufactured Housing Inspector Supervisor in the Manufactured Housing and Modular Units Program, Utility Operations Division, of lawful age, on oath state: that I participated in the preparation of the Site Inspection Report, Modular Units, inspection conducted on March 14, 2006, that is being filed in the above complaint; that I have knowledge of the matters set forth in such report and complaint; and that such matters are true to the best of my knowledge and belief.



Gene Winn

Subscribed and sworn to before me this 7th day of April, 2006.





NOTARY PUBLIC

CARLA K. SCHNIEDERS  
Notary Public - Notary Seal  
State of Missouri  
County of Cole  
My Commission Exp. 06/07/2008

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Manager of the Manufactured Housing and )  
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Respondent. )

VERIFICATION

STATE OF MISSOURI )

COUNTY OF COLE )

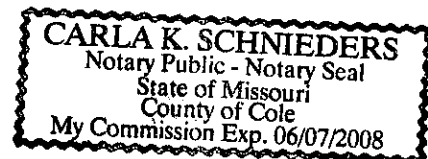
I, Tim Haden, Manufactured Housing Inspector in the Manufactured Housing and Modular Units Program, Utility Operations Division, of lawful age, on oath state: that I participated in the preparation of the Site Inspection Report, Modular Units, inspection conducted on March 14, 2006, that is being filed in the above complaint; that I have knowledge of the matters set forth in such report and complaint; and that such matters are true to the best of my knowledge and belief.

  
Tim Haden

Subscribed and sworn to before me this 7<sup>th</sup> day of April, 2006.



  
NOTARY PUBLIC



Missouri Public Service Commission  
MANUFACTURED HOUSING AND MODULAR UNITS PROGRAM

2005 - 2006

Certificate of Manufacturer Registration

*Issued To*

FOUR SEASON'S MANUFACTURING, INC.  
11333 CR 2  
MIDDLEBURY, IN 46540

*DBA*

FOUR SEASON'S MANUFACTURING, INC.  
11333 CR 2  
MIDDLEBURY, IN 46540

TO WHOM IT MAY CONCERN: The above-named manufacturer has complied with the requirements of Section 700.090 RSMo and, therefore, until one year after the date of this certificate, is registered as a Manufacturer of Modular Units in the State of Missouri.

*Ron Pleus*

Ron Pleus, Manager, Manufactured Housing and Modular Unit Program

Registration Number: 1207601

Issue date: 4/1/2005

Appendix A



# Missouri Public Service Commission Application for Manufacturer Registration

Please fill the form out completely and legibly.

<b>PSC OFFICE USE ONLY</b>		Transmittal Number <u>4193080739</u>	Check Number <u>119064</u>	Check Amount <u>\$750</u>
<ul style="list-style-type: none"><li>IF A CORPORATION, Please Read Section A and Complete Sections B, C, D, E, G, &amp; H</li><li>IF NOT A CORPORATION, Please Read Section A and Complete Sections B, C, F, &amp; H</li></ul>				
<b>SECTION A GENERAL INFORMATION</b>				
<ul style="list-style-type: none"><li>Each manufacturing plant must file a separate registration with the State of Missouri.</li><li>The Registration Fee is \$750 for each manufacturing plant.</li><li>The Registration Certificate is valid for a period of one year from the date of issuance.</li></ul>				
<b>SECTION B PLEASE COMPLETE THE FOLLOWING</b>				
<input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal (Please 3the appropriate box.)			If renewal, Registration Number <u>1207601</u>	
Manufacturer Type <input type="checkbox"/> Manufactured Home Manufacturer <input checked="" type="checkbox"/> Modular Unit Manufacturer (Please 3the appropriate box.)				
<b>SECTION C MANUFACTURER'S FACILITY INFORMATION</b>				
Facility Name <u>FOUR SEASON'S MANUFACTURING, INC.</u>				
Facility Address <u>11333 CR 2</u>				
Facility City/State/Zip <u>MIDDLEBURY, IN 46540</u>				
Phone Number <u>(574) 825-9999</u>		Fax Number <u>(574) 825-6713</u>		FEIN
<b>SECTION D MANUFACTURER'S CORPORATE INFORMATION</b> <input type="checkbox"/> Check here if corporate information is the same as above.				
Corporate Name <u>FOUR SEASON'S MANUFACTURING, INC.</u>				
Corporate Address <u>11333 CR 2</u>				
Corporate City/State/Zip <u>MIDDLEBURY, IN 46540</u>				
Phone Number <u>(574) 825-9999</u>		Fax Number <u>(574) 825-6713</u>		
<b>IF YOU ARE NOT RENEWING YOUR REGISTRATION, PLEASE COMPLETE THE FOLLOWING AND RETURN.</b>				
<input type="checkbox"/> This manufacturing facility is closed. Closed Date				
<input type="checkbox"/> This manufacturing facility remains active, however, it is not currently shipping homes into the State of Missouri.				
<b>SECTION E</b> State of Incorporation <u>Indiana</u>				
<b>SECTION F NAME(S) AND ADDRESS(ES) OF PERSON(S) RESPONSIBLE FOR OPERATION OF FACILITY</b>				
<u>Brent Bardo</u>				
<u>11333 CR 2</u>				
<u>Middlebury, IN 46540</u>				
<b>SECTION G NAMES AND ADDRESSES OF ALL OFFICERS AND DIRECTORS OF THE CORPORATION</b>				
<u>Richard Baidas</u>				
<u>Austin Baidas</u>				
<u>Brent Bardo</u>				
<u>Read Morrison</u>				
<u>11333 CR 2</u>				
<u>Middlebury, IN 46540</u>				
<b>SECTION H</b> Signature <u>Robin Martin</u>				
Title <u>Office Manager</u>			Date <u>3-15-04</u>	
<b>PLEASE MAIL COMPLETED APPLICATION &amp; FEE TO:</b>			<b>MAKE CHECKS PAYABLE TO:</b> Missouri Director of Revenue	
Missouri Public Service Commission Manufactured Housing & Modular Units Program P.O. Box 360 Jefferson City, MO 65102			PHONE: 800-819-3180 FAX: 573-522-2509 E-MAIL: <a href="mailto:manhouse@mail.state.mo.us">manhouse@mail.state.mo.us</a> WEB PAGE: <a href="http://www.psc.state.mo.us">www.psc.state.mo.us</a>	

