

1 blocked. There would be a front door and a rear door.

2 **Q. Was the front door blocked?**

3 A. No. These are the anchoring problems I had
4 here. This anchor, there's no stabilizer device used.
5 This is actually the strap that runs over to the I-beam
6 that should be tight for one thing, and then in order to
7 stabilize this anchor there should be a plate in front of
8 it which is not there.

9 Anchors when they're not installed in line
10 with the frame strap, you have to put a stabilizer device
11 in front of it, so if the anchor is loaded it won't just
12 pull the shaft of the anchor through the dirt. It
13 actually backs up against a plate to stop it from going
14 through the dirt. And that's -- that's a problem.

15 I think the only thing we had left on the
16 anchoring issues was the plates and the -- and the loose
17 frame straps.

18 **Q. Are the stabilizer devices attached to the**
19 **anchor or are they a separate item?**

20 A. That's a separate item. This just shows
21 another picture. The other problem we have right here is
22 this frame strap is required to wrap that bolt three times
23 minimum, and that one only has a couple of wraps on it.
24 So it's missing a stabilizer and it's not wrapping the
25 bolt enough.

1 Q. Okay. Let's move on to the Kennon home.

2 When did you first inspect the Kennon home?

3 A. March of 2004.

4 Q. Generally speaking, what type of defects
5 did you find during that inspection?

6 A. Setup defects, manufacturing issues.

7 Q. Did you notify America's Home of -- excuse
8 me. Did you notify America's Home of the inspection
9 results in February of '04?

10 A. Yes, I did.

11 Q. And did you perform a reinspection in
12 January of 2005?

13 A. That was March of '04, I believe, when I
14 notified them.

15 Q. I stand corrected. And did you perform an
16 inspection in January of 2005?

17 A. Yes, I did.

18 MS. WESTON: I'd like to enter an exhibit
19 of his inspection results.

20 JUDGE MILLS: We'll mark this as Exhibit 4.

21 (EXHIBIT NO. 4 WAS MARKED FOR
22 IDENTIFICATION BY THE REPORTER.)

23 THE WITNESS: This is another frame ground
24 wire. This is the way it comes from the manufacturer,
25 curled up and fastened on one side, and it's supposed to

1 be uncurled and fastened over here. I didn't get a wide
2 enough shot here to get the other fastener, but it's a
3 fastener similar to this one, and this was not installed.

4 BY MS. WESTON:

5 Q. What kind of problem is caused from not
6 having that crossover wire installed?

7 A. The frames of the two sections have to be
8 bonded together. You have a panel box on one side. It's
9 grounded in the frame from the other side. The only way
10 for it to ground back to this panel box is by installing
11 this ground wire. If there was an electrical short, the
12 home is not properly grounded, someone could possibly be
13 electrocuted.

14 This is another vent pipe, combustion air
15 vent pipe for a fireplace, a wood-burning fireplace, and
16 again we've -- we've got the same situation. We've got a
17 six-inch drop out of the fireplace. It's been reduced to
18 a four-inch flex pipe which has got a pretty big loop in
19 it. Again, the problem with that is it can collect
20 condensation or even debris, clog the air to the
21 fireplace, the combustion air to the fireplace. Plus
22 we've got connections made here with duct tape.

23 The HUD code requires these vent pipes to
24 be in alignment and fastened at the joints, securely
25 fastened at the joints. This would probably most likely

1 eventually cause a problem.

2 These are the foundation vents. The
3 manufacturer requires a minimum of one square foot of
4 ventilation, net ventilation to be provided for every
5 150 square foot of floor space. The home I think right
6 now has 12 vents in it. There's another one right there.
7 And do you have the next one?

8 Q. Yes.

9 A. Okay. On the vent it's stamped, it tells
10 you what the net ventilation is for that vent. The vent
11 measures 8x16 approximately, but you can't use that as far
12 as determining the ventilation it provides, so you have to
13 go to the vent itself and see what it's listed at. This
14 one's list at 46 square inches per vent of net area. This
15 home is 2,027 square feet. I got that information from
16 the manufacturer. Originally I'd asked the homeowner.
17 They gave me a figure of 2,300.

18 I made some calculations based on that. It
19 was an error. They didn't have their square footage quite
20 right. So I recalculated it based on information from the
21 manufacturer of the home. It requires 13.51 square foot
22 of ventilation. 12 vents, I calculated it up; that
23 provides 3.83 square foot of net ventilation. So they're
24 around 9 square feet short of the ventilation requirement
25 of the manufacturer.

1 This is a different style of vent that he
2 used in this home. He used two different styles. This
3 vent I could not find anything on it as far as what it
4 provided as far as ventilation. It is partially closed
5 off along the bottom here, and with the screens and the
6 louvers, I would suspect it's at best equal to the other
7 vents, probably less. I gave it the credit of 46 square
8 inches.

9 Q. That's the end of the Counts 1 through 4.
10 I guess I just want to ask you one last time, did we file
11 a complaint in front of the Commission in July of 2004
12 regarding these particular homes?

13 A. Yes.

14 Q. And this inspection -- these slides that we
15 just showed are your inspection results from January of
16 2005?

17 A. That's correct.

18 Q. Okay. Thank you. I'd like move on to
19 Count 5, which is the issue regarding the lot inspection.

20 JUDGE MILLS: Before we do, just as a
21 housekeeping matter, I'd like to see if you'd want to
22 offer Exhibits 1 through 4 and if you want to have the
23 PowerPoint slides marked as an exhibit.

24 MS. WESTON: Yes, please.

25 JUDGE MILLS: Okay. Why don't we mark the

1 PowerPoint presentation as Exhibit 5.

2 (EXHIBIT NO. 5 WAS MARKED FOR
3 IDENTIFICATION BY THE REPORTER.)

4 Are there any objections to the admission
5 of Exhibits 1 through 5?

6 MR. MASS: No, your Honor.

7 JUDGE MILLS: Hearing none, Exhibits 1
8 through 5 will be admitted.

9 (EXHIBIT NOS. 1 THROUGH 5 WERE RECEIVED
10 INTO EVIDENCE.)

11 BY MS. WESTON:

12 Q. Did you inspect the America's Home sales
13 lot in February of 2004?

14 A. Yes, I did.

15 Q. Why did you perform the inspection?

16 A. The dealer registrations were due at that
17 time, and we were conducting lot inspections of the
18 dealers who had not submitted their renewal for their
19 dealer license. I went to the dealer lot to verify his
20 business status, to see if he was in business and if he
21 had inventory, which he did.

22 MS. WESTON: I'd like to enter an exhibit
23 which is his dealer lot inspection form.

24 JUDGE MILLS: We'll mark this as Exhibit 6.

25 (EXHIBIT NO. 6 WAS MARKED FOR

1 IDENTIFICATION BY THE REPORTER.)

2 BY MS. WESTON:

3 Q. So you went out to America's Home sales
4 lot, performed an inspection. Tell us about what you
5 found.

6 A. Our normal procedure after we've sent
7 notices and not received a response from the dealer would
8 be to go to the dealer's lot, actually take a physical
9 inventory of the lot, red tag the homes for failure to
10 register as a dealer. I did take an inventory at that
11 point. I think I red tagged a total of 12 homes, looks
12 like six homes used and six homes new.

13 Q. And so in order to correct this type of
14 problem, what would you require from the dealer?

15 A. We would ask the dealer to submit his
16 dealer registration application.

17 Q. Would you ask for any other information
18 from the dealer, sales invoices for example or other
19 documentation?

20 A. For the registration?

21 Q. How would America's Home be able to correct
22 this deficiency, as far as you're concerned, from your
23 inspection?

24 A. I'm not sure if I understand what you're
25 asking me. The dealer would have to submit a registration

1 to the department, to the director, for approval and he
2 would -- he would approve the registration. As far as the
3 homes that he had on his lot, we would red tag those homes
4 to prohibit those from being sold. Any home that was
5 already sold we would allow him to go ahead and sell
6 provided that he gave us a bill of sale for that home
7 showing that it had been sold prior to that date. We did
8 not receive any bills of sale on that day, so we red
9 tagged every home on the lot.

10 Q. Have you received any sales invoices on
11 those red tagged homes since that date?

12 A. Three approximately. Three.

13 Q. And so you believe that you still need how
14 many in order to try to correct this deficiency?

15 A. Nine.

16 MS. WESTON: I'm finished with Count 5, and
17 I have no further questions for Mr. Haden.

18 JUDGE MILLS: Cross-examination, Mr. Mass?

19 MR. MASS: Can I approach the Bench, your
20 Honor?

21 JUDGE MILLS: We'll take a five-minute
22 recess. We're off the record.

23 (A BREAK WAS TAKEN.)

24 JUDGE MILLS: Let's go back on the record.

25 MS. WESTON: Judge Mills?

1 JUDGE MILLS: Yes.

2 MS. WESTON: I'd like to offer Exhibit 6.
3 I don't think we did that. And lastly, the consumer
4 witnesses, can they be released at this time?

5 JUDGE MILLS: Yes. I think all the ones
6 that you have listed have testified and we've had the
7 opportunity to hear the testimony, so if they would like
8 to leave, they're more than welcome to.

9 MS. WESTON: Thank you.

10 JUDGE MILLS: Exhibit 6, Mr. Mass, do you
11 have any objection to the admission of Exhibit 6?

12 (No response.)

13 JUDGE MILLS: Okay. Hearing none, it will
14 be admitted.

15 (EXHIBIT NO. 6 WAS RECEIVED INTO EVIDENCE.)

16 CROSS-EXAMINATION BY MR. MASS:

17 Q. Mr. -- is it Haden?

18 A. Yes.

19 Q. Okay. I want to make sure I'm pronouncing
20 it correctly. I just have a few questions, sir.

21 A. Sure.

22 Q. With regard to the -- and since my notes
23 went all the way through, I'm going to kind of go back
24 over a little ground. Your last Exhibit 6, you said you
25 got documentation of three of them that had been sold.

