

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 3rd day of May,
2005.

Manager of the Manufactured Housing)	
and Modular Units Program of the)	
Public Service Commission,)	
)	
Complainant,)	
)	
v.)	
)	
Amega Sales, Inc., d/b/a Columbia)	
Discount Homes,)	
)	
Respondent.)	

Case No. MC-2005-0145

**ORDER APPROVING STIPULATED
AGREEMENT AND CLOSING CASE**

Syllabus: This order approves the Stipulated Agreement between the Manager of the Manufactured Housing and Modular Units Program of the Public Service Commission and Amega Sales, Inc., d/b/a Columbia Discount Homes, and closes the case.

Procedural History

On November 29, 2004, the Manager filed a complaint. The Manager claimed that Columbia Discount improperly set up and improperly altered a manufactured home it sold to James and Dana Palmer. Because of those problems to the Palmer home, the Manager asked the Commission to revoke Columbia Discount's dealer registration, and to

allow the Manager to seek civil penalties. Columbia Discount denied the Manager's allegations.

Unanimous Stipulation and Agreement

On April 15, the parties filed a Joint Motion for Commission Approval of Stipulated Agreement. In the Stipulated Agreement, the Manager and Columbia Discount agree that:

- 1) The Manager agrees to move to dismiss this case;
- 2) Columbia Discount agrees to pay a \$2,000 penalty, payable to the public school fund of the state, within 10 days of the Commission's approval of the agreement;
- 3) Columbia Discount's dealer's registration will be on probation for 2 years beginning April 15, 2005, with the probation to include Columbia Discount's giving monthly customer lists to the Manager, the Manager's ability to randomly select homes from that list for inspection, and an automatic one-year revocation of Columbia Discount's dealer registration upon Columbia Discount's failure to repair homes that the Manager finds deficient during those random inspections;
- 4) Columbia Discount will pay James and Dana Palmer \$50,000 for their damages due to the set-up deficiencies and alteration mentioned in the Manager's complaint;
- 5) Columbia Discount will pay the inspection costs the Manager incurs to monitor Columbia Discount during the 2-year probation.

Section 536.060, RSMo Supp. 2000, and Commission Rule 4 CSR 240-2.115(1) state that the Commission may accept a stipulation and agreement to resolve this case. In light of Columbia Discount's willingness to pay for the Manager to closely monitor it for the next 2 years, its willingness to allow the Commission to revoke its dealer's registration for 1 year if it does not fix any deficiencies the Manager finds during those 2 years, and its willingness to pay a substantial amount of money to the Palmer's and to the state's public school fund, the Commission finds the Stipulated Agreement reasonable. Therefore, the Commission will approve the Stipulated Agreement and close this case.

IT IS THEREFORE ORDERED:

1. That the Joint Motion for Commission Approval of Stipulated Agreement is granted.
2. That the Stipulated Agreement the parties filed on April 15, 2005, is approved.
3. That the parties shall comply with the terms of the Stipulated Agreement.
4. That this order shall become effective on May 13, 2005.
5. That this case may be closed on May 14, 2005.

BY THE COMMISSION

(S E A L)

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Davis, Chm., Murray and Appling, CC., concur
Gaw, C., dissents with opinion to follow
Clayton, C., dissents with dissenting opinion to follow

Pridgin, Regulatory Law Judge