

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

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

Complainant,)

v.)

Burkhart Mobile Homes, Inc.)

Respondent.)

Case No. MC-2011-_____

COMPLAINT

COMES NOW the Director of Manufactured Housing and Modular Units Program of the Missouri Public Service Commission by and through the Office of Staff Counsel of the Missouri Public Service Commission's ("Commission"), pursuant to Section 700.100, RSMo 2000¹ and for his Complaint against Burkhart Mobile Homes, Inc., states as follows:

INTRODUCTION

1. This Complaint concerns Burkhart Mobile Homes, Inc.'s, ("Respondent" or "Burkhart") violation of certain Commission rules and Missouri statutes, by failing to renew its dealer's license and continuing to sell or offer for sale manufactured homes and modular units with an expired dealer's license.

COMPLAINANT

2. Complainant is the Director of Manufactured Housing and Modular Unit Program of the Missouri Public Service Commission ("Director"), Commission Rule 4 CSR 240-123.020 delegates to the Director all of the Commission's powers pertaining to manufactured homes and

¹ All references to the Revised Statutes of Missouri are to RSMo 2000, as currently supplemented.

modular units under Chapter 700 RSMo, except the powers to revoke, deny, refuse to renew, or place on probation, a registration under Section 700.090, which are retained by the Commission.

RESPONDENT

3. Respondent Burkhart Mobile Homes, Inc., is located at 8700 E. 70 Highway, in the City of Kansas City, County of Jackson, State of Missouri.

4. Burkhart was administratively dissolved by the Missouri Secretary of State's Office, as of August 25, 2010, for failure to file a correct and current annual report. *See* Attachment 1.

JURISDICTION

5. Burkhart is in the business of selling or offering for sale both new and used manufactured homes and modular units.

6. As such, Burkhart qualifies as a manufactured home "Dealer," as defined in Section 700.010(4), and is therefore subject to the jurisdiction of the Commission under Section 700.040 RSMo 2000.

FACTS COMMON TO ALL COUNTS

7. Burkhart filed an application to renew its' *Manufactured Home Modular Unit Certificate of Dealer Registration* with the Commission on January 25, 2010. *See* Attachment 2.

8. On January 28, 2010, the Commission Staff notified Burkhart, by mail and facsimile (*see* attachment 3), of the insufficiencies of its application, including:

(a) Failure to provide a Certificate of Good Standing from the Secretary of State of the State of Missouri; and

(b) Failure to provide a current Certificate of No Tax Due.²

9. At some point in time, Burkhart provided a Certificate of Good Standing to the Director, but remained delinquent regarding the Certificate of No Tax Due.

10. On May 20, 2010, Staff field inspector Ronnie Mann inspected Burkhart's Kansas City lot, and red-tagged three homes, referred to herein as the "Champion I," the "Clayton," and the "Redman."³ See Attachments 4 and 5.

11. On or about June 14, 2010, Burkhart entered into a purchase agreement with William A. and Wanda M. Smith, of Lansing, Kansas, for the purchase of the red-tagged Champion I home. See Attachment 6.

12. On August 25, 2010, the Missouri Secretary of State's Office administratively dissolved Burkhart Mobile Homes, Inc., for failure to file a correct and current annual report, effectively revoking the Company's Certificate of Good Standing. See Attachment 1.

13. On September 10, 2010, during a site inspection of a home owned by Milton Kutzil, of East Rhonda Drive, Excelsior Springs, Missouri, field inspector Mr. Ronnie Mann found that the home being inspected was the red-tagged Clayton home from the Burkhart lot. See Attachment 7.

14. On November 23, Mr. Mann again inspected the lot and red-tagged a fourth new home, referred to herein as the "Champion II" home, that had just been added to Burkhart's inventory.

² Burkhart filed with its *Application* a out-of-date 2009 Certificate of No Tax Due.

³ In Rule 4 CSR 240-120.100 that Commission adopted the federal standards for new manufactured homes which entered the first stage of production after November 22, 1976, those standards were incorporated by reference in 24 CFR Part 3280 and constitute the code to be applied to new manufactured homes which are rented, leased or sold or offered for rent, lease or sale in this state. HUD Code Section 3282.7(cc) states that, "To red tag means to affix a notice to a manufactured home which has been found to contain an imminent safety hazard or a failure to conform with any applicable standard. A red tag *is* the notice so affixed to the manufactured home."