1 Which ones were those, prior to the red tagging? Was it
2 the first one under new, it says sold next to it?

3 A. That's one of them, yes. And I don't
4 have -- I have another paper with some stuff written on it
5 that I don't have. There was another new one, I believe,
6 and a used one. The Clayton -- used Clayton single wide I
7 believe we received a bill of sale on it.

8 Q. Are you sure it's that one or is it the
9 last used one, the double wide?

10 A. I'm not sure without my notes.

11 Q. Okay. One of those two that you would
12 have -- you had a bill of sale on?

13 A. I can't say without my notes. I don't have
14 them with me.

15 Q. And there was another new one that was also
16 sold prior to the time?

17 A. I received a total of three bill of sales.
18 And again I've got one of them here that is marked sold.
19 I know that's one of them, but I don't recall what the
20 other two were without going back to my other notes. I
21 don't have it on this piece of paper.

22 Q. Are your other notes available?

23 A. I don't know.

24 Q. Do you have them with you here?

25 A. I don't.

1 Q. Is your office in this building or nearby?

2 A. Not my personal office, no. My office is
3 in Fulton.

4 Q. Okay. Now, with regard to that steel beam
5 issue, that was in -- I believe in Cameron's house,
6 Cameron/Sassmann's house, Count 2?

7 A. Yes.

8 Q. That was welded to the other beams, right?

9 A. No. Well --

10 Q. It's welded, isn't it?

11 A. In spots it is, yes.

12 Q. Okay. And the other homes where you've had
13 steel beam problems, those were on blocks, were they not?

14 A. Are you talking about the damaged beams?

15 Q. Where you've talked about you've seen
16 damaged beams before, those would be on homes that are on
17 blocks, correct?

18 A. I've seen them both ways, on basements,
19 steel beams, blocks.

20 Q. Okay. Have you seen the structural
21 engineer's report that I sent to Mary Weston?

22 A. I didn't see any report.

23 Q. So that wasn't given to you?

24 MS. WESTON: I object. That letter is from
25 a third party, and I consider it to be hearsay.

1 JUDGE MILLS: Well, okay. We will note for
2 the record your problem with the phrasing of the question,
3 but I think the question was has he seen the document, and
4 the answer was no. And we'll note that you object to it
5 being considered a structural engineer's report. Thank
6 you.

7 BY MR. MASS:

8 Q. Now, on the venting problem on Kennon's
9 house, okay, you didn't count the fact that he has a
10 window in the crawl space as part of the venting?

11 A. The window is solid glass. There's no
12 ventilation provided through that solid glass window.

13 Q. Now, you also said you'd never measured,
14 didn't know the exact venting on the other vents that are
15 8x16, did you?

16 A. The plastic vents that he installed, I
17 couldn't see anything on that vent stating the net
18 ventilation it provided like the metal ones do. They are
19 very similar, and I would say it would be maybe at best
20 equal to the metal vents.

21 Q. Well, the metal vents had metal lines
22 through the open area, whereas the other vent just is open
23 altogether, just has a plastic where it can be closed or
24 open; isn't that correct?

25 A. The plastic vent has louvers that partially

1 obstruct the ventilation. The metal vents have sliding
2 louvers that partially obstruct the ventilation. It's
3 kind of a give and take, same on both.

4 Q. The louvers on the plastic vents as you
5 showed them, they were open; it didn't obstruct anything,
6 did it?

7 A. I was actually holding those open.

8 Q. All right. Now, with regard to the
9 venting, do you know whether or not the owner has
10 prohibited Mr. Fruend from adding any additional vents?

11 A. When I talked to the homeowner, I said, you
12 know, to meet this requirement that the manufacturer has,
13 you would have to have additional vents installed in your
14 home. I said, one of the big problems is he's using the
15 wrong kind of vent. He needs to use a vent that is more
16 open that provides more ventilation. They never objected
17 to meeting the manufacturer's ventilation requirements to
18 me.

19 Q. So what you're saying is all he has to do
20 is replace those 8x16 vents with a different vent and then
21 it's --

22 A. I said what he needs to do is use a more
23 open vent to meet the manufacturer's requirements.

24 Q. And that's all he has to do? He doesn't
25 have to add additional vents?

1 A. Possibly. It depends on what type of vent
2 he replaces it with.

3 Q. What if he just left the holes up and put
4 some screen on it on one side?

5 A. May possibly work. I don't know.

6 Q. Then it would have sufficient venting,
7 wouldn't it?

8 A. I don't know. I would have to measure
9 those openings.

10 Q. All right. Now, with regard to that
11 venting issue, you said the square footage was 2,027 or
12 whatever it is, 2,000 -- I forgot. I didn't write down
13 the exact number. Maybe your --

14 JUDGE MILLS: I believe it's on page 38 of
15 Exhibit 5.

16 BY MR. MASS:

17 Q. Okay. Did you measure the actual amount of
18 the home that requires the -- to be vented?

19 A. I don't know if I understand what you said.
20 Can you please repeat that?

21 Q. Did you measure the amount of the home
22 that's exposed to the crawl space?

23 A. What I did is the manufacturer's
24 instructions say that the 150 square feet of floor area,
25 one foot for every 150 square foot of floor area. So I

1 called Cavalier, the manufacturer of the home, and I said,
2 what is the floor area of this home? And they are the
3 ones that gave me that number.

4 Q. Okay. Did you measure it yourself?

5 A. No.

6 Q. Do you know whether that's the floor area
7 over the crawl space?

8 A. Well, the manufacturer gave me that number.
9 They said that is the floor area of this home, and the
10 manual says that you provide one net square foot of
11 ventilation for 150 square foot of floor area, so I assume
12 that that number is correct. They are the ones that built
13 the home.

14 Q. I see. Do you know whether or not that
15 takes into account that part of the floor area is over the
16 foundation and not exposed to the crawl space?

17 A. The house is actually setting a foot above
18 the foundation, so the entire floor area is exposed to the
19 foundation underneath.

20 Q. Now, with regard to -- with regard to the
21 two fireplaces --

22 A. Yes.

23 Q. -- how wide is the opening into the
24 fireplace that allows air to come in as inlet air?

25 A. The vent pipe coming from the bottom of the

1 fireplace is six inches in diameter.

2 Q. Now that's the vent pipe that comes out.
3 How wide is the opening that's inside that vent pipe that
4 actually allows air into the fireplace?

5 A. I don't know.

6 Q. Have you been out to any one of the four
7 homes since the middle of January of this year?

8 A. Yes.

9 Q. Have you reinspected them?

10 A. I stopped by Cameron and sassmann --
11 Cameron and Sassmann's home yesterday briefly, and I
12 actually stopped by the Kennon home, too, but there was no
13 one there. I haven't done a reinspection since
14 January 11th, I believe it was.

15 Q. Okay. Have you reviewed the pictures that
16 have been sent to you of work that's been done since
17 January 11th?

18 A. I actually didn't see them very well. They
19 were on e-mail and I couldn't see them very well. I was
20 in my office at home. They didn't show up very well.

21 MR. MASS: I'd like one minute, your Honor.

22 JUDGE MILLS: Okay.

23 BY MR. MASS:

24 Q. Just a couple last questions. With regard
25 to those Convert-A-Tubs, they're installed and they're

1 operating properly, are they not, the two converted tubs
2 at issue in the two homes?

3 A. I think at my January 11th inspections that
4 there were still some exposed cables underneath them.

5 Q. But the actual functioning of the tubs?

6 A. I didn't try them out.

7 Q. But you wouldn't disagree with the
8 homeowners that testified that they were functioning and
9 operating properly?

10 A. If they said they operated properly, I
11 would assume they do.

12 Q. Now, American Homes Brokers, they were
13 going out of business in 2004, were they not?

14 A. I don't know that.

15 Q. You don't know how they were operating, you
16 know the lot was sold in 2004?

17 A. I didn't know that.

18 Q. Do you know whether or not the complaint
19 that was filed by the Commission ever took a while to get
20 to Mr. Fruend because there was no American Homes Broker
21 in the middle of 2004?

22 A. I knew at some point in 2004 that the homes
23 disappeared from the lot and Mr. Todd Fruend was
24 unreachable, but I didn't really know what his status was.

25 Q. You did reach him by the fall, did you not?

1 A. Pardon me?

2 Q. You reached him late in 2004, did you not?

3 A. I think our office did.

4 MR. MASS: I have no further questions.

5 JUDGE MILLS: Thank you. We'll do
6 questions from the Bench now. Commissioner Murray?

7 QUESTIONS BY COMMISSIONER MURRAY:

8 Q. Good morning, still morning. The complaint
9 that is filed by Staff, I want to make sure that I
10 understand. First of all, you're asking us to find that
11 America's Home failed to properly comply with setup
12 procedures and to correct setup deficiencies; is that
13 right?

14 A. In a reasonable amount of time, not to
15 exceed the 90-day statute.

16 Q. And then also that they altered a
17 manufactured home and failed to obtain the approval. Now,
18 in the complaint, Count 1, it sounds -- it's a little
19 confusing to me. Count 1 says, No. 1 of Count 1, the
20 dealer has submitted an application for permission to
21 alter the purpose -- to alter for the purpose of
22 installing a whirlpool pump and jets in the master
23 bathtub.

24 Now, there's nothing wrong with that, is
25 there, submitting an application for permission to alter?

1 A. That's what he's supposed to do, yes,
2 submit the application to us for approval.

3 Q. And this says the dealer has submitted?

4 A. I've got to find where you're at.

5 Q. I'm looking at the list of issues, and
6 under the complaint Count 1, list of issues.

7 A. Oh, I don't have that.

8 Q. That's the first statement that is made,
9 the dealer has submitted an application for permission. I
10 mean, that's the appropriate thing to do, is it not?

11 A. Right. I think it probably goes on to say
12 that the application wasn't submitted correctly or was
13 lacking some paperwork.

14 Q. Well, it says the whirlpool pump's not
15 properly installed according to the manufacturer's
16 installation. But aren't those two different things?