RECEIVED

MAR 17 2005

MO PUBLIC SERVICE COMMISSION  
MAIL ROOM

Appendix B

September 12, 2001



**State of Missouri**  
Robin Carnahan, Secretary of State

Corporations Division  
P.O. Box 778 / 600 W. Main Street, Rm 322  
Jefferson City, MO 65102

File Number: 200525711210  
F00685071  
Date Filed: 09/06/2005  
Robin Carnahan  
Secretary of State

**Application for Certificate of Authority  
For a Foreign For-Profit Corporation**

(Submit with filing fee of \$155.00)

1. The corporation's name is Four Seasons Housing, Inc.  
and it is organized and existing under the laws of Indiana
2. The name it will use in Missouri is Four Seasons Housing, Inc.
3. The date of its incorporation was 12-9-99 and the period of its duration is perpetual  
month/day/year
4. The address of its principal place of business 11333 C.R. 2 Middlebury, IN 46540  
Address City/State/Zip
5. The name and physical address of its registered agent and office in the State of Missouri is  
CSC - Lawyers Incorporating Service Company  
221 Bolivar St. Jefferson City, MO 65101  
Name Address City/State/Zip
6. The specific purpose(s) of its business in Missouri are:  
Sale of manufactured homes to non-company owned dealers in Missouri
7. The name of its officers and directors and their business addresses are as follows:

Officers	Name	Address	City/State/Zip
President	<u>Austin Baidas</u>	<u>11333 C R 2</u>	<u>Middlebury, IN</u>
Vice President	<u>Brent Bardo</u>	<u>11333 C R 2</u>	<u>Middlebury, IN</u>
<del>SECRETARY</del> V-P	<u>Randy Judd</u>	<u>11333 C R 2</u>	<u>Middlebury, IN</u>
<del>Treasurer</del> CFO	<u>Read Morrison</u>	<u>11333 C R 2</u>	<u>Middlebury, IN</u>

**Board of Directors**

Director	<u>Richard Baidas</u>	<u>11333 C R 2</u>	<u>Middlebury, IN</u>
Director	<u>Austin Baidas</u>	<u>11333 C R 2</u>	<u>Middlebury, IN</u>
Director	<u>Brent Bardo</u>	<u>11333 C R 2</u>	<u>Middlebury, IN</u>
Director			
Director			

Name and address to return filed document:

Name: Read Morrison  
Address: PO Box 639  
City, State, and Zip Code: Middlebury, IN 46540

State of Missouri  
Creation - General Business - Foreign 3 Page(s)



T0525016665

P. T052350704

Appendix C

# State of Missouri



Robin Carnahan  
Secretary of State

## CERTIFICATE OF AUTHORITY

WHEREAS,

*FOUR SEASONS HOUSING, INC.*  
*FO0685071*

using in Missouri the name

*FOUR SEASONS HOUSING, INC.*

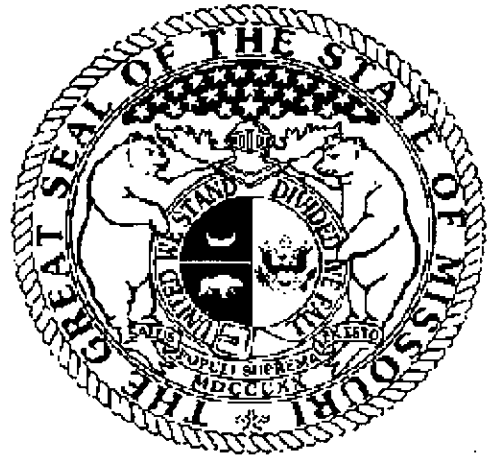
has complied with the General and Business Corporation Law which governs Foreign Corporations; by filing in the office of the Secretary of State of Missouri authenticated evidence of its incorporation and good standing under the Laws of the State of Indiana.

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, do hereby certify that said corporation is from this date duly authorized to transact business in this State, and is entitled to all rights and privileges granted to Foreign Corporations under the General and Business Corporation Law of Missouri.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 6th day of September, 2005.

A handwritten signature in cursive script that reads "Robin Carnahan".

Secretary of State





**Site Inspection Report  
Modular Units**

Send Work Order To:  
Manufactured Housing & Modular Units Program  
PO Box 360 Jefferson City, MO 65102  
Phone 1-800-819-3180 or Fax to 573-522-2509

**CONSUMER INFORMATION**

**Name:** King, Larry and Joyce  
**Address:** 3607 County Road 328  
**City/State/Zip:** Fulton, MO 65251  
**Phone:** 573-544-6024

**HOME INFORMATION**

**Date of Manufacture:**  
**Model:**  
**State Seal Number:**  
**Serial Number:**  
**Size:** 32 x 64

**DEALER**

**Name:** Blakely Manufactured Homes  
**Address:** 7428 Primrose Lane CR318  
**City/State/Zip:** Fulton, MO 65251  
**Phone:** 573-592-0987

**INSPECTION INFORMATION**

**Date of Inspection:** March 14, 2006  
**Inspector:** Tim Haden

**MANUFACTURE**

**Name:** Four Seasons Housing, Inc.  
**Address:** 11333 CR 2  
**City/State/Zip:** Middlebury, IN 46540  
**Phone Number:** 574-825-9999

**RESPONSIBILITIES**

**Manufacture responsibility for items:** 1,2,3,4  
**Dealer responsibility for items:** 5,6,7,8,9,10

**Pursuant to section R-104.1 of the IRC, these items are not in compliance.**

**SUMMARY OF PROBLEMS**

At the time of this inspection;

- 1) This modular home did not bear the required Missouri "Seal". 700.015 (4), 4 CSR 240-123-030(1)
- 2) There was no manufacture "Data Plate" present on this modular home as required. 4 CSR 240-123-080(6)
- 3) A copy of the manufacture "Data Plate" received by fax from the manufacture, subsequent to this inspection, did not list the codes this unit was built to, as required. 4 CSR 240-123-080(6)
- 4) According to the manufacture Statement of Origin, this home was manufactured on January 30, 2006, and pursuant to the manufacture invoice number FSM20251, this home was shipped into Missouri to Blakely Manufactured Homes on February 6, 2006. At that time the manufacture did not have current approval for these plans from the Missouri Public Service Commission, Manufactured Housing and Modular Units Program as required in rule 4 CSR 240-123-040(10)(11). The new plan approval for this model was not approved by the Missouri Public Service Commission until March 1, 2006. 4 CSR 240-123.040

