

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

Complainant,

v.

Thomas Smith
7491 Hwy VV,
Columbia, MO 65202

Respondent

Case No. MC-2018-0233

STATUS REPORT

COMES NOW the Manager of the Manufactured Homes and Modular Units Program of the Missouri Public Service Commission (“Manager”), by and through the Office of Staff Counsel of the Missouri Public Service Commission (“Commission”), and hereby respectfully states:

1. On February 26, 2018, the Manager filed his complaint against Thomas Smith ("Respondent") concerning defects in the installation of a manufactured home.
 2. On April 9, 2018, Respondent submitted a request for mediation. The Manager did not oppose the request, and mediation was held on June 27, 2018.
1. Subsequently, the Manager and Respondent filed a *Stipulation and Agreement* on July 13, 2018, wherein Respondent admitted the conduct charged, pledged to improve communication with the Manager and/or employees of the Manufactured Housing and Modular Units Program, agreed to perform installation obligations in a timely manner, and agreed to, for a period of ten (10) months, be limited

to receiving only up to five (5) installation decals at any one time. In addition, in agreeing to the settlement proposal, the Manager relied on the representation by Respondent that the Dealer of the manufactured home would correct bent steel I-beams located at the back of the home within sixty (60) days of the effective date of a Commission order approving the *Stipulation and Agreement*.

2. On July 25, 2018, the Commission issued its *Order Approving Stipulation and Agreement* in which the Commission concluded that the *Stipulation and Agreement* was a reasonable resolution of the complaint and that it should be approved, and stated that if the Manager has not dismissed its complaint in compliance with the *Stipulation and Agreement*, he shall file a status report no later than December 4, 2018.

3. On September 21, 2018, the Manager received documentation from the Dealer demonstrating that it had secured the services of a qualified technician to complete the repairs to the bent steel I-beams in the home. However, due to availability of said technician, completion of the necessary repairs was delayed. On October 10, 2018, the Dealer notified the Manager that the repairs had been completed, and on October 12, 2018, an employee of the Manufactured Homes and Modular Units Program inspected the home and confirmed that the repairs have been completed.

4. As a result, the Manager considers the term of the *Stipulation and Agreement* relating to repair of the steel I-beams to be fully executed, and the Manager's *Complaint* to be resolved.

WHEREFORE, the Manager respectfully requests that the Commission accept his *Status Report*, and further requests that the case file relating to the Manager's *Complaint* be closed.

Respectfully submitted,

/s/ Mark Johnson

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Attorney for the Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all parties this 16th day of October, 2018.

/s/ Mark Johnson