17 A. Well, what I try to cite in my inspection
18 report first is the main problem when it comes to
19 alteration, and then subsequent code violations would be
20 listed underneath there, so . . .

21 Q. So for No. 1, did the dealer submit an
22 application for permission?

23 A. When the alteration was found already done
24 and he was cited for violating that standard, then he did
25 attempt to submit some paperwork.

1 Q. After the fact?

2 A. After the fact, yes.

3 Q. If I read the first statement there, I
4 would think, what's wrong with that?

5 A. That's probably taken off of my inspection
6 report in part.

7 Q. And then the whirlpool pump not being
8 properly installed according to the manufacturer's
9 instructions and the required codes, would that have been
10 something that would have been all right or would have
11 been acceptable had the dealer gotten permission to alter
12 or would that -- were those things still not appropriate
13 even?

14 A. If he had followed the process and filed
15 the application for permission to alter and we granted
16 that approval, then we would conduct an inspection of that
17 installation once the installation was complete. Those
18 problems I cited would still be a problem, regardless of
19 if the paperwork was correct.

20 Q. So you wouldn't have given permission to
21 install it without complying with the proper codes?

22 A. That's part of the stipulation of the
23 application is that it comply to the required codes, yes.

24 Q. And then the -- in Exhibit 5 I believe it
25 was, the PowerPoint presentation where you showed the

1 various pictures --

2 A. Yes.

3 Q. -- of the homes, were those all instances
4 of violations that were still existing on the second
5 inspection?

6 A. That was actually the third inspection.

7 Q. Third inspection?

8 A. These were existing on January 11th of
9 2005. That was my third inspection. We only mentioned
10 two, the original and the last, but there was one in
11 between.

12 Q. All right. And was the dealer in each one
13 of those instances notified on one or both of the previous
14 inspections that those particular things shown by these
15 photographs were in need of correction?

16 A. Yes, all those items were mentioned in my
17 first inspection report.

18 Q. If I can find it. Just out of curiosity,
19 there was a reference to perimeter piers near an exterior
20 door.

21 A. That's on the Williams inspection report.

22 Q. What is that?

23 A. That's on the Williams inspection report,
24 page 30 of the PowerPoint presentation.

25 Q. What is a perimeter pier?

1 A. A pier is what supports the home. You have
2 main support piers underneath the I-beams, and because of
3 the construction of a manufactured home, you have what you
4 call a cantilever floor system. You have an I-beam, and
5 the floor system actually overhangs that I-beam out here.

6 They require a pier underneath this out
7 here to support the floor at a doorway location. There's
8 also other perimeter pier requirements, but on this
9 particular home we're dealing with exterior doors.

10 Q. And is that because of going in and out
11 of the door creates an extra stress problem in that area
12 or --

13 A. Obviously that, but you're dealing with
14 also a spanned opening in the wall. You have a header
15 over the door transfers load down to the floor. They want
16 a pier underneath each one of those load points to help
17 support the weight over that door.

18 Q. So at least some of these defects that were
19 cited are requirements based on safety standards, are they
20 not?

21 A. The manufacturer constructs the home
22 according to the HUD code or the federal manufactured home
23 construction safety standards, then they develop a manual
24 to install this home which further complies that home to
25 that required code. So it's all based on the safety

1 standards of the code.

2 Q. So each one of these deficiencies could
3 possibly result in an unsafe condition?

4 A. As far as durability, I don't think I saw
5 anything that was life threatening, with the exception of
6 the alterations. There was some improper grounding of the
7 pump, the metal parts and also in the frame grounding.
8 You know, extreme things could happen that could cause
9 damage to a person, but mostly what we're dealing with is
10 structural indurability of the home.

11 Q. And do you know how many of these defects
12 are still not corrected?

13 A. Everything I have as of January 11th. I
14 don't know of anything after that point. I understand
15 they did submit some pictures yesterday, but like I said,
16 I couldn't see them. They may present those later. I
17 don't know. My last inspection was January 11th of 2005,
18 and I list everything on my inspection report that's still
19 incomplete.

20 Q. And as to Count 5, the sales invoices where
21 the homes were red tagged -- and I'm sorry, I've not
22 reviewed this carefully enough to understand exactly what
23 you're saying there, but are you claiming that some of the
24 tagged homes that were red tagged were sold as new?

25 A. Some of the homes were new that were red

1 tagged, and some of them were used.

2 Q. All right. When you red tag, though,
3 they're not supposed to be sold as --

4 A. Period.

5 Q. Sold period?

6 A. Sold period, yes. The red tag is a
7 prohibitive sale notice that we place on the home.

8 Q. And are you claiming that some of them were
9 sold while they were red tagged?

10 A. They're all gone.

11 Q. All right. All of them. And how many
12 homes total were involved?

13 A. 12 is what I have on my lot inspection,
14 original lot inspection report.

15 Q. And you have -- you have invoices that show
16 that three of them were sold?

17 A. Yes, ma'am, three.

18 Q. And they were improperly sold?

19 A. Well, when we red tag these homes, we ask
20 for proof of any home that's already sold. We're not
21 going to prevent that home from being sold if it's already
22 under contract or sold.

23 Q. All right.

24 A. So eventually we did receive bill of sales
25 on three of these homes. With the remaining nine we never

1 received a bill of sale on.

2 Q. Well, what do you do if a home -- if you
3 red tag a home and you find out that it was already under
4 contract?

5 A. We would remove the red tag. If it's
6 already sold, we're going to let them sell it.

7 Q. Why did you red tag it, then?

8 A. Because we didn't know it was sold. We
9 asked for --

10 Q. That's not what I mean. It had problems or
11 you wouldn't have red tagged it; is that right?

12 A. The reason we red tagged these homes is
13 because his dealer registration had lapsed and he wouldn't
14 renew it -- or couldn't renew it.

15 Q. So it's not a problem with the home itself?

16 A. Not particularly the home, no. The
17 dealership itself.

18 Q. But sometimes you do red tag a home,
19 specific home because it has problems?

20 A. Yes.

21 Q. But that was not the case with any of
22 these?

23 A. That's correct.

24 Q. And what is the status of the registration
25 today?

1 A. It's still not registered as America's Home
2 Brokers.

3 Q. Okay. And is the dealership, what's the
4 status of the dealership?

5 A. There's nothing there now. It's an empty
6 lot.

7 Q. And in terms of your complaint -- or this
8 complaint that we're dealing with here today, the
9 Commission, the action that the Commission can take is to
10 direct -- or you tell me. What action are you asking the
11 Commission to take?

12 A. I don't know that I know. The director
13 handles that part of it.

14 COMMISSIONER MURRAY: That's all right.
15 Thank you.

16 JUDGE MILLS: Commissioner Appling?
17 QUESTIONS BY COMMISSIONER APPLING:

18 Q. Mr. Haden, how are you doing?

19 A. Fine.

20 Q. Getting close to lunch here, I can see that
21 written on the face of everybody out there. I'm hungry,
22 too.

23 But anyway, is there a set of standards?
24 It seems to me selling the manufactured house to include
25 the installation of it is a pretty simple process. You

1 sell it, you go out and look at the site and you set it
2 up. It just seems to me that there's nothing difficult
3 about that if the ground is proper and all that. So if I
4 bought a manufactured house tomorrow and contracted with
5 someone to set it up for me, then I have the right to
6 expect that it would be set up correctly?

7 A. Yes, you should.

8 Q. And that I would not have to chase him down
9 to get the house set up. Would that be something that I
10 would need to expect? Could I expect that?

11 A. I think it's fair to expect that, yes.

12 Q. Is there a set of standards that tells the
13 person that's installing it all of the checkmarks and what
14 he'd have to do in order to install it and setting up the
15 home?

16 A. Yes. That is the manufacturer's
17 installation manual that we've been referring to. On
18 these slides it says IM page, and that's actually the
19 manual that the manufacturer sends with the home. Every
20 home has a manual. It takes a little time sometimes to
21 sit down and read it and understand it, but it is --

22 Q. But the checkmarks are there?

23 A. There's not checkmarks. Some manufacturers
24 put a checklist in there, some don't. That's not a
25 requirement that they have the checklist, but it is a

1 requirement that they provide instruction for installing
2 the home.

3 Q. Do you know whether the home sale and
4 installation, some people don't -- they sell them but they
5 don't install them, they contract with somebody else to
6 install the home, right?

7 A. That is correct. Under the contract
8 statute, the dealer's responsible to arrange for the
9 proper initial setup of a manufactured home. They may do
10 it themselves or they may contract it out, but it comes
11 back to the dealer at this point to make sure the
12 corrections are done.

13 Q. My last question is probably one that you
14 can't answer. Maybe the manufacturer or the salesperson
15 can answer this question for me. Is there someone who
16 goes and inspects the house once it's installed to check
17 off all the checks and say this is done and completed?

18 A. A lot of dealers have a QC process or
19 quality control process. The manufacturer will provide
20 them with this checklist that you're referring to.
21 However, that mostly applies to what you see of the house;
22 the cosmetics, any damage, you know, areas of the home.
23 There's not usually any -- and there's nothing mandatory
24 that anyone inspect the setup of every home, no.

25 COMMISSIONER APPLING: Okay. Thank you.

1 JUDGE MILLS: Yes.

2 MR. MASS: I have just a question or two,
3 be very brief, following up on what one of the
4 Commissioners asked.

5 JUDGE MILLS: Let me ask, Ms. Weston, do
6 you have a lot of redirect?

7 MS. WESTON: No, I have no redirect.

8 JUDGE MILLS: Okay. Well, let's go ahead
9 and we'll finish with this witness, and then we'll take a
10 lunch recess.

11 MR. MASS: This will be very brief.

12 JUDGE MILLS: Thank you.

13 RECROSS-EXAMINATION BY MR. MASS:

14 Q. On the red tagged homes, they're red tagged
15 because they can't be sold; is that correct? Or they
16 shouldn't be sold by that dealer unless there's a sales
17 contract that you see that's dated before the date of the
18 red tag, correct?