15. On December 30, 2010, Mr. Ronnie Mann did a site inspection of the home of John R. Wilder at 4901 S. Valley View Lot #76, Blue Springs, Missouri. Mr. Mann discovered that the Wilder's home was the Champion II home that was red-tagged on November 23, 2010. *See Attachment 9.* A purchase agreement shows this home was sold to the Wilder's on August 9, 2010. *See Attachment 10.*

16. In January 2011, Mr. Delbert Scott contacted the Director to inform him of problems he was having with Burkhart. Mr. Scott stated that he had purchased a used home from Burkhart in September 2010 which had never been delivered. Mr. Scott also stated that Burkhart covered that sale with a different used home, which was accepted by Scott, and memorialized in a purchase agreement dated January 7, 2011. *See Attachment 11.*

17. In total, Burkhart sold or offered for sale three new homes and one used home without a valid registration.

COUNT I

700.045(1) MISDEMEANOR SALE WITHOUT REGISTRATION

18. The Director re-alleges and incorporates herein the allegations and information contained in paragraphs 1-17.

19. Section 700.045 RSMo 2000 states, "It shall be a misdemeanor: (1) For a manufacturer or dealer to manufacture, rent, lease, sell or offer to sell any manufactured home or modular unit after January 1, 1977, unless there is in effect a registration with the commission."

20. Burkhart has failed to provide a current *Certificate of No Tax Due*, with the Director, a document necessary for renewal of registration.

21. As of August 25, 2010, Burkhart no longer holds a *Certificate of Good Standing* in the State of Missouri a document necessary for renewal of registration.

22. Burkhart sold three new manufactured homes, and one used manufactured home, while not properly registered with the Commission.

COUNT II
REGISTRATION AND RENEWAL – REFUSAL TO RENEW 700.100.3(3) AND (4)

23. The Director re-alleges and incorporates herein the allegations and information contained in paragraphs 1-22.

24. Section 700.100.1 RSMo, states that the commission may, "...refuse to renew the registration of any person who fails to comply with the provisions of sections 700.010 to 700.115..." Section 700.100.3 RSMo gives grounds for the suspension, revocation or placing on probation of a manufacturer's or dealer's registration: (1) If required, failure to comply with the provisions of section 301.280; (2) Failing to be in compliance with the provisions of section 700.090; (3) If a corporation, failing to file all franchise or sales tax forms required by Missouri law; (4) Engaging in any conduct which constitutes a violation of the provisions of section 407.020;

25. Burkhart has violated 700.100.3(3) in that Burkhart has failed to provide the Certificate of No Tax Due with its registration as required by Missouri law.

26. Furthermore, Burkhart has violated 700.100.3(4) in that it has employed deception, fraud, false pretense, false promise, misrepresentation, unfair practice or the concealment, suppression, or omission of any material fact in connection with the sale or of manufactured homes commerce, in or from the state of Missouri.

COUNT III
AUTHORITY TO SEEK PENALTIES

27. The Director re-alleges and incorporates herein the allegations and information contained in paragraphs 1-26.

28. Formal non renewal of Burkhart's 2010 *Application for Renewal of Dealer Registration* is appropriate because Burkhart has failed to provide a Certificate of No Tax Due, sold three new, red-tagged homes and one used, red tagged home in multiple violations of state law. Furthermore, Burkhart's dealer registration should not be renewed because the Company has been administratively dissolved by the Missouri Secretary of State and by statute the company is not authorized to do business in Missouri.

29. Based on the above allegations and Counts I through III against Burkhart, the Director requests the Commission authorize its General to seek penalties in circuit court, pursuant to Section 700.115.2, as each day's violation of Sections 700.010 through 700.115 is a separate offense and renders Burkhart liable for a penalty of up to \$1,000 for each offense.

WHEREFORE, the Director respectfully requests that the Commission, as enumerated in Counts I through III above, issue an order that:

- (1) Finds that Burkhart's application for renewal of registration is deficient in that Burkhart failed to file a No Tax Due certificate as required under Section 700.100.3.
- (2) Finds that Burkhart is not authorized to do business in the State of Missouri according to the Missouri Secretary of State.
- (3) Finds that Burkhart improperly sold or offered for sale four homes on four occasions without a valid dealer's registration as required under Sect Section 700.045.
- (4) Formally non-renew Burkhart's application for renewal of registration.
- (5) Authorizes the commission's General Counsel to seek penalties in Circuit Court in this matter.

Respectfully submitted,

/s/ Meghan McClowry

Meghan E. McClowry

Legal Counsel

Missouri Bar No. 63070

Attorney for the Staff of the
Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-6651 (Telephone)

(573) 751-9285 (Fax)

Meghan.mcclowry@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 29th day of March, 2011.