## **INSTALLATION DEFICIENCIES**

### **SUMMARY OF PROBLEMS**

- 5) This home was not properly installed on the basement foundation. The home was resting on concrete walls on the ends and backside and fastened to the walls using "Minute Man" frame straps that are embedded in the top of the concrete wall and fastened to the inside of the home's perimeter rim joist using (1)  $\frac{1}{4}$ " x  $1\frac{1}{2}$ " lag bolt per strap. The straps are spaced approximately 2-feet to 4-feet from the corners, and up to approximately 6-feet to 7-feet apart along the walls. Minute Man company does not approve this frame strap for this application. The front side of the home was resting on a wood framed walkout wall. There was no visible fastening of the home to this wall. The walkout wall was fastened to the basement floor with anchor bolts, 1-inch washer and nut, spaced up to 17' apart. There was no sill plate installed on top of the basement walls as required by the manufacture. The manufacture requires a 2" x 6" treated sill plate fastened to the top of the basement wall using  $\frac{1}{2}$ " x 7" minimum embedment anchor bolts with nut and 2-inch washer, spaced at 6-feet apart maximum and within 1-foot from the ends of each plate. An approved "Simpson Tie" installed according to the manufactures installation instructions may also be used to attach the sill plate to the foundation wall. The home's perimeter rim joist is required to be fastened to the basement sill plate using 16d nails spaced at 6-inches apart maximum. See page: FN-2.0 Manufactures installation instructions. 700.100, 4 CSR 240-123.065
- 6) The centerline of the home was not properly supported according to the manufactures installation instructions. The jack posts are spaced up to approximately 9-feet apart. The manufacture requires (14) jack posts spaced according to the attached approved drawing including the stairwell opening. See page: 10.1 Manufacture foundation drawing. 700.100, 4 CSR 240-123.065
- 7) The jack posts were not properly attached to the home's center beam and to the concrete footing. The jack posts were fastened at the top to the center beam on one side with lag bolts and were not fastened at the bottom. The manufacture requires the top of the posts to be fastened to the center beam using (2) #10 x 2" screws minimum. The base of the jack posts is to be fastened using (4)  $\frac{5}{8}$ " x 8" anchor bolts. See page: XIII-A.39 Manufactures foundation drawing. 700.100, 4 CSR 240-123.065
- 8) The home's hinged roof was not properly fastened. There was no visible fastening between the home's hinged kingposts and the stubbed kingposts. When the hinged roof is lifted and set in place, the 2" x 3" bottom rail that is fastened to the hinged kingposts will rest on the stubbed kingposts. The manufacture requires this bottom rail to be fastened to the stubbed kingpost using (2) #8 x 3" wood screws, toe-screwed at each truss. See page: XIII-A.27 and A.28 Manufactures installation instructions. 700.100, 4 CSR 240-123.065
- 9) The drop-in roof ridge sections were not properly fastened in place according to the manufactures installation instructions. The manufactures installation instructions require that the bottom rails of the ridge sections to be fastened to the top rails of the roof sections using (2) #8 x 3-inch screws per bay. The ridge sections had been shimmed between the ridge rails and roof rails with lumber up to approximately 5-inches, and then the ridge sections were nailed in place. See page: CD-1.0 Manufactures construction detail. 700.100, 4 CSR 240-123.065
- 10) The end walls of the two sections were not properly fastened together according to the manufactures installation instructions. The manufacture requires that the end walls of the two sections to be fastened together using #8 x 3" screws spaced at 12-inches apart maximum. See page: XIII-A.16 Manufactures installation instructions. 700.100, 4 CSR 240-123.065
- 11) The stairway to the basement is not properly constructed. The stair tread depth is 9" and the minimum tread depth allowed is 10", with a minimum  $\frac{3}{4}$ " nosing. R314.2 2000 IRC, 700.100, 4 CSR 240-123.065
- 12) There were no guards on the sides of the basement stairway. Stairs with total rise of more than 30" above the floor or grade must have guards not less than 34" in height, measured vertically from the nosing of the treads. The required guards shall have intermediate rails that do not allow the passage of a sphere 4-inches in diameter. The triangular opening formed by the riser tread and the bottom rail of the guard at the open side of a stairway must be constructed so that a sphere 6-inches in diameter will not pass through. Guards shall not be constructed with horizontal rails or patterns that result in a ladder effect. R316.1,2 2000 IRC, 700.100, 4 CSR 240-123.065
- 13) There was no handrail installed on the basement stairway. The basement stairway requires at least one handrail on one side of the stairway. R315.1 2000 IRC, 700.100, 4 CSR 240-123.065

Note. The home has sustained extensive damage.





## MANUFACTURER'S DATA PLATE



Manufacturer Four Seasons Housing, Inc.  
 Address 11333 CR 2  
 City, State, Zip Middlebury, IN 46540