19 A. You're going to have to ask me that again.

20 Q. You red tagged 12 homes; is that right?

21 A. That's correct.

22 Q. Okay. And you red tagged them so that
23 America's Home Brokers wouldn't sell them after that date,
24 correct?

25 A. That's correct.

1 Q. Now, if America's Home Brokers took a
2 couple of the used ones and had it junked, that wouldn't
3 violate the red tag, would it?

4 A. We would ask them to provide that
5 information to us.

6 Q. Okay. If on the other hand a home was
7 parked on their lot temporarily because an axle had broken
8 in transport by the transport company and the company just
9 came and picked it up, they wouldn't have sold that and
10 violated the red tag, would they?

11 A. The day we were there and we red tagged the
12 homes, we asked if any homes were sold or weren't theirs.
13 Nothing was given to us on that day.

14 Q. Okay. Todd Fruend wasn't there, was he?

15 A. We talked to him on the phone.

16 Q. All right. But he was on vacation at the
17 time. He was out of state, if you know?

18 A. No, I don't know.

19 Q. So you don't know whether he was there to
20 see what was -- he wasn't there to see what was present,
21 was he?

22 A. No. We talked -- we talked to office staff
23 and we -- he was just talked to on the phone.

24 MR. MASS: I have no further questions.

25 JUDGE MILLS: Redirect?

1 MS. WESTON: No, Judge.

2 JUDGE MILLS: Okay. Mr. Haden, you may
3 step down.

4 We're going to go ahead and take a lunch
5 recess. Just so I know where we are, Ms. Weston, how long
6 do you anticipate on Mr. Winn this afternoon?

7 MS. WESTON: 15 minutes.

8 JUDGE MILLS: Okay. And, Mr. Mass, on your
9 witnesses, any ideas?

10 MR. MASS: I would think we should -- we
11 might be able to complete them this afternoon. I don't
12 know. I don't want to make a commitment, but I think
13 they'll go more like Mr. Haden did, as opposed to the
14 morning started much longer than I anticipated.

15 JUDGE MILLS: We'll take a fairly short
16 lunch recess. It's about 10 after 12; we'll come back
17 here at one o'clock.

18 (A BREAK WAS TAKEN.)

19 JUDGE MILLS: We're back on the record. We
20 have proceeded through the witness list up to Mr. Winn, I
21 believe. So Ms. Weston, if you'd like to call Mr. Winn
22 forward.

23 MS. WESTON: Call Gene Winn.

24 (Witness sworn.)

25 JUDGE MILLS: Thank you. You may be

1 seated.

2 GENE WINN testified as follows:

3 DIRECT EXAMINATION BY MS. WESTON:

4 Q. Please state your name and address for the
5 record, please.

6 A. Gene Winn, Post Office Box 360, Jefferson
7 City, Missouri 65102.

8 Q. What is your job title?

9 A. Inspector supervisor.

10 Q. Could you please describe some of your job
11 responsibilities and duties?

12 A. I approve plan approvals for modular homes.
13 I approve alteration applications. I conduct dealer lot
14 inspections, consumer complaint inspections. I work with
15 the other inspectors that are under me on inspections
16 they've done or complaints they may have. I work with the
17 manager of the program.

18 Q. And how long have you been performing these
19 job responsibilities for the Commission?

20 A. 15 years.

21 Q. Prior to working for the Commission, what
22 type of work did you do?

23 A. Setting and servicing manufactured homes,
24 putting in basements, foundations, block sets, utilities,
25 things like that.

1 Q. How many years did you do that?

2 A. 20 years.

3 Q. Could you describe some of the job-related
4 training that you've had over the past couple of years?

5 A. I've had workshops sponsored by HUD, you
6 know, for the past 15 years where we go to the classes
7 approximately once a year on training, on setup and
8 installation, some of them on code issues, different types
9 of training with the setting and code compliance for
10 homes.

11 Q. Could you please generally describe the
12 process for someone to file an application for permission
13 to alter a manufactured home?

14 A. Yes. According to Missouri Statute
15 Chapter 700.025, a dealer or manufacturer cannot alter a
16 manufactured home that will take it out of compliance to
17 the code. And in the rules then in 4 CSR 240-120.090 is
18 the procedure for filing for an application to alter. A
19 dealer will take an application form, they will fill it
20 out, and then there's five requirements on the form, the
21 first being the application has to be approved by the
22 director in writing before the alteration can be
23 performed.

24 The second is the dealer has to maintain
25 records of the alteration. No. 3, when they send the

1 alteration form in, they have to send in installation
2 instructions for whatever alteration they're conducting,
3 such as if they're installing a whirlpool, they'll send in
4 the installation instructions for that. No. 4 is an
5 affidavit from the dealer stating that when the alteration
6 is completed, it will be in compliance with the code.

7 And then No. 5 is a statement, if it's a
8 corporation, they have to have a statement that comes with
9 it as to the person filling out the application has the
10 authority to do so.

11 Q. Did you receive an application for
12 permission to alter a manufactured home from America's
13 Home Brokers regarding a Cavalier Spirit home?

14 A. Yes, I did.

15 MS. WESTON: I'd like to enter an exhibit,
16 application for permission to alter a manufactured home.

17 JUDGE MILLS: We'll mark this as Exhibit 7.

18 (EXHIBIT NO. 7 WAS MARKED FOR
19 IDENTIFICATION BY THE REPORTER.)

20 BY MS. WESTON:

21 Q. Is this a copy of the application that you
22 received?

23 A. Yes, it is.

24 Q. Did you approve this application?

25 A. No, I did not.

1 Q. Why did you not approve this application?

2 A. I did not have the manufacturer's written
3 instructions for the whirlpool. I did not have an
4 affidavit from the dealer, a notarized affidavit stating
5 that the alteration would keep the house into compliance,
6 and I didn't have the letter of statement that the person
7 filling out the application had the authority to do so.

8 Q. Did you notify America's Home of the
9 deficiencies in their application?

10 A. Yes, I did.

11 MS. WESTON: I'd like to enter an exhibit,
12 a letter from Gene Winn to America's Home Brokers.

13 JUDGE MILLS: Mark that as Exhibit 8.

14 (EXHIBIT NO. 8 WAS MARKED FOR
15 IDENTIFICATION BY THE REPORTER.)

16 BY MS. WESTON:

17 Q. Is this a copy of the notice that you sent
18 to America's Home Brokers regarding their application?

19 A. Yes, it is.

20 Q. And could you briefly just describe what's
21 in the letter?

22 A. The letter is simply a letter to Mr. Fruend
23 of America's Home Brokers that the application is denied
24 at this time, and it lists the three items that will be
25 needed to approve the application, which is the

1 installation instructions, a signed affidavit and a
2 written statement from a corporate officer.

3 Q. Does this notice meet the requirements of
4 the rule regarding notice for denial of application?

5 A. Yes.

6 Q. Could you tell us what that is, please?

7 A. If an application -- we receive an
8 application and if everything is not there, we are
9 required within I believe it's eight to ten working days
10 to send a letter back to the dealership denying the
11 application and stating why.

12 Q. Have you received any other applications
13 for permission to alter a manufactured home from America's
14 Home Brokers in regards to any of the homes that have been
15 referenced today?

16 A. No, I have not.

17 MS. WESTON: No further questions.

18 MR. MASS: No questions.

19 COMMISSIONER APPLING: No questions.

20 JUDGE MILLS: Thank you. That was
21 refreshingly easy. You may step down.

22 MS. WESTON: Can I offer the exhibit,
23 please?

24 JUDGE MILLS: Yes. I show that neither
25 Exhibit 7 nor 8 were offered. Are you offering both of

1 those?

2 MS. WESTON: Yes.

3 JUDGE MILLS: Any objection to Exhibit 7 or
4 8?

5 MR. MASS: No.

6 JUDGE MILLS: Hearing none, Exhibit 7 and 8
7 will be admitted.

8 (EXHIBIT NOS. 7 AND 8 WERE RECEIVED INTO
9 EVIDENCE.)

10 MS. WESTON: Judge, at this time I have no
11 further witnesses to offer.

12 JUDGE MILLS: Okay. Mr. Mass, you may call
13 your first witness.

14 MR. MASS: Paul Kittle. Before he
15 testifies, I'd just like to go over a little bit of
16 procedure with the exhibits that I have.

17 JUDGE MILLS: Okay.

18 MR. MASS: I left for everyone again the
19 outline of the issues and the item number from the
20 inspection report, and then in group exhibits I have
21 Count 1, which I guess we'll make 9, Exhibit 9. The
22 pictures from Count 2 as 10. Count 3 would be 11.
23 Count 4 would be Exhibit 12. And Count 5 would be Exhibit
24 13. And these are like Exhibit 5, which is a group
25 exhibit so that different pictures may be referenced.

1 Unfortunately, the one copy I will leave
2 for the Commission where the pictures are in color,
3 because I only brought one, I'm leaving the witness at the
4 witness stand that I will leave with you so that the
5 witness can then hold up the picture, because I don't have
6 a PowerPoint.

7 JUDGE MILLS: Okay.

8 MR. MASS: And I think it's easier if he
9 holds up a colored picture rather than a Xerox, but I
10 think you'll be able to follow the Xerox.

11 JUDGE MILLS: Okay.

12 MR. MILLS: So if that's procedure is okay,
13 then --

14 JUDGE MILLS: That will be fine. Why don't
15 we go ahead and mark these exhibits just so we have
16 something to refer to as we go along. We'll mark the
17 packet that's labeled Count 1 as Exhibit 9, Count 2 as
18 Exhibit 10, Count 3 as Exhibit 11, Count 4 as Exhibit 12.

19 (EXHIBIT NOS. 9 THROUGH 13 WERE MARKED FOR
20 IDENTIFICATION.)

21 (Witness sworn.)

