

**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,)

Case No. MC-2005-0028

v.)

America's Home Brokers, Inc.)

Respondent.)

RESPONSE TO ORDER DIRECTING FILING

COMES NOW the Director of the Manufactured Housing and Modular Units Program of the Public Service Commission ("Director" and "Program"), by and through the Missouri Public Service Commission's ("Commission") Office of General Counsel and for his response states as follows:

1. On April 29, 2005, the Commission issued an *Order Directing Filing*, wherein it directed, "That no later than May 7, 2005, the Staff of the Commission shall file a pleading reciting the statutory basis of the Commission's authority to assess and collect the penalty in the Stipulated Agreement."

2. Upon review of the language in the *Stipulated Agreement*, the Director has changed the language in numbered paragraph 2 to read "America's Home will pay a \$1,000.00 payment in lieu of a penalty that might be imposed pursuant to Section 700.115.2, RSMo, 2000, to the Commission within ten (10) days of the Commission's approval of this *Amended Stipulated Agreement*." Said change has been incorporated into an *Amended Stipulated Agreement* that is attached hereto and made a part hereof.

WHEREFORE, the Director submits this Response to Order Directing Filing.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Mary E. Weston

Mary E. Weston
Assistant General Counsel
Missouri Bar No. 54669

Attorney for the Director of the
Manufactured Housing and Modular Units
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Commission
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 5th day of May 2005.

/s/ Mary E. Weston

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America's Homes Brokers, Inc.,)

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)

AMENDED STIPULATED AGREEMENT

This *Amended Stipulated Agreement* is made and entered into this 5th day of May, 2005, by and between the Director of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission ("Director", "Program", and "Commission") and America's Homes Brokers, Inc. ("America's Home"), a Missouri Corporation.

RECITALS:

A. The Manager filed a *Complaint* against America's Home on or about the 22nd day of July 2004, in Commission Case No. MC-2005-0028.

B. The *Complaint* alleged that America's Home failed to properly comply with the setup procedures for a manufactured home and failed to correct such problems within a reasonable time; altered a manufactured home without approval; and failed to correct various code violations as identified in inspection reports within ninety days after being ordered to do so.

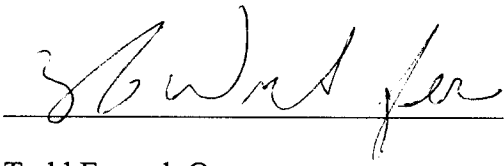
C. Since the evidentiary hearing in this matter on March 3, 2005, the Parties have worked toward a resolution of the issues in this case and the parties desire to resolve the issues in this case on terms that are satisfactory to the Commission.

NOW, THEREFORE, the parties agree and stipulate as follows:

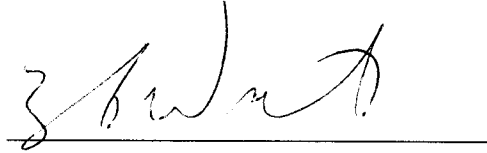
1. The Director agrees to move to dismiss this Case No. MC-2005-0028 if the Commission approves this *Amended Stipulated Agreement*.
2. America's Home will pay a \$1,000.00 payment in lieu of a penalty that might be imposed pursuant to Section 700.115.2, RSMo, 2000, to the Commission within ten (10) days of the Commission's approval of this *Amended Stipulated Agreement*.
3. America's Home will have corrected all deficiencies noted in the Complaint to the satisfaction of the homeowners and Director within forty-five days after the filing of this *Amended Stipulated Agreement*.
4. America's Home will have corrected or resolved deficiencies noted in three additional inspection reports that were prepared since the filing of this case before the Commission, within forty-five days after the filing of this *Amended Stipulated Agreement*.

The parties hereby agree to the terms of this *Amended Stipulated Agreement* and do hereby submit this agreement for approval by the Commission.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.



Todd Fruend, Owner
America's Home Brokers, Inc.



Mary E. Weston
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Attorney for the Manager of the
Manufactured Housing and Modular Units
Program of the Missouri Public Service
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