/s/ Meghan McClowry

**ADMINISTRATIVE DISSOLUTION
OR REVOCATION FOR A
FOR-PROFIT CORPORATION**

00183044
BURKHART MOBILE HOMES, INC.
STEVE A BURKHART
8700 EAST HIGHWAY 40
KANSAS CITY, MO 64129

August 25, 2010

BURKHART MOBILE HOMES, INC.
00183044

The above corporation has failed to comply with Section 351.484 or 351.598 RSMo, by:

Failure to file a correct and current annual report

Therefore, the above corporation stands administratively dissolved or revoked under the provisions of Section 351.486 or Section 351.602, RSMo, as of August 25, 2010, subject to rescission as in these acts provided. A corporation administratively dissolved may not carry on any business except that necessary to wind up and liquidate its business and affairs under Section 351.476.

To request reinstatement forms please include your name, mailing address, telephone number, entity name and entity charter number by email to rescissions@sos.mo.gov [<mailto:rescissions@sos.mo.gov>](mailto:rescissions@sos.mo.gov); by fax (573) 751-5841 or call toll free (866) 223-6535.

For further information, please contact the Corporations Division at (866) 223-6535 toll free.



A handwritten signature in dark ink, appearing to read "Rich Lamb".

Rich Lamb
Executive Deputy Secretary of State



Application for Manufactured Home Modular Unit Certificate of Dealer Registration

(Any false statement in this application is a violation of the law and may be punished by fine or imprisonment or both)

Transmittal Number (PSC Office Use Only) 4193680847		Check Number (PSC Office Use Only) 374824		Check Amount (PSC Office Use Only) \$200	
<input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal		If Renewal, Registration Number: 723801		<input type="checkbox"/> Manufactured (HUD) Home Dealer <input checked="" type="checkbox"/> Modular Unit Dealer	
DEALERSHIP INFORMATION				CORPORATIONS ONLY - ADDRESS	
Dealership Name Burkhart Mobile Homes Inc				Corporate Name RECEIVED	
Street Address of Bona Fide Established Place of Business (Not P.O. Box) 8700 E 70 Hwy				Address JAN 25 2010	
City Kansas City	State Mo	Zip Code 64129	County Jackson	City	State
Phone 913-921-3630	Fax 913-921-3646	921-3646		Phone	Fax
E-mail BurkhartSTEVE A AOL.COM				E-mail	
PREVIOUS DEALERSHIP INFO - Have you previously owned a dealership under a name other than what is listed above? <input type="checkbox"/> No <input type="checkbox"/> Yes					
IF YES, please list previously owned dealership(s) name & address:					
Type of Ownership <input type="checkbox"/> Individual/Sole Proprietorships <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> LLC Company				If a Corporation, State of Incorporation MISSOURI	
YOU MUST ATTACH: Statement of No Taxes Due - Call the Department of Revenue @ 573-751-9268 to obtain. Corporations, LLC's & Partnerships only: Must also attach a Certificate of Good Standing - Call the Secretary of State's Office at 573-751-4153 to obtain. Corporations: Must submit a copy of their Articles of Incorporation and Company By-laws with their initial registration.					
LIST ALL OWNERS BELOW					
If a Partnership, list name & address of each partner. If a Corporation, list names, addresses & titles of principal officers.					
Name (Last, First, MI)	Home Address	City	State	Zip Code	Social Security #
1. STEVE BURKHART A	2304 NW 8th	Blue Springs	MO	64015	[REDACTED]
2. William Burkhardt G	10501 27th St	Independence	MO	64052	[REDACTED]
3. Helen Burkhardt	3318 Denton rd	Independence	MO	64052	[REDACTED]
4.					
UNITS SOLD - Number of units sold in prior 12 months		New 5	Used 30	List Manufacturers CLAYTON - Champion Manufactured Homes	
INSTALLERS - Certified installer(s) performing your HUD home installations: List name(s) or license #(s). Modular Only Installations? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes William G. Burkhardt 08-000185					
FELONY INFORMATION:					
Has owner (or any partner, if partnership, or officer, if corporation) within the preceding ten (10) years been convicted in any Federal or State court of a felony relating to the acquisition or transfer of a manufactured home or any other form of property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
If yes, provide the following	Date	Court	Conviction	Sentence	
MISDEMEANOR INFORMATION					
Has owner (or any partner, if partnership, or officer, if corporation) within the preceding five (5) years been convicted in any Federal or State court of a misdemeanor relating to the acquisition or transfer of a manufactured home or any other form of property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
If yes, provide the following	Date	Court	Conviction	Sentence	
CERTIFICATION:					
I do solemnly affirm and verify that the concern named herein is a bona fide dealer and I have the authority to make the statements contained herein and to sign this application.					
Signature of Owner, Partner or Corporation Officer [Signature]				Date 1-10-2010	
Please remit this completed application to the address below along with the Registration Fee of \$200. Make all checks payable to the Missouri Director of Revenue.					