## LISTED INDUSTRIALIZED BUILDING

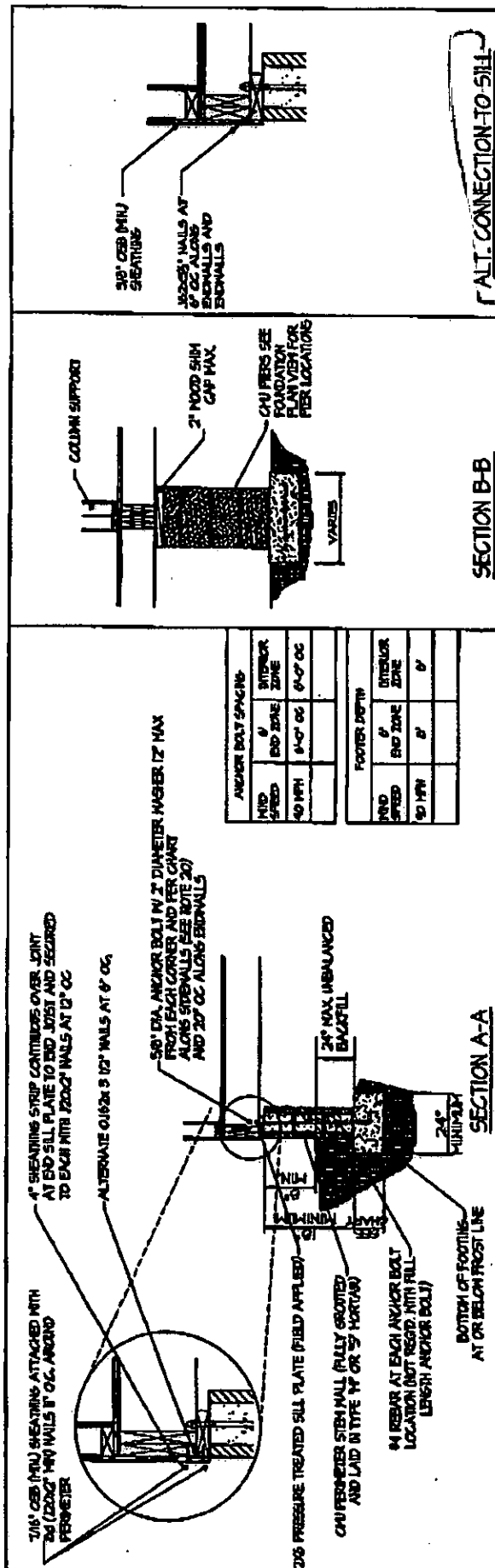
Model M3264-01F  
 Occupancy Classification R3 Const. Class Woodframing  
 Manufacturer's Serial No(s) F5m20251A+B  
 Date of Manufacture 1-30-06 Plan Approval No. 18-10-04  
 Date Data Plate Attached 2-3-06  
 Permissible Gas Type(s) Natural or Propane  
 Electric Rating 200 AMP  
 Test Voltage/Time 1080V / 1 sec  
 Water Supply Test Procedure 100 PSI / 30 min  
 Floor Design Live Load 40 Design Wind Speed 90 MPH  
 Roof Design Live Load 57.8 PSF Design Dead Load 20 PSF  
 Exterior Wall Fire Rating N/A Seismic C  
 Winter Design Temp: Inside 70°F Outside -20°F  
 U<sub>f</sub> Ceiling R30 Wall R19 Floor N/A

## FACTORY INSTALLED EQUIPMENT

EQUIPMENT MANUFACTURER MODEL NO.

Heating	Nordyne	E3FB020H
Cooling		
Range/Burner	GE	JBP66WK1W
Oven	GE	JBP66WK1W
Refrigerator	GE	GSS20TEFAM
Water Heater	Intertherm	IN140DHMSE
Dish Washer	GE	GSD2200G00W
Disposal		
Hydro-Massage Tub		
Microwave	GE	JVM1630LKO
Shipping Weight(s)	65,000 pounds	
TRA Label No(s)	3859741 / 3859751	
State Insignia No(s)	024T15	

Follow precisely all instructions with this building. Foundations, Installation and Utility Connections are subject to inspection by local authorities.



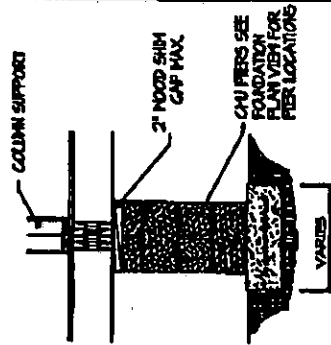
**General Nelson**

1. Reserved.
2. If a foundation drawing is provided it is a suggested foundation and anchoring to be designed by a local Professional Engineer or Architect familiar with the local soil and climate conditions.
3. Provide crawl space ventilation equal to  $V/50$  of the actual enclosed crawl space access. (144 sq. in. / 150 sq. ft.)
4. Provide positive under drainage. Minimum 4" pea gravel with 6 mil polyethylene vapor barrier.
5. 16"x24" crawl space access to be provided (minimum).
6. Crawl space clearance to be 18" minimum below bottom of floor joists to grade.
7. Minimum footing depth to be 12" at or below local frost depth and on per local code requirements.
8. Footing size/design based on the allowable soil bearing of 2000 psi.
9. Concrete footing shall have a compressive strength of 3000 psi at 28 days.
10. Finish grade to be 6" below top of foundation wall.
11. Provide SFC receptacle and switched light fixture at crawl space access for service of all mechanical systems.
12. Where interior ground level is below outside grade, adequate waterproofing measures shall be taken to ensure positive drainage at all times.
13. All walls and piers of hollow masonry units shall be capped with a minimum of 4" solid masonry or poured concrete for chellings not over 1 story and not less than 6" for other dwellings.
14. Reserved.
15. Concrete blocks shall be laid in type "F" or "S" mortar or dry stacked and bonded with surface bonding cement in accordance with the manufacturers installation instructions.
16. Final details, construction, and approvals by local or state government is the responsibility of the contractor.

**General Notes:**

7. Height of wall and height of unbalanced fill may have an effect on this size and type of masonry blocks used.

**SECTION B-B**

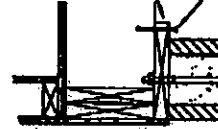


ANGLER BOLT SPACING			
MINI SPREAD	END ZONE	INTERIOR ZONE	
40 MPH	8'-0" OC	8'-0" OC	

FOOTER DEPTH			
MINI SPREAD	END ZONE	INTERIOR ZONE	
50 MPH	8'	8'	

**CALL CONNECTION TO SILENCE**



NOTE: 4" SEATING STRIP OR  
TIE-BARS REQUIRED AT END SILLS  
OF UNIT.