22 JUDGE MILLS: Thank you. You may be
23 seated.

24 PAUL KITTLE testified as follows:

25 DIRECT EXAMINATION BY MR. MILLS:

1 Q. Would you please state your name and your
2 address.

3 A. My name is Paul Kittle. My address is
4 69 Columbine Road, Foley, Missouri 63347.

5 Q. Are you currently employed by Fruend
6 Investments?

7 A. Yes, I am.

8 Q. Okay. Now, how old are you, sir?

9 A. 47.

10 Q. Will you please give us your work
11 experience from, say, your early 20s on?

12 A. Actually, I started building homes at 17.
13 I've built homes from then on to now, or actually 'til
14 about six years ago I started in doing modular -- or not
15 modulars, but mobile homes. And I was in service with
16 Coachman Mobile Homes for two years, quality control for a
17 year with them, and then went to work for Mr. Fruend.

18 Q. When you went to work for Mr. Fruend, was
19 that when Mr. Fruend had America's Home Brokers?

20 A. Yes, sir.

21 Q. Okay. And when that went under, then you
22 went to work for Fruend Investments?

23 A. Yes, I did.

24 Q. What is your experience with regard to
25 doing electrical work?

1 A. I've wired homes, barns. I've had to go in
2 and troubleshoot wiring on mobile homes on several
3 occasions and find out what the problems are.

4 Q. When you say you wire homes, what part of
5 the wiring have you done?

6 A. I've done everything from the meter box to
7 the breaker box in the home, and wiring light switches,
8 lights, plug-ins, grounds.

9 Q. You have wired all circuits in homes?

10 A. Yes, sir, I have.

11 Q. With regard to plumbing, what has your
12 experience been?

13 A. Again, with mobile homes, you're pretty
14 much in all fields you have to be able to do everything.
15 You have to be able to do plumbing, do the trim work, your
16 carpets, windows, do vinyl siding, electrical, and in all
17 instances I've had to do just a little bit of everything.

18 Q. Have you also done some roofing work?

19 A. Yes, I have.

20 Q. Did you go and do some work at the home of
21 Ms. Gray?

22 A. Not on the roof, but I have done work.

23 Q. No. I just asked if you went to the home
24 of Ms. Gray to do some work.

25 A. Yes, sir, I sure have.

1 Q. And did you also have pictures of the work
2 that you did?

3 A. Yes, I did.

4 Q. Now, you did not put in that Convert-A-Tub,
5 did you?

6 A. No, I didn't. That was a private company
7 that done that.

8 Q. Okay. But did you -- were you able to
9 observe whether it had a ground?

10 A. When the inspector was out there, the first
11 time that I went out with him, he initially showed me,
12 which I had no idea that it was like that, that the box,
13 the electrical box was not -- it wasn't fastened down
14 properly. And I noted that, and whenever I went back I
15 let Todd know to get ahold of the company that installed
16 it to take care of that.

17 Q. Okay. And was eventually the electrical
18 box grounded or secured properly?

19 A. Yes, it was.

20 Q. And did you do any other work with regard
21 to the Convert-A-Tub?

22 A. No, sir.

23 Q. Does it have other protection, surge
24 protection?

25 A. It's a GFI protector. I'm sorry. I did

1 change out the breaker, because they had stated that the
2 breaker in the electrical box was the wrong breaker. The
3 breaker system in that home was a cutter and hammer, and
4 they had a square D breaker in there. I changed the
5 breaker from a square D to a cutter and hammer.

6 Q. Now, you said it has a GFI protection.
7 What's GFI protection?

8 A. GFI, basically if for any instance you're
9 in contact with water, it will kill the circuit. It will
10 trip the breaker on the plug-in.

11 Q. So that that would prevent any surge coming
12 through that circuit from causing any damage?

13 A. Yes, sir.

14 Q. And that's particular to that circuit?

15 A. Yes, sir.

16 Q. Now --

17 JUDGE MILLS: Before you go on, just for
18 the record, the GFI is a acronym for ground fault
19 interrupter.

20 THE WITNESS: Yes.

21 JUDGE MILLS: Just so the record's clear.

22 MR. MASS: I'm sorry. I should have had
23 him state that. Thank you very much.

24 BY MR. MASS:

25 Q. Then did you -- one of the items marked on

1 the home, which is No. 2 under Count 1 for us, was Item 3
2 I believe A or 3D, that the electric cable needed to be
3 installed in a conduit under the home. Did you do that?

4 A. I did install the conduit on that.

5 Q. Okay. Can you show us a picture of that?

6 A. Yes, I will. Okay. This is the picture.
7 Actually it's a picture of the air conditioning and the --

8 Q. The wire to the converted tub?

9 A. Yes, to the converted tub.

10 Q. Is that virtually -- strike that.

11 You were here when Mr. Haden testified,
12 were you not?

13 A. Yes, sir.

14 Q. Were those the wires that he said were not
15 covered in conduit?

16 A. Yes, sir, and they wasn't at the time.

17 Q. But now they are in conduit?

18 A. Yes, sir.

19 Q. And then what picture are you now showing?

20 A. This is another one showing that they are
21 secured to the wall.

22 Q. Okay. So they're not only in conduit, but
23 they're secured to the wall?

24 A. Yes.

25 Q. Now, did you have an opportunity or did you

1 do any repairs with regard to the drain line?

2 A. Yes. There was installed straps every four
3 foot.

4 Q. Throughout the underneath of the home?

5 A. Yes, sir.

6 Q. Is there a picture to show that you did
7 that?

8 A. This picture (indicating).

9 Q. And what did you use for this strapping?

10 A. It's a plastic strapping so that -- that it
11 would support it.

12 Q. Okay.

13 A. There's also another picture, I believe. I
14 don't know how -- looks like it's been spot --

15 Q. That's a picture that looks like it's got
16 water beaded on it?

17 A. Yeah. And this is also a picture where he
18 showed that these weren't supported, and it is now.

19 Q. One of the other complaints was bolt holes
20 in the bottom board along the centerline had to be sealed.
21 Did you take care of that?

22 A. Yes, sir, I sure did.

23 Q. And what did you do?

24 A. With a belly patch tape. These are the
25 holes that he was pointing out earlier, and they're all

1 through the middle marriage line of the home. And it's
2 all been -- also found some other places that needed to be
3 patched, too, in there.

4 Q. So you patched every place you saw
5 underneath that home?

6 A. Yes, sir, I did.

7 Q. When you say belly patch tape, what is
8 that?

9 A. It's a special tape that they make with an
10 adhesive back on it for -- specifically for this.

11 Q. For that purpose?

12 A. Yes, sir.

13 Q. Okay. And did you add any extra adhesive
14 to that besides what was on the tape?

15 A. I also sprayed it with a stay-put spray.

16 Q. And what is a stay-put spray?

17 A. It's just an extra adhesive. And a lot of
18 times whenever it's cold, if you don't use that, things
19 won't stick.

20 Q. Then there is also a complaint or a notice
21 in the inspection that a jack post had to be secured to
22 the concrete footer. Did you undertake to do that?

23 A. Yes, sir, I did. (Indicating.)

24 Q. And that's showing it's bolted into the
25 floor?

1 A. Anchored into the floor.

2 Q. Or anchored into the floor. Not being
3 around construction a lot, I sometimes don't use the right
4 term, but I'm sure you'll correct me.

5 Now, it said the next one was that the jack
6 post installed under the main frame between the transverse
7 beams has to be secured in place. Did you do that?

8 A. Yes, sir, I did. They are welded in place
9 now (indicating).

10 Q. Did you do other work with regard to
11 patches in the crossover heat duct?

12 A. Yes, sir.

13 Q. And what did you do with regard to the
14 crossover heat duct?

15 A. That's the crossover heat duct where it had
16 tears in the outer material with a belly patch and
17 strapped with plastic strapping.

18 Q. And so that's non-corrosive strapping?

19 A. No, sir, it's not corrosive. It's plastic.

20 Q. And did you do the strapping throughout?

21 A. Yes, sir.

22 Q. Did you do any other work at the Carol Gray
23 home?

24 A. At other times I done work inside the home.
25 Also the sump pump -- or may I add, I know I haven't been

1 asked, but on the ground this is something that kind of
2 bothered me, and I realize there is a picture in here that
3 it is grounded. There's the grounding wire and it is
4 grounded now, but on the steel beams where the inspector
5 was talking about these bolts that go through here
6 which -- and I understand what he's talking about and I
7 understand the manual, but when you weld a home, it's
8 grounded just about as good as it can be from side to
9 side. Also when you're --

10 **Q. When you say when you weld it it's grounded**
11 **as well as it can be from side to side, will you explain**
12 **that?**

13 **A.** Well, when you have -- on this particular
14 home, I believe there's five or six steel beams there that
15 are welded to the home. The grounding strap to me, and
16 this is just -- and like I said, under the circumstances I
17 know that the wire should have been installed, but when
18 you weld from frame to frame in five different spots, a
19 weld burns into the steel. It's going to be grounded just
20 about as good as you can ground it. And that was just
21 something that I felt like I needed to say. I felt like
22 the wire was irrelevant to the point.

23 **Q. Now, when you say it was grounded as well**
24 **as it could be, that was the two halves of the home?**

25 **A.** Yes, sir.

1 Q. The same purpose as that crossover
2 grounding wire would serve?

3 A. Yes, sir.

4 Q. And was that -- is that true with -- you
5 worked on three of the homes in this case?

6 A. They were all -- they're all welded to the
7 frames. And he did quote these on the wire that the wire
8 wasn't there, which it wasn't, but they were grounded
9 because they were welded to each other.

10 Q. Okay. Now, on the Gray home, did you also
11 help install that sump pump?

12 A. I did. Me and one other person installed
13 that. At the time of the installation, when we dug the
14 hole to put that sump pump in, we'd had a bunch of rain
15 and it kept wanting to float out of the hole. We put the
16 blocks in the bottom of it and held it down. It was down
17 when we left. The pump was pumping the water out.