JAN 25 2010

BURKHART MOBILE HOMES 02/76

PH 816-921-3636
8700 E HIGHWAY 40
KANSAS CITY, MO 64129

374824
18-136/1013

DATE 7-26-18

PAY TO THE ORDER OF MISSOURI DIRECTOR OF REVENUE

\$ 200.00

Two Hundred

DOLLARS



FOR

4010013642

85823511

RECEIVED

JAN 25 2010

Budget & Fiscal Services
MO. P.S.C.

STATE OF MISSOURI



Robin Carnahan
Secretary of State

CORPORATION DIVISION CERTIFICATE OF GOOD STANDING

I, ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

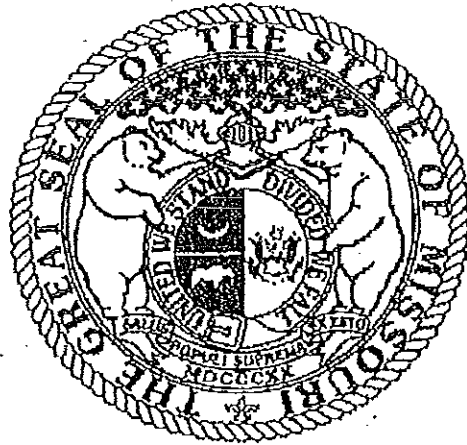
BURKHART MOBILE HOMES, INC.
00183044

was created under the laws of this State on the 20th day of April, 1976, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 24th day of February, 2010

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

Secretary of State



Certification Number: 12562378-1 Reference:
Verify this certificate online at <https://www.sos.mo.gov/businessentity/soskb/verify.asp>

ATION DIVISION
O BOX 1646
JEFFERSON CITY MO 65105-1646



Missouri
DEPARTMENT OF REVENUE

Telephone: (573) 751-7200
Fax: (573) 522-2404
E-mail: collections@dor.mo.gov

BURKHART MOBILE HOMES INC
8700 E 40 HWY
KANSAS CITY MO 64129

DATE: FEBRUARY 23, 2009

MISSOURI TAX ID NUMBER: 10430393

CERTIFICATE OF NO TAX DUE

To Whom it may Concern: The Department of Revenue, State of Missouri, certifies that the above listed taxpayer/account has paid all sales/withholding tax due, including penalties and interest, or does not owe any sales/withholding tax as of December 31, 2008.

This certificate does not apply to the periods under a partial payment agreement with the Department of Revenue. Should the taxpayer default on the agreement, the purchaser may become liable as a successor.

This statement of no sales/withholding tax due does not limit the authority of the Director of Revenue to assess and/or collect liabilities under appeal or that become known to the Missouri Department of Revenue as a result of audit or determination of successor liability.

Sincerely,

David Garro
Manager, Collections Enforcement

CAM041
200905400301146

citizenserve

GOVERNMENT on demand

Quick Find >
My Lists>

Quick Find (1-1 of 1)

723801 8700 EAST 40 HWY

To Do List	Quick Add	Add Wizard	Find	Enter New Citizen	Reports	Admin	My Software	Help	Logout
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#

723801

History

Contacts

Activities

Documents

Violation

Fees

SealMonthly

DecalMonthly

Plans

DealerMonthly

8700 EAST 40 HWY (All Addresses)

File

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Activity

Contact

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DecalMonthly

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MODE = MEMORY TRANSMISSION

START=JAN-28 10:21

END=JAN-28 10:22

FILE NO. = 196

STN NO.	COM	ABBR NO.	STATION NAME/TEL.NO.	PAGES	DURATION
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-MANUFACTURED HOUSING DEPT-

***** -573 522 2509 - ***** 573 522 2509- *****



Commissioners:
 ROBERT M. CLAYTON III
 Chairman
 JEFF DAVIS
 TERRY M. JARRETT
 KEVIN GUNN
 ROBERT S. KENNEY

Missouri Public Service Commission

POST OFFICE BOX 360
 JEFFERSON CITY MISSOURI 65102
 573-751-3234
 573-751-1847 (Fax Number)
<http://www.psc.mo.gov>

WESS A. HENDERSON
 Executive Director
 NANA H. JOYCE
 Director, Administration and
 Regulatory Policy
 ROBERT SCHALLHUBER
 Director, Utility Services
 NATELEMETRICII
 Director, Utility Operations
 STEVEN C. REED
 Secretary/Central Counsel
 KEVIN A. THOMPSON
 Chief Staff Counsel

January 28, 2010

Burkhart Mobile Homes, Inc.
 8700 E. 40 Hwy
 Kansas City, MO 64129

Re: Dealer Renewal Registration Application - #723801

To Whom It May Concern,

We are in receipt of your renewal application for Manufactured Home Certificate of Dealer Registration. However, your application cannot be processed at this time, because of lacking necessary documentation. The Certificate of No Tax Due submitted is outdated (February 23, 2009). Please obtain a current one and resubmit it to the department. Also, Corporations, LLC's and Partnerships must provide a Certificate of Good Standing from the Secretary of State's Office. You may obtain the necessary documentation by contacting the numbers below:

Statement of No Taxes Due - call the Department of Revenue @ 573-751-9268.
 Certificate of Good Standing -- call the Secretary of State's Office @ 573-751-4153.