40 MPH WIND SPEED  
(1) 10x9 1/2" SCREWS AT 16" OC  
FASTEN ALONG EDGELS PER  
OTHER DETAIL 5

ALT. CONNECTION TO SILL

## Four Seasons Housing

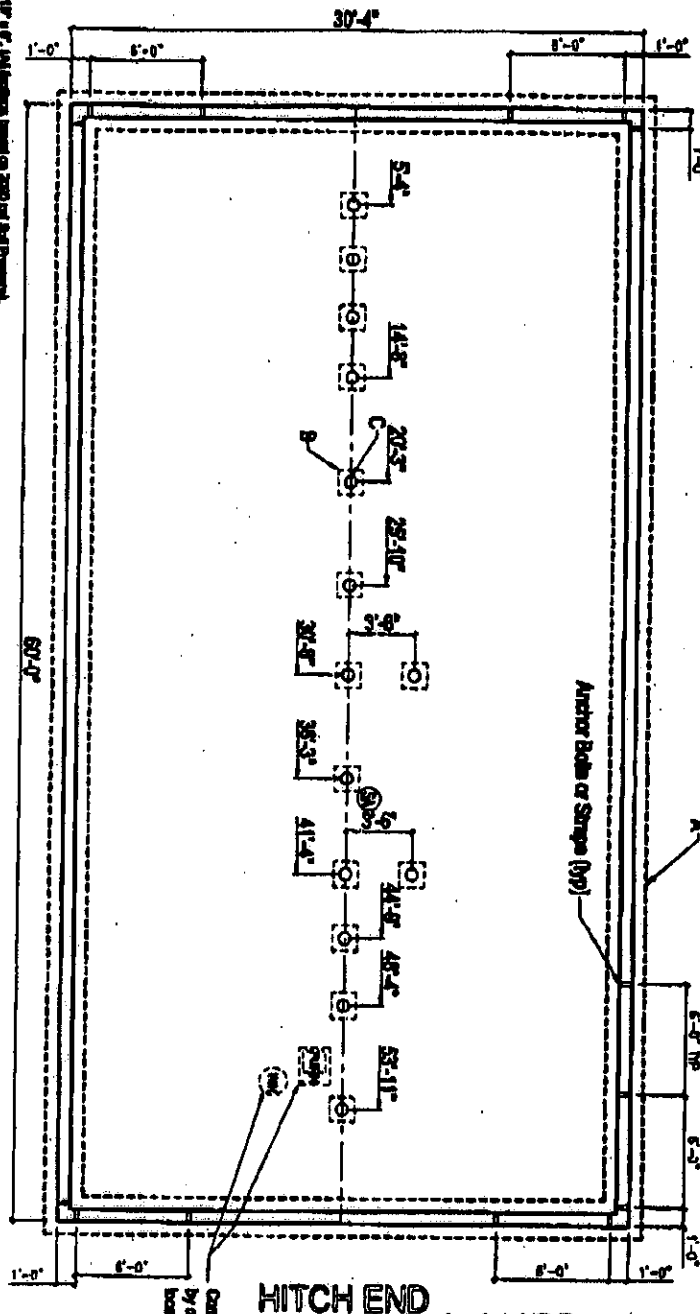
1500 C.R. 2  
P.O. Box 140  
P.O. Box 140  
P.O. Box 140

Date:	10/20/05
Drawn by:	HDS
Rev #:	
Rev Date:	
Page No.	FN-2.0

### FOUNDATION PLAN LEGEND



IDENTIFIES PIER'S LOCATION  
ALONG THE MATE LINE  
BENEATH RIDGE BEAM  
SUPPORT COLUMNS  
AND GIBBER SUPPORTS



HITCH END

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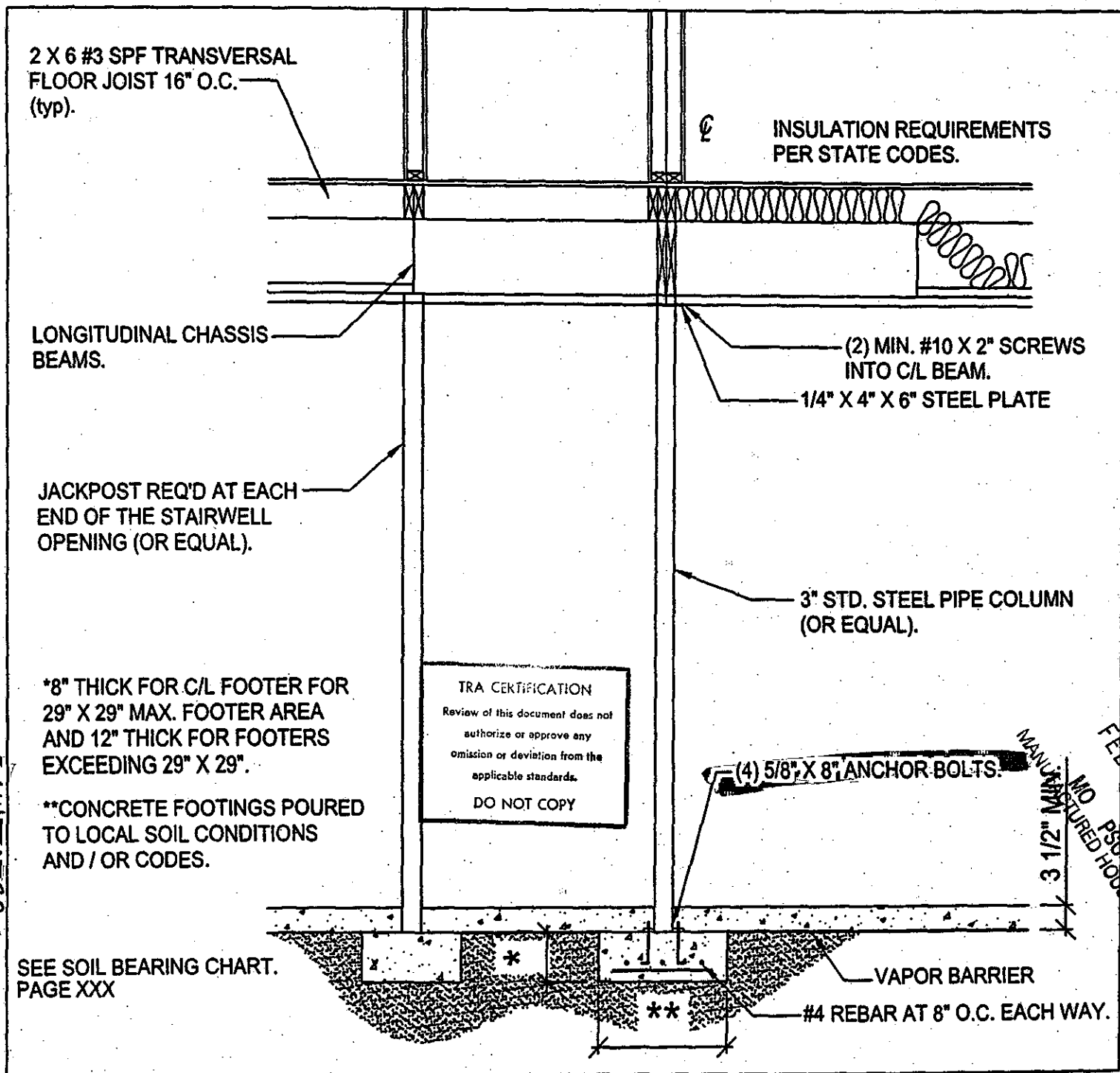
FEB 10 2006

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Applicable Regulations.