18 The next time I came back, which was quite
19 a while later, and it was brought to my attention it had
20 floated up, but the water was in there. There was no way
21 to hold it down in the hole to make it stay in there until
22 the water was completely pumped out. So what I done, as
23 Ms. Gray was saying, I cut some holes in the side of the
24 plastic tank so that the water could get into it so that
25 it would pump the water out.

1 Q. And did it pump the water out?

2 A. Yes, it was pumping the water out at the
3 time, and there's not -- there is some there still in the
4 home, but it's just very little spots.

5 Q. Okay. Was there also another vapor barrier
6 installed on top of the rock?

7 A. Approximately -- yes, there is.
8 Approximately two foot underneath that, I remember when we
9 put it in.

10 Q. When you put what in?

11 A. Before we -- when they put the foundation
12 in, the crawl space, we had spread plastic out. The
13 plastic is approximately two foot under that rock. We had
14 had problems from water because of the rain and had to put
15 extra rock in. So the barrier's approximately two foot
16 underneath the rock. If the sump pump was pulled out and
17 you looked, you could probably see the ring of plastic
18 around where the tank is.

19 Q. Do you know why water backed up into
20 that -- under that crawl space?

21 A. My suspicion is, is that all the rain that
22 we had at the time, the water got high enough -- there was
23 no guttering on the house, that it probably went through
24 some of the lower vents that vented into the bottom of the
25 house.

1 Q. Did you do anything else on the Gray house?

2 A. Relevant to this case, no, that I can
3 recall.

4 Q. Did you also then work on the
5 Cameron/Sassmann home?

6 A. Yes, sir.

7 Q. And that would be Exhibit 9 -- no, 10 on
8 Count 2. Okay. Now, it says the centerline floors are
9 uneven at the doorway to the master bedroom. Did you
10 check that?

11 A. Whenever I went and checked at the master
12 bathroom/bedroom door, the floor may have been off I'm
13 going to say 1/8, maybe 3/16, and when you've got poles
14 under there and steel beams holding the floors, it's kind
15 of hard to make it -- and the home's level, to keep them
16 exactly the same. I've yet to see one that's perfect.

17 Q. Okay. And what's an acceptable tolerance
18 in your experience in installing homes or in fixing homes?

19 A. I would say from that one is probably
20 acceptable. Anything more than that would not be.

21 Q. Okay. Now, the next complaint on Count 2
22 was that the required centerline column supports had not
23 been installed. Were they installed?

24 A. Yes, they were.

25 Q. And do you have pictures of their

1 **installation?**

2 A. Yes, I do. Here's one picture
3 (indicating). This is where he had the white mark where
4 it's supposed to be installed.

5 **Q. Did you install four of them?**

6 A. There are four installed, and also some
7 smaller back posts which had been installed earlier, too.
8 Here's the picture (indicating). The gray ones are the
9 ones that were installed.

10 **Q. Do you know whether --**

11 A. The other ones were there.

12 **Q. I'm sorry. Do you know whether there was**
13 **any difficulty getting access or installing those with**
14 **regard to the homeowner?**

15 A. She was reluctant to let us put them in
16 because she had pool tables and Ping-Pong tables and stuff
17 and they were in the way. She didn't want them in the way
18 of her tables. And she had told me on two occasions she
19 didn't want them in there. So before we installed these,
20 we installed these smaller ones on top of the I-beams on
21 the marriage line to try to support, to keep from having
22 to put the other ones in. It wasn't because we didn't
23 want to put the other ones in. She in the beginning
24 didn't want them in there because they were in the way of
25 her pool table and stuff.

1 Q. But eventually did you put those in?

2 A. Yes.

3 Q. Now, the next one says that crossover
4 electrical cables have not been protected in the floor as
5 required by the manufacturer. Did you address that issue?

6 A. Yes, I did, and I don't have a picture of
7 that, but they have been put back up in the floor and
8 belly patched over the top of them.

9 Q. I believe there's one picture showing at
10 least one belly patching.

11 A. Well, there's a belly patch here on these.
12 I don't know if I've got one. And you can see in these
13 other ones there's belly patches that's been put
14 throughout on these.

15 Q. Maybe one picture wasn't copied. I want to
16 show you -- I apologize.

17 A. Okay. Yes, this is some of the belly patch
18 that's been patched. And these are all, like they say,
19 holes probably about like that (indicating). There may be
20 some a little bigger than that. And these are in a
21 basement where -- where there shouldn't be any moisture,
22 you know.

23 JUDGE MILLS: Just for the record, when you
24 indicated about like that, that's not going to show up in
25 the transcript.

1 THE WITNESS: I'm sorry. About a quarter
2 size. Some of them could be a little bigger than that.

3 JUDGE MILLS: Okay. Thank you.

4 MR. MASS: Since I thought there was a
5 duplicate of that picture and I apologize, I'll leave this
6 with the court and he'll -- Mr. Kittle will put it back in
7 that folder for Count 2.

8 JUDGE MILLS: I think that's fine.

9 MR. MASS: Just a housekeeping matter to
10 make sure we don't get any of these pictures mixed up.

11 BY MR. MASS:

12 Q. Then said the frame ground crossover wire
13 has not been installed?

14 A. I don't have a picture of that either.

15 Q. Did you install it?

16 A. Yes, it is installed.

17 Q. Okay. And is that home, both sides of it
18 grounded?

19 A. It's ground with a wire. It's also welded
20 to the frame, I mean, welded to the I-beams running
21 across.

22 Q. So it's grounded in the way you described?

23 A. It is.

24 Q. Without the crossover wire, the way you
25 described the Gray home?

1 A. Yes, sir. Also, another way the home is
2 grounded, when your wires run through a house, they make a
3 loop -- they have to make complete loop to make a circuit.
4 Whenever they make that loop, even your ground wire makes
5 that loop and goes back to your control box, which is also
6 grounded to an eight foot copper rod in the ground
7 outside. So the home is grounded.

8 Q. Okay. Then the next complaint was that the
9 bottom board needs to be patched along the centerline at
10 the lag bolt locations.

11 A. That's the pictures that I showed you or I
12 showed earlier that had the patches on them.

13 Q. Okay. Now, then it says the combustion air
14 input for the fireplace must be vented to the exterior.

15 A. Something that -- on the combustion air,
16 they are vented. And I apologize that they did have a sag
17 in them. I didn't realize at the time that the sag would
18 create a problem. But on the side of the fireplace that's
19 an insert, they do come down in a six-inch fresh air vent
20 underneath the home. But on the side of those, if you
21 pull them out you look at the side of them, the hole on
22 the side where you pull it out is only 2x2 square.

23 So you can't -- in a six-inch pipe you're
24 not going to draw any more air even if you reduce it to a
25 four-inch from a six, than you can get through a 2x2

1 square inside the fireplace.

2 Q. I think we can go back a second. What
3 you're saying is, when it comes in the kit, there's a
4 six-inch vent coming off the fireplace?

5 A. It mounts to the side of the fireplace.
6 There's a box and it mounts into it, but there's only a
7 2x2 square on the side of the fireplace if you pull that
8 off that draws the air into the fireplace itself.

9 Q. So there's only a 2x2 air going into the
10 fireplace?

11 A. Yes, sir.

12 Q. And so from the picture that Mr. Haden took
13 of going into the fireplace, the only thing that has to be
14 done is that that strapping maybe should be brought over
15 so there's no loop? Or not the strapping. I'm sorry.

16 A. The vent line, yes.

17 Q. The vent line?

18 A. Yes.

19 Q. And are you -- how long would it take you
20 to do that?

21 A. Five minutes.

22 Q. Are you willing to go out and do that?

23 A. Yes, sir.

24 Q. Now, it says the next one the manufacturer
25 requires the end of two sections to be fastened together

1 per the installation manual. What does that mean to you?

2 A. Basic screw, a screw every two foot,
3 approximately a three-inch screw that goes from one side
4 to the other, and then on the next one from this side to
5 the next side, up to the top. There's probably at the
6 most 16 screws in it.

7 Q. And that's on each side of the home or on
8 two of the sides?

9 A. On either end of the home.

10 Q. Either end of the home?

11 A. Yes.

12 Q. That is done under the siding?

13 A. Yes, it is.

14 Q. Did you go back and do that?

15 A. Yes.

16 Q. On both sides of the house?

17 A. Yes, sir.

18 Q. Now, with regard to those I-beams under
19 that home, can you tell us how they're affixed?

20 A. They're in concrete pockets on your -- your
21 basement wall on a mobile home, what they do is they slide
22 the I-beams in the concrete pocket that's approximately
23 the same size as the I-beam. Sometimes they could be
24 deeper than the I-beam itself.

25 Q. And how are they fixed underneath between

1 **the concrete pockets?**

2 A. The support poles are anchored to the floor
3 and welded to I-beams, and then the home is welded to the
4 I-beams.

5 Q. Okay. Are the one I -- the two I-beams
6 that are damaged -- I'm not sure if it's more than one.

7 A. Those are actually the mobile home I-beams.
8 The one that's damaged on this home is welded to the
9 I-beam. I -- in my experience -- and I understand what
10 the inspector was saying. If it was setting on concrete
11 blocks where it could shift and could fall, I could see
12 where the home would be possibly able to fall. But with
13 it being welded to the I-beam itself, there's no way it
14 can shift unless it takes out the I-beam itself completely
15 out of the concrete wall.

16 Q. Does the fact that it's on a basement
17 foundation help steady it?

18 A. Yes, sir.

19 Q. Okay.

20 A. It can't twist or turn or -- it's welded to
21 the home and it's in the concrete pocket. It's not going
22 anywhere. I'm not -- I'm not an engineer specialist or
23 anything, but, I mean, to my knowledge everything -- I've
24 never seen anything like that happen in this instance.

25 Q. How many places is the beam welded?

1 A. Well, on either side it's welded to --
2 depending on the size of the home. I believe that home
3 has seven or eight I-beams, so on each I-beam it's welded
4 in two places on one side and two places on the other. So
5 it would be, what, four times the amount of I-beams.