Please forward the requested documentation to: the Manufactured Housing & Modular Unit Program, P.O. Box 360, Jefferson City, MO 65102 or fax to 573-522-2509 as soon as possible. Please note that your registration will not be processed until the requested documentation has been received.

Your prompt attention to this matter is greatly appreciated. If you have questions in regard to the above, please call 800-819-3180.

Sincerely,

Sandra Reinhart

Sandra Reinhart
 Manufactured Housing & Modular Unit Program



Copy

Commissioners

ROBERT M. CLAYTON III
Chairman

JEFF DAVIS

TERRY M. JARRETT

KEVIN GUNN

ROBERT S. KENNEY

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.mo.gov>

WESS A. HENDERSON
Executive Director

DANA K. JOYCE
Director, Administration and
Regulatory Policy

ROBERT SCHALLENBERG
Director, Utility Services

NATELLE DIETRICH
Director, Utility Operations

STEVEN C. REED
Secretary/General Counsel

KEVIN A. THOMPSON
Chief Staff Counsel

January 28, 2010

Burkhart Mobile Homes, Inc.
8700 E. 40 Hwy
Kansas City, MO 64129

Re: Dealer Renewal Registration Application - #723801

To Whom It May Concern,

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Sincerely,

Sandra Reinhart
Manufactured Housing & Modular Unit Program

Manufactured Housing and Modular Unit Program Dealer Lot Inspection / Investigation Form.		P.O. Box 360 Jefferson City, MO 65102 Phone NO. 573/751-2557	
Dealer: <u>Barkhart Mobile Homes</u>		Registration NO: <u>Registration not current</u>	
Address: <u>8700 E 40 Hwy</u>			
City: <u>Kansas City</u>	State: <u>MO</u>	Zip Code: _____	
Dealer Monthly Sales Report: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
Manufacturer: <u>Champion Home Builders</u>		Plant NO: _____	
Address: <u>York, NE</u>		City: _____	State: _____ Zip Code: _____
HUD Label/MO Seal: <u>025132</u>		Date of Mfr.: <u>5/8/07</u>	
Serial NO.: <u>0010491 A/R</u>		Model No. <u>895</u>	
Health Notice: <u>N/A</u>	Data Plate: <input checked="" type="checkbox"/>	Smoke Detector Location(s): _____	
Furnace Installation & Fire Stopping: _____		HUD Labels Installed: _____	
Additional Items To Be Corrected: _____ <u>Red tagged 5/20/10</u>			
All Items Must Be Corrected & A Work Order Sent To P.S.C. Manufactured Housing Dept. Before Home Is Sold.			
Manufacturer: <u>Clayton</u>		Plant NO: _____	
Address: <u>Savannah TN</u>		City: _____	State: _____ Zip Code: _____
HUD Label/MO Seal: <u>TEN 223641 - TEN 23233</u>		Date of Mfr.: <u>10/13/09</u>	
Serial NO.: <u>CS20108F3 TN A/R</u>		Model No. <u>22684 A/R</u>	
Health Notice: <u>N</u>	Data Plate: _____	Smoke Detector Location(s): _____	
Furnace Installation & Fire Stopping: _____		HUD Labels Installed: _____	
Additional Items To Be Corrected: _____ <u>No Data plate in home</u> <u>Red tagged 5/20/10</u>			
INSPECTOR <u>RONNIE MANN</u> DATE: <u>5/20/10</u>			
INSPECTION ACKNOWLEDGED BY: <u>[Signature]</u>			
All Items Must Be Corrected & A Work Order Sent To P.S.C. Manufactured Housing Dept. Before Home Is Sold.			

Manufactured Housing and Modular Unit Program
Dealer Lot Inspection / Investigation Form.

P.O. Box 360
Jefferson City, MO 65102
Phone NO. 573/751-2657

Registration NO:

Registration: *not*
Current

Dealer:

Barkhart Mobile Homes

Address:

8700 E. Hwy 40

City:

Kansas City

State:

MO

Zip Code:

Dealer Monthly Sales Report:

YES ☒

NO ☐

Manufacturer:

Redman Homes

Plant NO:

Address:

P.O. Box 95

City:

Topeka

State:

IN

Zip Code:

46521

HUD Label/MO Seal:

PFS 1041955/56

Date of Mfr.:

5/28/08

Serial NO.:

165-14635

Model No.