Completed on site  
by others (Optional W&A, Furnace  
boilers when certified on same floor)

[illegible]

# Figure 5.0



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## SECTION 1 INTRODUCTION

**1.1 ABOUT THIS MANUAL.** This manual contains installation instructions for the set-up of your **FOUR SEASONS** optional hinged roof system (for 5/12 and greater roof pitches). This manual must be used in conjunction with the Modular Installation Manual. Careful adherence to this manual by the homeowner, an experienced set-up crew, and consultation with a registered, professional engineer in circumstances not covered by this manual, will ensure a safe and proper installation of your home.

**1.2 SAFETY. ONLY SPECIALLY TRAINED CREWS SHOULD ATTEMPT TO INSTALL THE HOME.** Installers should follow the instructions provided in this manual and the Modular Installation Manual as well as general safety procedures, as with any construction endeavor. Remember that the home weighs several tons. Without proper safety blocking and common sense, a rollover or collapse can **CAUSE SEVERE INJURY OR DEATH**. Always assume that all elements of the home are unstable until they are completely installed. Never place any portion of your body under the hinged portion of the roof until all safety blocking is in place. Never walk on the hinged portion of the roof until all members are fastened permanently in place. Never allow anyone under the home until all support blocking is safely in place. Check all safety equipment for defects before each and every installation.

## SECTION 2 HINGED ROOF SET-UP

**2.1 PREPARATION OF ROOF.** One half of the home may be set with the roof in the shipping position. The other half must be raised prior to setting the home, or it will be impossible to raise and secure the roof. Remove all shipping plastic from the roof and matwalls. The shipping plastic is held in place with strips of wood fastened with staples and/or nails. These must be removed from the decking and shingles. Any penetrations by staples and/or nails in the shingles must be filled with roofing cement. Remove the wide crown staples and secure the kingpost stub to the swingarm. At this point the roof is not secured in place and additional care must be taken to prevent **damage to the roofing system and/or bodily harm**.

**2.2 RAISING THE ROOF.** The roofing system weighs several hundred pounds and can cause severe bodily harm or death in the event of a collapse. Insure that no portion of your body is under the roof while it is being raised. Use jacks with a minimum working load of 800 (eight hundred) pounds. Place one jack at each end, within 2'-0" (two feet) of the endwall. Place additional jacks at 12'-0" (twelve foot) intervals. A 76'-0" home will require 7 (seven) jacks to lift the roof. A crane with at least 3 straps is an alternative method of lifting the roof, in place of jacks. Begin raising the roof in a smooth, even manner. To avoid injury and/or damage to the home **FOUR SEASONS** does not recommend that persons lift the roof by hand. Do not let a portion of the roof sag excessively. Once the roof has been raised to the proper height, swing the hinged supports into place and

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### TRA CERTIFICATION

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fasten the 2-x-3 center rail into the kingpost stub using 2 (two) #8 x 3" wood screws toe-screwed at each truss.

**2.3 ROOF COVERINGS.** A portion of the exterior roof coverings must be installed on site to insure uniformity and prevent any possibilities of roof leaks.

**2.3.1 DRIP EDGE.** The drip edge material (provided by *FOUR SEASONS*) must overlap the roofing paper at the rake by a minimum of 1" (one inch). The roofing paper must overlap the drip edge on the eaves by a minimum of 1" (one inch). Fasten the drip edge in place using galvanized roofing nails or staples at 24" O.C.

**2.3.2 SHINGLES.** A portion of the shingles (provided by *FOUR SEASONS*) must be installed and/or fastened on site due to interference with the hinged roof system. Shingles may need to be slid underneath an existing row of shingles or several courses of shingles may need to be installed depending upon the design of the hinged roof system. When shingles are slid underneath existing shingles, the fasteners on the existing shingles will have been placed in the upper portion for installation on site. Slide the shingles underneath the temporarily fastened shingles and then fasten according to the instructions given on the shingle packaging. Apply the shingles in the hinged area according to the shingle manufacturer's instructions.

**2.3.3 ROOF RIDGE CAP.** Follow the detail in Section 14-02.7 2004

## **2.4 PLUMBING VTR (VENT THROUGH ROOF)**

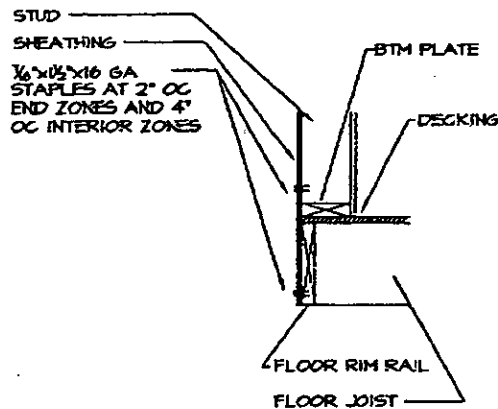
**2.4.1 VTR PIPE(S).** Each vent pipe shall extend through its flashing and terminate vertically, undiminished in size, not less than 2" (two inches) above the top portion of the boot. Plumbing vents are minimum 3" ABS pipe. Vent openings shall not be less than 3'-0" (three feet) from any air intake that opens into habitable areas. Use a coupler and length of pipe (provided by *FOUR SEASONS*) to extend the vent through the roof cavity. Seal all pipe joints with ABS cement (provided by *FOUR SEASONS*).

**2.4.2 VTR BOOTS.** Each VTR must have a boot (provided by *FOUR SEASONS*). Slide the boot under the shingles (if they have already been installed). The boot should be under the shingles up to the bottom 1/3 (minimum) of the flange and then on top of the shingles. Fasten the boot over the pipe with 10 (ten) galvanized roofing nails through the flange, one fastener in each dimple.