6 Q. Okay. Now, you did not work on the
7 Williams home, did you?

8 A. No, sir.

9 Q. Okay. So the other home you worked on was
10 the Kennon home --

11 A. Yes, sir.

12 Q. -- which is Count 4?

13 A. Yes, sir.

14 Q. Which is what we've marked as Exhibit 12.

15 Okay. The first item noted on the Kennon
16 home was that the frame crossover wire had not been
17 installed. Did you install that?

18 A. Yes, sir, I did.

19 Q. Okay. And was that also welded again to
20 the --

21 A. The I-beams.

22 Q. The I-beams?

23 A. Yes, sir.

24 Q. So that was grounded in the same way you
25 described for the other homes?

1 A. Yes, sir.

2 Q. Now, again, with the combustion air inlet
3 to the fireplace, is your -- your testimony would be the
4 same that having a four-inch vent is sufficient when
5 there's only a two-inch hole --

6 A. Yes, sir.

7 Q. -- going into the fireplace?

8 A. It can't draw any more oxygen through that
9 hole than what it -- I mean, on a 2x2 square, it's not
10 going to be able to draw any more through it than you're
11 going to get. I mean, if you've got a six-inch vent, how
12 much air are you going to get through a 2x2 if you reduce
13 it down to a four, it's already been reduced now coming
14 into the fireplace.

15 Q. Okay. Well, I think there are some
16 pictures there.

17 A. I think -- I think I grabbed the wrong
18 folder.

19 Q. You grabbed 3?

20 A. I grabbed Williams, yes, sir.

21 Q. Okay.

22 A. I have it. You're asking about the ground?

23 Q. Yes.

24 A. There it is. This is the ground wire going
25 from frame to frame, this wire here (indicating).

1 Q. And then you had a picture of the vent,
2 which was substantially the same as the picture as
3 Mr. Haden's?

4 A. Yes, sir, it's the same picture that was in
5 it. The ventilation -- I'm sorry.

6 Q. Go ahead.

7 A. The ventilation in the home as he was
8 talking about, this is from the underside. You can see
9 the vents in the concrete. These are the vents that we
10 installed. You see the plastic louvered vents. These are
11 the vents up here that were installed after these were.

12 Q. How many vents are there around that home?

13 A. Honestly, I don't know exactly. I didn't
14 count.

15 Q. Okay.

16 A. I believe we installed five more vents on
17 that home, if my memory serves me correctly. I know
18 there's two on the end, two more on the back, two or three
19 on the back and one on the far end by the window.

20 Q. Are there a total of 12 vents?

21 A. This is the picture -- I believe that's
22 what's on that home. I couldn't tell you honestly.

23 MR. MASS: Okay. I have no further
24 questions.

25 JUDGE MILLS: Cross-examination?

1 MS. WESTON: Judge, can I have a few
2 minutes to prepare for cross-examination?

3 JUDGE MILLS: Sure.

4 CROSS-EXAMINATION BY MS. WESTON:

5 Q. Good afternoon.

6 A. Good afternoon.

7 Q. I'd like to start out by asking you, I
8 don't know if I -- I may have missed this, but are you the
9 person that took the photographs that you have shown in
10 evidence today?

11 A. Yes, ma'am. On the ones that I showed,
12 yes, ma'am.

13 Q. On the ones that you show?

14 A. Yes, ma'am.

15 Q. Okay. And are you testifying that they
16 accurately depict the surroundings and the -- that you
17 noted at the time that you took those photographs?

18 A. Yes, ma'am.

19 Q. When were those pictures taken?

20 A. Exact date, I couldn't tell you. On
21 Gray's, it was approximately three weeks, two weeks, two
22 to three weeks ago. On Sassmann it was on -- I believe on
23 the same day, and Kennon's was like on the following day.

24 Q. I'm going to follow the same pretty much
25 path that Mr. Mass has just to try to be consistent, so

1 we're going to start out with the Gray home.

2 A. Do I need to go back to the pictures?

3 Q. Possibly, but I'll start out with a
4 question.

5 A. Yes, ma'am.

6 Q. In your testimony you indicated that you
7 did not work on the -- you did not install the
8 Convert-A-Tub; is that correct?

9 A. Yes, ma'am.

10 Q. You didn't install it, but did you make
11 some repairs to the tub, is that --

12 A. Not to the tub itself. I put conduit over
13 the electrical Romex wire under the home and strapped it
14 to the wall.

15 Q. Okay. So the work that was done to the tub
16 was to the electrical part of the tub?

17 A. It was actually to the Romex underneath the
18 home.

19 Q. Okay. Are you stating today or is it your
20 testimony that the Gray home complies in every respect to
21 the code now?

22 A. To the best of my knowledge, yes, ma'am.

23 Q. Okay. That's all the questions I have
24 about the Gray home. I'd like to move on to
25 Cameron/Sassmann, and you testified that -- under Item

1 10A that the centerline floors, that they're within an
2 acceptable range of tolerance for a gap?

3 A. Are you talking about the gap or a hump?

4 Q. Well, I don't know if it was characterized
5 as a gap or a hump. To be honest with you, I thought we
6 talked about an uneven area in the floor.

7 A. At the master bathroom, the part that I
8 seen was within an acceptable tolerance. You have to also
9 realize that at that point the carpet and the pad's there,
10 and at that point also you have a carpet bar that goes
11 across there that will raise that a little, too.

12 Q. Tack strip?

13 A. Yes, ma'am. Well, it's not a tack strip.
14 It's a carpet bar. It's got a tack strip on it. You fold
15 it down. It's called like a nose bar. I'm sure you've
16 seen it, where your gold bar is rolled over.

17 Q. This acceptable tolerance, where do you
18 glean that data from? Is that in some manual or some
19 document that you -- that you refer to or --

20 A. No, ma'am. It's just that most of the
21 homes -- and I've been in several. I haven't actually
22 seen one that was perfect yet.

23 Q. Okay.

24 A. I don't think they can build a perfect
25 home.

1 Q. Okay. There seems to be a little bit of
2 discussion regarding the Item 10C, which is the crossover
3 electric ca-- excuse me -- the frame ground crossover
4 ground wire?

5 A. Yes, ma'am.

6 Q. And what -- what document do you use to --
7 in this case did you refer to in determining that the
8 crossover ground wire did not have to be installed per the
9 installation manual for this particular model?

10 A. There's no document, but -- and I'm not
11 saying this to sound belligerent or anything else, but if
12 you grab hold of a piece of steel and stick it in the air
13 and lightning strikes it, it's going to electrocute you.
14 When you're welding two pieces of metal together and
15 they're welded together, they're going to be grounded.
16 And I'm not saying that it was right for me not to hook up
17 that crossover, but I'm saying the home is grounded.

18 Q. In your opinion, if the manufacturer didn't
19 need to supply crossover ground between two halves of a
20 manufactured home, why would they if there was already
21 suitable grounding in that home?

22 A. Because not all homes are set on crawl
23 spaces or basements. Some are set on concrete piers, and
24 at that point there's no steel beam to weld to, so they
25 have to be grounded with the wire itself to ground the two

1 halves together.

2 Q. So then someone has to make a judgment as
3 to whether that home has the appropriate grounding?

4 A. Yes, ma'am.

5 Q. Or that the crossover ground wire must be
6 attached?

7 A. Yes, ma'am.

8 Q. Sort of an either/or?

9 A. Yes.

10 Q. So are there any guidelines that you know
11 of that's going to help someone determine whether a
12 particular home model or make has adequate grounding unto
13 itself or a foundation versus installing that --

14 A. No.

15 Q. -- crossover ground wire?

16 A. Not at this time, I don't believe there is.

17 Q. Another issue appears to be 10G, the
18 combustion air inlet for the fireplace must be properly
19 vented to the exterior of the basement foundation, and you
20 testified that we have a fire box -- correct me if I'm
21 wrong.

22 A. Insert.

23 Q. Make sure I understand. We have a fire box
24 that has a hole in it that is 2x2 inches?

25 A. Approximately 2x2 square.

1 Q. Approximately 2x2 square?

2 A. Yes, ma'am.

3 Q. And then out -- then attached to that is a
4 six-inch flange or pipe or --

5 A. Usually a square box that is mounted into
6 the side and goes down through the floor.

7 Q. Six inches, and then it goes out to --

8 A. Down through the floor.

9 Q. Down through the floor?

10 A. Yes, ma'am.

11 Q. And then to an exterior portion of the
12 house?

13 A. Yes, ma'am. Actually goes through the
14 floor, and if the home's on center blocks and has
15 underpinning on it, there's usually not a question about
16 pinning it to the outside because of the underpinning. If
17 it's on a basement, it needs to be vented or under the
18 crawl space.

19 Q. So we have this pipe that's six inches?

20 A. Yes, ma'am.

21 Q. And it's traveling along and it's going
22 into a smaller hole?

23 A. Yes, ma'am.

24 Q. Does that -- does the pressure change from
25 the big pipe to the little hole?

1 A. Actually --

2 Q. The air velocity maybe is a better way to
3 describe that.

4 A. Actually all this is is just for the
5 fireplace to breathe, to draw air for it to breathe to
6 make it combustible, for it to burn.

7 Q. So if the fireplace is drawing air into its
8 fire box, we have a six-inch outlet outside, so we have
9 six inches worth of air coming in, it's coming through
10 pipe, and when it hits the two inch?

11 A. It goes in behind the wall. It's got like
12 a brick wall or slates, and it draws through them
13 basically, and a lot of these have fans in the bottom.

14 Q. So would the change in the speed of -- or
15 the change in the sizes of the pipe from one to another
16 change the -- how fast the air's blowing through that
17 piece of equipment?

18 A. I wouldn't think that it would. It's
19 just -- it's just sucking air. I mean, it's not a fan.
20 It's just something -- it's just an open hole for it to
21 breathe.

22 Q. But would you, in your opinion --

23 A. Yes, ma'am.

24 Q. -- think that there would be a reason that
25 we would have a certain size hole and automatically have a

1 six-inch pipe attached and wouldn't that be the standard
2 that we would use to install this piece of equipment?