NA350

Health Notice: ☒

Data Plate: ☒

Smoke Detector Location(s):

Furnace Installation & Fire Stopping:

HUD Labels Installed: ☒

Additional Items To Be Corrected:

Red tagged 5/20/10

All Items Must Be Corrected & A Work Order Sent To P.S.C. Manufactured Housing Dept. Before Home Is Sold.

Manufacturer:

Plant NO:

Address:

City:

State:

Zip Code:

HUD Label/MO Seal:

Date of Mfr.:

Serial NO.:

Model No.

Health Notice: ☐

Data Plate: ☐

Smoke Detector Location(s):

Furnace Installation & Fire Stopping:

HUD Labels Installed:

Additional Items To Be Corrected:

INSPECTOR RONNIE MANN

DATE:

INSPECTION ACKNOWLEDGED BY: *[Signature]*

5/20/10

All Items Must Be Corrected & A Work Order Sent To P.S.C. Manufactured Housing Dept. Before Home Is Sold.

PURCHASE AGREEMENT

An Agreement made this 14th day of June, 2010, between William A. Smith and Wanda M. Smith hereafter called "Buyer" whose current home address is 921 S. Main lot 85, Lansing, Ks. 66043. [REDACTED] and Burkhart Mobile Homes, Inc., hereafter called "Seller", whose business address is 8700 E. 40 Highway, Kansas City, MO 64129, phone (816) 921-3636, fax (816) 921-3646.

1. Seller agrees to sell and buyer agrees to buy a New 2007 Champlon Manufactured Home, Size 32 x 60, Serial # 005-00P-M-010491AB. Including Smooth top electric range, Side by Side refrigerator and dishwasher.
2. Seller will deliver home to Leavenworth, Kansas.
3. Seller will install home on foundation built to Seller's specification.
4. Seller will bolt two halves together.
5. Seller will install roof cap.
6. Seller will install vinyl siding on exterior of home.
7. Seller will anchor home to seal plate.
8. Seller will seam carpet.
9. Seller will trim out interior.
10. Seller will finish drywall.
11. Seller will connect water, sewer and electric. Please note subcontractors must have water, sewer and electric stubbed thru the basement wall.
12. Seller will install new 3 1/2 ton Central Air.
13. Buyer acknowledged that they will be responsible for the following.
 - A. Foundation
 - B. Dirt work around foundation
 - C. Steel beams and jack post for basement
 - D. Sill plate
 - E. Driveway
 - F. Permits
 - G. Steps to basement
 - H. Decking
 - I. Bringing utilities thru basement wall
14. Buyer to provide a clear title to the 1995 Skyline.

Year: 2007
Make: Champion
Size: 32 x 60
Serial#005-00P-M-010491AB

Purchase Price: \$89,000.00
Trade in: \$15,000.00
Buyer obtained finance discount: \$2,000.00
Balance Due: \$72,000.00

William A. Smith "Buyer"

Burkhart Mobile Homes, Inc. "Seller"

Wanda M. Smith "Buyer"



**Missouri Public Service Commission
Manufactured Housing & Modular Units Program
SITE INSPECTION REPORT**

Send Work Order to:
Manufactured Housing & Modular Units Program
P.O. Box 380, Jefferson City, MO 65102
Fax to: 573-522-2509 or Phone: 1-800-819-5180

Homeowner Name: Milton Kutzli		Date: 9/10/2010
Address/City/State/Zip: East Rhonda Drive Excelsior Springs, MO		
Phone #:	Installation Date: 9/6/2010	Inspector: Ronnie Mann
Dealer Name/Address: Burkhart Mobile Homes, Inc.		
Mfg Name/Address: Clayton Homes Savannah, TN		
Serial #: CS2010883TN A/B	HUD Label #: TEN 732233/733641	Date of Mfg: 10/13/09
Primary Installer Name/Address: Wm Greg Burkhart		
Installer #: 08-000185	Decal #: 018667	Model #: 37EXP 3268 AH 10 Home Size: 32-68
ALL SET-UP DEFICIENCIES LISTED ON THIS REPORT ARE TO BE CORRECTED WITHIN 30 DAYS		
COMMENTS:		
Site Prep:	Correct <input checked="" type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #08-000185		
Footings/Piers:	Correct <input type="checkbox"/> Incorrect <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Installer # 08-000185 There is no pier or footing under the stationary side of the patio door.		
Bolting Floors/Walls:	Correct <input checked="" type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #08-000185		
Bolting Roof:	Correct <input type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #08-000185 Covered at time of inspection.		
Ridge Cap:	Correct <input checked="" type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #08-000185		
Siding:	Correct <input checked="" type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #:08-000185		
Electric Crossover:	Correct <input checked="" type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #08-000185		
Water:	Correct <input checked="" type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #08-000185		
Sewer:	Correct <input type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer #08-000185 Not completed at time of inspection.		
Gas:	Correct <input type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Installer #		
Anchors:	Correct <input checked="" type="checkbox"/> Incorrect <input type="checkbox"/> N/A <input type="checkbox"/>	
Installer # 08-000185 X1-2 system		
ADDITIONAL SET-UP DEFICIENCIES TO BE CORRECTED WITHIN 30 DAYS:		
Installer/Set-Up Crew Personnel Signature:		Date: 9/10/2010