**2.5 ROOF JACKS AND VENTS (FOR HEAT PRODUCING APPLIANCES).** Vent openings shall not be less than 3'-0" (three feet) from any air intake that opens into habitable areas. Remove any metallic flue covers before continuing. Components shall be secured, assembled, and properly aligned

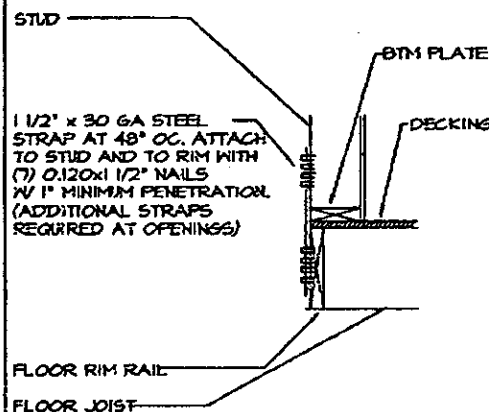
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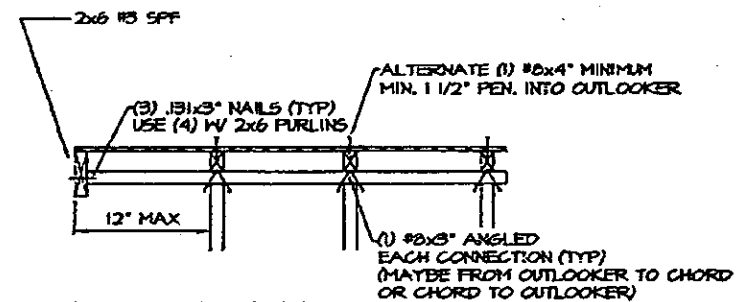


(A) UPLIFT RESISTANCE AT FLOOR

THIS DETAIL FOR USE WHEN LISTED EXTERIOR SIDING IS USED WITHOUT STRUCTURAL SHEATHING UNDERLAY. THIS DETAIL IS AN ALTERNATE TO DETAIL A.



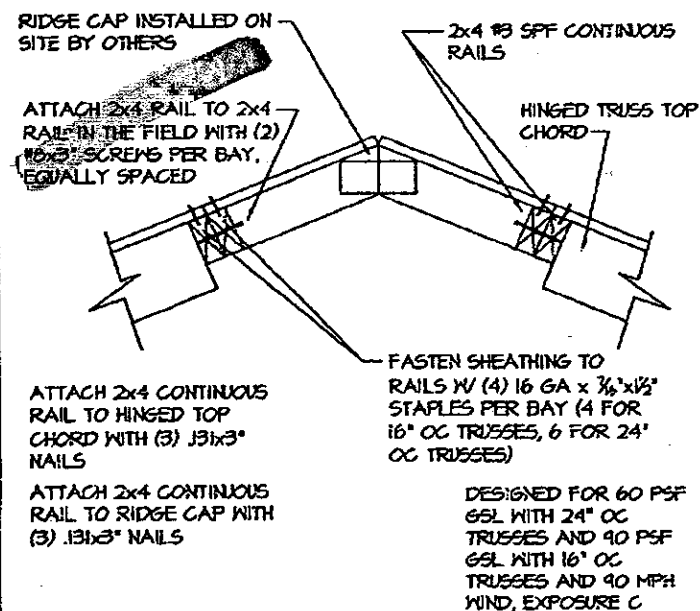
(B) UPLIFT RESISTANCE AT FLOOR (ALTERNATE)



OUTLOOKER DETAIL  
FOR USE AT GABLE OVERHANGS

OUTLOOKER SPACING:	ROOF LIVE LOAD	60 PSF	90 PSF
2x3 #2 SPF LAID FLAT	48" OC	N/A	N/A
2x4 #2 SPF LAID FLAT	48" OC	48" OC	30" OC
2x6 #2 SPF LAID FLAT	48" OC	48" OC	48" OC

(C) RAKE CONSTRUCTION



(A) ALTERNATE RIDGE CAP DETAIL

Four Seasons Housing

1888 C.R. 2  
Middlebury, IN 46540  
Phone (514) 825-9999  
Fax (514) 825-6715

Title  
CONSTRUCTION DETAILS

Date: 10/20/05

Drawn by: HDG

Rev #:

Rev Date:

Page No.

CD-10

flush with the other. Any cuts made in the bottom board must be repaired per Section 8.1.

**3.7.5.1.3 END WALLS.** Fasten the end walls using #8 x 3" screws at 12" O.C.

LOCATION	FASTENER	SPACING
Perimeter Joist	5/16" x 3" Lag bolt w/ washer	48" O.C.
Ridge	3/8" x 5" Lag bolt @ 45 degrees	48" O.C. Zone 1
Endwalls	#8 x 3" screw	12" O.C.

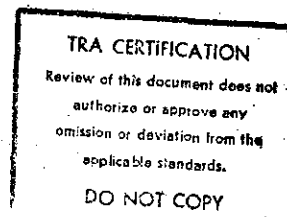
### CLOSURE FASTENING SCHEDULE

**3.7.5.2 CROSS-OVER CONNECTIONS.** Connect water, furnace, sewer, gas, and electrical cross-overs. Section 7 describes the utility tests and procedures for connecting to site utilities. When making gas and water connections, make note of the flow. Some of the sewer lines may have to be installed on site. Be sure to use an adequate slope of 1/4" per ft. when installing drain lines. Support drain lines at 48" O.C.

**3.7.5.3 EXTERIOR FINISHING.** Remove all of the shipping materials from the end walls. The starter strip and the channels for the siding are already installed. Install the vinyl siding sections by inter-locking the s-strips. Fasten the siding on a stud using corrosion resistant fasteners that penetrate at least 1" into the receiving member. Fasten the siding in the center of the slots to allow for expansion. Do not install the siding tight against the channels. Allow 1/4" gap to prevent buckling. Remove all shipping materials from the roof. Any visible holes left by the shipping material fasteners must be filled with roofing cement. See Figure 13.0 for Ridge Vent Installation.