Send or fax work orders to: 660-684-0108 after items are corrected.
9/10/2010



Missouri Public Service Commission
Manufactured Housing & Modular Units Program
Site Inspection Report

Manufactured Housing & Modular Units Program
P.O. Box 360, Jefferson City, MO 65102
Fax To: 573-522-2509, Phone: 1-800-819-3180

Homeowner: JOHN R. WILDER
4901 S. VALLEY VIEW LOT # #76
BLUE SPRINGS MO 64013

Date: 12/30/2010
Inspector: Ronnie Mann
File #: 11-000004

Dealer: BURKHART MOBILE HOMES, INC
8700-E 40 HWY
KANSAS CITY MO 64129
(816) 921-3636

Installation Date: 12/27/2010

Manufacturer: CHAMPION HOME BUILDERS, INC.
P.O. BOX 200
DRESDEN TN 38225
(731) 364-4600

Serial: 021-000-H-A000309A/B
HUD Label: TEN 747449/50
Date of Mfr: 11/11/2010
Seal #:

Primary Installer: BURKHART, WILLIAM G.
8700 E 40 HWY
INDEPENDENCE MO 64129
Installer #: 08-000185

Decal #:
Model: 350TN
Size: 28x54

ALL SET-UP DEFICIENCIES LISTED ON THIS REPORT ARE TO BE CORRECTED WITHIN 30 DAYS

Site Prep: Incorrect Lot is not graded to prevent water from entering the area under the home. Refer to Champion Installation manual, page 11, Figure 5

Installer: BURKHART, WILLIAM G.

Footings/Piers: Incorrect 1) There are no piers or footings under the porch post pier locations. See Champion installation manual, page 15, Figure 7. 2) There is a pier on the front side that has a 1" cap.

Installer: BURKHART, WILLIAM G.

Bolting Floors/Walls: Correct

Installer: BURKHART, WILLIAM G.

Bolting Roof: Covered at time of inspection.

Installer: BURKHART, WILLIAM G.

Ridge Cap: Correct

Installer: BURKHART, WILLIAM G.

Siding: Not completed at time of inspection.

Installer: BURKHART, WILLIAM G.

Electric Crossover: Incorrect Electric crossover wiring is not up and protected. Refer to Champion Installation manual, page 52 & 53.

Installer: BURKHART, WILLIAM G.

Water: Correct

Installer: BURKHART, WILLIAM G.

Sewer: Not completed at time of inspection.

Installer: BURKHART, WILLIAM G.

Skirting:

Installer:

Anchors: No anchoring installed at time of inspection.

Installer: WILLIAM BURKHART

ADDITIONAL SET-UP DEFICIENCIES TO BE CORRECTED WITHIN 30 DAYS:

This home was Red tagged on Burkhardt MH lot 11/23/2010. Home set up was not completed on 12/30/2010. There was no Installer decal on the home.

Installer/Set-Up Crew Personnel Signature: Date:

Purchase Agreement

Agreement made this 9th day of August 2010 between John R. Wilder and Claudette H. Wilder hereafter called "Buyers" whose current home address is 4901 S. Valley View #76 [REDACTED] and Burkhardt Mobile Homes Inc hereafter called "Seller" whose business address is 8700 E. U.S. Highway 40, Kansas City, Mo. 64129 phone (816)921-3636 fax (816) 921-3646.

1. Seller agrees to sell and Buyer agrees to purchase a New 2011 Champion Manufactured Home, size 28x54, serial # _____ Including smooth top stove, refrigerator, dishwasher, and central air.
2. Seller will deliver home to Valley View MHP #76.
3. Seller will block, level, and tie-down home.
4. Seller will connect the water, sewer, and electric to a prepared hook-up.
5. Seller will install new vinyl skirting.
6. Seller will heat tape fresh water supply line.
7. Seller will bolt two halves together and install roof cap.
8. Seller will install vinyl siding on ends of home.
9. Seller will trim interior.
10. Seller will install a new 3 ton air conditioner.
11. Seller will remove the existing 1988 home including stove, refrigerator and central air.

Year:	2011	Purchase Price:	\$54,900.00
Make:	Champion	Sales Tax:	\$2,500.00
Size:	28x54	Total With Tax:	\$57,400.00
Serial #	_____	Trade equity:	\$10,000.00
		Total minus trade:	\$47,400.00
		Title fee:	\$14.00
		Flood fee:	\$15.00
		Doc prep fee:	\$499.00
		Total amount financed:	\$47,928.00

John R. Wilder "Buyer"

Burkhardt Mobile Homes Inc "Seller"

Claudette H. Wilder "Buyer"

Purchase Agreement

An Agreement made this 7th day of January, 2011 between Delbert Scott and Donna Scott hereafter called "Buyer" whose current business address is 7401 Metcalf, Overland Park, Ks. 66204, [REDACTED] and Burkhart Mobile Homes Inc. hereafter called "Seller" whose business address is 8700 E. US 40 Hwy, Kansas City, Mo. 64129 phone 816-921-3636 fax 816-921-3646.

1. Seller agrees to sell and Buyer agrees to purchase a used 2004 Sunshine Manufactured Home, Size 16x80 Serial# AIS115692 Including stove, refrigerator, dishwasher, fireplace, Curtains, mini blinds, skirting and central air.
2. Seller will deliver home to 7401 Metcalf, Overland Park, Ks. 66204.
3. Seller will block, level and tie down home.
4. Seller will connect water, sewer, gas and electric to a prepared hook-up.
5. Seller will install new vinyl skirting.
6. Seller will heat tape fresh water supply line
7. Seller will re-hook central air and provide a 30 day warranty from June 1, 2011.
8. Seller will perform the following repairs:
 - Install new carpet and pad in living room
 - Install 18 cubic foot side by side refrigerator
 - Repair holes and paint walls
 - Repair and stain base as needed
 - Clean home
 - Remove wall paper from master bedroom wall
9. Seller will provide a 30 day warranty on plumbing, furnace, water heater, stove, refrigerator and dish washer.
10. Buyer acknowledges that there is 1 existing deck and 2 sheds. Buyer is welcome to those items but buyer is responsible for moving them.
11. Buyer and seller agree that there is 2 existing manufactured homes on site, Seller will remove them.
12. Buyer agrees to upgrade the delivery site, dirt work, concrete ribbons and upgrade electrical service at their expense.
13. Seller will provide the necessary paperwork to acquire a permit.
14. Buyer acknowledges they are responsible for obtaining permits.
15. Buyer and Seller agree to a purchase price of \$24,000.00. Seller to receive \$20,000.00 deposit, balance of \$4,000.00 to be paid upon completion of set up.
16. Seller will hold home at his business location rent free until time of delivery.
17. Buyer and Seller acknowledges in the event that sale does not close for any reason, Buyer will return deposit but will keep 2 existing homes.
18. If home is not delivered by 1/11/11 then Seller will refund buyers deposit.
19. Seller agrees to have setup complete by 1/17/11 (except for electric). If Seller does not then Seller will discount home \$1,000.00. If Seller does not have setup complete by 1/24/11 Seller will reduce the price by an additional \$1,000.00.

20. Buyer can have his choice of dinette set and 3 piece bedroom set that is in storage unit.

21. Seller to provide a clear title upon delivery.

Year: 2004
Make: Sunshine
Size: 16x80
Serial#: ALS11592

Purchase price: \$24,000.00

Delbert Scott

"Buyer"

Lea Dunn
Burkhart Mobile Homes "Seller"

Donna Scott

"Buyer"

A.H.:
Ron Pless

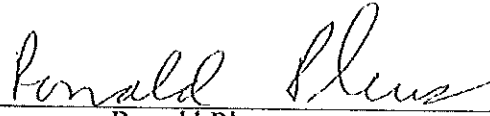
**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

Missouri Public Service Commission,)	
)	
Complainant)	
)	
vs.)	Case No. MC-2011-_____
)	
Burkhart Mobile Homes, Inc.,)	
)	
Respondent)	

AFFIDAVIT OF RONALD PLEUS

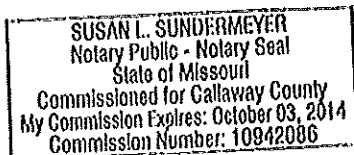
STATE OF MISSOURI)
) ss
COUNTY OF COLE)

Ronald Pleus, of lawful age, on oath states: that he participated in the preparation of the foregoing Staff Complaint, to be presented in the above case; that the information in the Staff Complaint was given by him; that he has knowledge of the matters set forth in such Staff Complaint; and that such matters are true to the best of his knowledge and belief.



Ronald Pleus

Subscribed and sworn to before me this 31st day of March 2011.





Notary Public