**3.7.5.4 INTERIOR FINISHING.** All materials needed to finish off the interior of the home have been shipped with it. Some materials may have been shipped separately due to supply problems. Fill all gaps in the exterior walls with fiberglass or latex caulking. Staple or nail the trim in place. Colored putty can be used to fill nail and staple holes. Raw gypsum may have been shipped loose with the home and must be installed on site. These panels should be fastened to the wall and then completed, giving the home a more finished look. The carpet / linoleum seam should be finished by an experienced carpet / linoleum installer. The interior doors at the mating wall will need to be hung. Do not hang the doors until the home is set and level in its final position.

**3.7.5.5 STAIRWELLS.** It is not permissible to modify the floor, frame, or walls of your home to accommodate a stairwell. Typical stair details are included to aid you in the design and construction of your stairs. All local building codes must be considered when designing the stairs. See Figures 6.0 and 7.0 for typical stair details. All typical stair prints assume an 8'-0" wall height. Some



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Monday, March 27, 2006

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## Catastrophic cyclones strike Callaway

**More than 100 tornadoes blazed through the Midwest late Sunday, leaving cedars splintered, buildings collapsed and sending at least two people from Callaway County to the hospital.**

The cyclone count is expected to splinter the national record of tornadoes formed on a single March day - possibly doubling the previous record of 59 set in 1990. Although most of the local destruction was limited to snapped power lines and tree



Mother nature stormed through Callaway County late Sunday, leaving her mark on home and countryside. Along County Road 328, Lawrence and Joyce King survived the ordeal after their modular home shifted and split in half. (Contributed photo)

General Info  
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News Tribune  
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branches, select areas south of Fulton felt the storm's lashing.

New residents Lawrence and Joyce King were injured when their modular home was lifted off its foundation less than 10 miles southwest of Fulton. When emergency personnel entered the home at 3607 County Road 328 to rescue Joyce King, the house caved and tore in two.

"I didn't know what was happening until I heard the boards cracking and it started to come down," said Mike Shrout, assistant chief with Central Callaway Fire Protection District. "That was when I thought I was going to die. The house decided to start collapsing. It was a nail-biter for a minute."

Shrout, along with Callaway Ambulance personnel and a New Bloomfield Fire District member, was saved after the building remained intact long enough to pull the woman out.

When the storm hit after 1 a.m., the Kings were on their way to the basement, Shrout said. Joyce King was trapped under the wreckage when their home bowed to the storm and departed its foundation.

"We only found her head and foot sticking up through the debris when we arrived," Shrout said.

Shrout surmised that the Kings both suffered broken bones.

"It was amazing to me that with his injuries he was able to crawl out through the mud," said Shrout. "I was totally

impressed. Š He was the only one who could get her help."

Shrout said the couple was taken to Callaway Community Hospital, but hospital staff did not confirm their status on Monday.

South of Fulton along Route C, Robert Giboney was shocked to see his year-old barn transported

more than 75 feet to a new location - the pond, a neighbor's yard and in the nearby trees. The red metal lay twisted like discarded candy wrappers peaking up through the water.



About two miles south of Fulton along Route C, Robert Giboney's metal barn wound up pushed into his neighbor's pond. (Fulton Sun/Colin E. Suchland photo)

"It picked the whole thing up and took it," Giboney said. "It was a brand new barn and it's gone. But it left a tractor and a four-wheeler."

Nearby cedars were felled, their insides laid bare to reveal red wood, porch posts were swept away and lawn furniture adorned the bare tree branches.

"I've never seen anything like this before," said Giboney, unsure if he will be able to rebuild the structure. "It was a long night."

Charlie Ausfahl was asleep with his wife in his home off Silver Drive in Fulton when the wind tore a section of their roof off and sections of a blown-out window hit him.

"The Lord was taking care of us," Ausfahl said. "If (the wind) was a

little bit lower, it would have taken the whole house."


Along with debris from the house, a nearby barn, sheds and a grain grinder were scattered onto Highway 54 during the morning hours.

For most of the residents in Fulton, the lightening and thunder were the only indications that a storm was moving through the area.

"We were extremely fortunate that the storms went either to our west or to the south of us and across the state," said Fulton Police Chief Steve Myers. "We got some heavy rain at times and there was a circular cloud spotted south of Fulton, but we were fortunate."

Sue Craghead, a contact for the Callaway County Red Cross, said the organization is prepared to help the Kings once they leave the hospital. For additional information, call the Red Cross at (573) 642-3776.

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# Missouri Public Service Commission Manufactured Housing & Modular Unit Program Inspection Request Form

Please print legibly or type.

CONSUMER INFORMATION (REQUIRED)		OFFICE USE ONLY	
Name <i>Lawrence &amp; Joyce Young</i>		File Name	
Address <i>3607 County Rd. 3280</i>		Inspector	
City/State/Zip <i>Fulton MO 65251</i>		Date Filed	
County <i>Callaway</i>		Received By	
Work Phone <i>573 344-6024</i>		Date of Inquiry	
Home Phone		HOME INFORMATION (REQUIRED)	
Other Phone		<input checked="" type="checkbox"/> New or <input type="checkbox"/> Used <input type="checkbox"/> Single or <input type="checkbox"/> Multi-Section	
MANUFACTURER INFORMATION (REQUIRED)		Set Up <input checked="" type="checkbox"/> Basement <input type="checkbox"/> Foundation <input type="checkbox"/> Piers	
Name <i>Fair Hagens</i>		Serial Number (REQUIRED)	
Address		HUD Label Number	
City/State/Zip		Model	
DEALER INFORMATION (REQUIRED)		Date of Manufacture	
Name		Date Home Delivered	
Address		Has the home been moved from original location? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
City/State/Zip		Are you the first owner of the home? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
REASON FOR REQUEST (REQUIRED) List each concern separately. Do not write concerns in paragraph form.			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14. <i>Kimberly Jones PDA</i>			
15.			
Attach additional sheets if necessary.			
Signature of Consumer (REQUIRED) <i>Lawrence Young</i>		Date <i>7-14-06</i>	
RETURN TO: Manufactured Housing & Modular Unit Program P.O. Box 360, Jefferson City, MO 65102 PHONE: 800-819-3180 FAX: 573-522-2509			

Revised: August 6, 2003

Exhibit G