3 A. I really don't know how to answer that,
4 because I know what size hole goes into the fireplace and
5 I don't understand the reasoning of the six-inch pipe, to
6 be honest with you, coming out.

7 Q. Do you think that a possibility is it was
8 some sort of engineering formula that I wouldn't
9 understand either?

10 A. It could very well be.

11 Q. Okay. So if we think that it might be an
12 engineering standard, then there's a possibility that by
13 changing that pipe that we've interfered with the standard
14 and the proper operation of that fire box?

15 A. There's a possibility of that, yes, ma'am.

16 Q. So based upon what we've just discussed, do
17 you believe that the Cameron/Sassmann home complies with
18 -- complies in every respect to the code?

19 A. To my knowledge, to the way I feel, yes.

20 MS. WESTON: May I have one moment, Judge?

21 JUDGE MILLS: Sure.

22 MS. WESTON: Thank you.

23 BY MS. WESTON:

24 Q. Cameron/Sassmann Item 12, the I-beams.

25 A. Yes, ma'am.

1 Q. It appears that there's an issue regarding
2 some bent I-beams in the Cameron/Sassmann home. Would you
3 agree with that?

4 A. Structurally, I -- the home's level, and I
5 know I can bring into evidence other knowing wise, but
6 because it's hearsay, but when I initially seen it, it is
7 an eyesore, but there's no way that that's going to shift
8 with it being welded. And I agree with a report that I
9 heard, a wedge being welded on one side, wedged in and
10 welded to where there's no possibility whatsoever of it
11 moving.

12 Q. Okay.

13 A. Now, if it was going to be put on the road,
14 to be roadworthy, there would be a problem. But I don't
15 think they're going to take that off that basement.

16 Q. You have read my mind, because that was the
17 question. The damage that you have noted and that has
18 been noted between you and also our inspectors --

19 A. Yes.

20 Q. -- I'm sure we can have engineers come in
21 all day long and make opinions, but if Ms. Cameron and
22 Ms. Sassmann want to take that home and move it to another
23 location, is it roadworthy and not -- not -- we don't care
24 whether they want to or not, because we want to make sure
25 they have the benefit of the bargain in buying a

1 **manufactured home, which mean it's transportable.**

2 A. Yes, ma'am. The only thing that I would
3 have to say in dispute about that, the home's worth more
4 where it's sitting than it would be if it was pulled off
5 of it. No, it wouldn't be roadworthy.

6 Q. I'm saying -- say again.

7 A. No, it would not be roadworthy as it sits.

8 Q. So it would not be roadworthy. So now that
9 we're saying that the home is not roadworthy, then it
10 appears that possibly that -- it appears that Ms. Cameron
11 no longer has a mobile home?

12 A. Actually, it's real estate now.

13 Q. Okay.

14 A. The way it's setting.

15 Q. That's a whole other issue.

16 A. Yes, ma'am.

17 Q. Let's go on to Kennon, which is Count 4.

18 A. Yes, ma'am.

19 Q. And I think that we worked the frame ground
20 crossover and the combustion inlet to death.

21 A. Yes, ma'am.

22 Q. So we'll go on and talk about the
23 ventilation.

24 A. Yes, ma'am.

25 Q. You testified that you -- that you did not

1 know the number of actual vents that were in the Kennon
2 home. Do you have a number or not?

3 A. I have a number in my head that I think is
4 the actual number, but to tell you actually that that's
5 the number, I'd be lying to you.

6 Q. Okay. So do you think that we have
7 adequate ventilation in the Kennon home today?

8 A. My feeling is yes.

9 Q. And your feeling is based on?

10 A. Actually, the home stayed dry constantly
11 before. The belly never sweated or anything before we
12 even put the other vents in it.

13 Q. Could that have been a time of year issue
14 or --

15 A. Actually, at that time that we had had
16 several rains and everything before this, and the belly
17 had never -- a lot of times they'll draw moisture if
18 there's not -- and you can feel it and you can see it, it
19 sweats. And if it does sweat, then you know it's not
20 properly vented, and I've never seen that belly sweat
21 under that home.

22 Q. Okay. There's a window on the building
23 that has been included, I do believe, in the ventilation
24 counts, calculations?

25 A. I don't know if it was in the calculation

1 of the ventilation.

2 Q. Did you do the calculations?

3 A. No, ma'am, I did not.

4 Q. Okay. I'm sorry. Have you seen that
5 window?

6 A. Yes, ma'am.

7 Q. Is that a glass window?

8 A. Yes, ma'am.

9 Q. Does it open and close?

10 A. It opens and closes and removes.

11 Q. Do you know, when they talk about
12 ventilation per square foot, are they talking about total
13 permanent fixed ventilation with squares with little holes
14 in them and little levers, or are they talking about
15 ventilation as in opening and closing windows?

16 A. To me, the vents themselves would be
17 considered as fixed. The window is able to be tilted out
18 and draw air. I wouldn't -- in my own personal opinion,
19 no, I wouldn't consider it as ventilation, because most of
20 the time you're not going to have it open in the winter.

21 Q. When were you asked to come in and make the
22 repairs for Carol Gray?

23 A. Exact date, I couldn't tell you. I know
24 they've all been done within -- everything that was left
25 that I received has been completed on the lists that were

1 given to me.

2 Q. In the last few weeks, month?

3 A. In the last -- yeah, in the last month it's
4 all been taken care of.

5 Q. Okay. Do you use the installation manual
6 when you set up and install a home, or do you set up and
7 install homes?

8 A. I do not set up and install.

9 Q. You primarily are --

10 A. I'm service.

11 Q. -- service?

12 A. I take care of and help close them in and
13 everything.

14 Q. Do you refer to the installation manual
15 when you do service?

16 A. Actually, in service there's nothing really
17 basically unless you get into -- in the service, I can't
18 see anything that would be in the manual.

19 Q. So you don't do service on to come in and
20 normally fix installation issues or --

21 A. Yes, I -- on installation, yes, I go back.
22 I have no manual on that, to be honest with you.

23 MS. WESTON: Okay. Thank you. I don't
24 have any further questions.

25 JUDGE MILLS: Okay. We'll do questions

1 from the Bench, then we will do further cross-examination
2 if there's any based on questions from the Bench and then
3 we'll follow up with redirect. Commissioner Murray?

4 QUESTIONS BY COMMISSIONER MURRAY:

5 Q. Thank you. Good afternoon. Do you know
6 who did the setup on these particular homes?

7 A. I believe on two of them I know, but the
8 other one I'm not sure of.

9 Q. And are -- is that one or two installers,
10 that you know of?

11 A. Two separate installers. Now, the other
12 one may have been the same one. One of them I'm not sure
13 who set. The other two I believe I know who set. I know
14 I know on the Carol Sassmann.

15 Q. And who is that?

16 A. Mike Dennis Moore.

17 Q. So he's not a witness here today?

18 A. No, ma'am.

19 Q. And was he employed directly by America's
20 Home Brokers?

21 A. No. He's a subcontractor. He does this
22 for all mobile home businesses.

23 Q. And the other installer?

24 A. I'm not sure who done the other one, to be
25 honest with you.

1 Q. And you don't have a copy of the
2 installation manual you said; is that correct?

3 A. No, ma'am. I don't install.

4 Q. So you go back to correct installation
5 problems, you don't try and see if they're in accordance
6 with the manual or --

7 A. Basically what I do is I go back and --
8 whenever I get a list of things that have to be done, I go
9 back and do them, what they say has to be done.

10 Q. What who says has to be done?

11 A. If it's the State, like in this, or say
12 FHA come out and inspected something and they wanted
13 something done, they'd give you a list of what needs to be
14 done before they'll approve.

15 Q. Does the homeowner ever call and tell you
16 something needs to be done?

17 A. On the interior, yes, ma'am.

18 Q. But not as it relates to installation?

19 A. No, ma'am.

20 Q. So any time you go out, it is in response
21 to an agency or some inspection that says it is not in
22 accordance with some code or manual?

23 A. Right. Or the customer, that's to repair
24 things, whatever's wrong with the home.

25 Q. Are you given specific instructions as to

1 how to make it right?

2 A. No, ma'am.

3 Q. So in order to do that, wouldn't you have
4 to have a manual?

5 A. A lot of it's common knowledge.

6 Q. Except it appears that some of your common
7 knowledge does not comply with what's required.

8 A. As to what?

9 Q. Well, for example, the grounding.

10 A. I really don't know how to answer that,
11 because the home is grounded. Now, if the ground wire, it
12 is setting on concrete blocks, it has to have that ground
13 wire, and I'll make sure they're grounded from now on with
14 this wire even if they're welded. But on concrete blocks
15 is the only time that it actually would be -- to me that
16 it would actually be necessary to have that wire on it,
17 and that's just my personal opinion.

18 Q. Okay. I understand, but when there is
19 regulation regarding something, whatever it is, whether
20 your common sense tells you that it's wasteful or
21 duplicative or whatever, in order to be in compliance you
22 have to do what the regulations say, do you not?

23 A. Yes, ma'am.

24 Q. And which house were you referring to that
25 it would not be roadworthy?

1 A. That would be Sassmann's.

2 Q. Sassmann's. What about the other ones, is
3 that applicable to the other?

4 A. No, Sassmann's was the only one that the
5 frame was damaged. That was due to whenever they raised
6 it to put it on the basement.

7 Q. Was that -- is damage to the frame one of
8 the most serious?

9 A. Depending on how much damage, and on this
10 one it was bent. On the home itself, the home wasn't
11 damaged in any way.

12 Q. Unless they want to move it?

13 A. Yes, ma'am.

14 Q. You've referred -- you had a picture on
15 some of the vents on the Kennon home?

16 A. Yes, ma'am.

17 Q. And the pictures that I see here that were
18 in Exhibit 5, they're not the same as the pictures that
19 you showed?

20 A. Well, I didn't show all of them. You may
21 have these two that were showing on the outside.

22 Q. Okay. What I was going to ask you is about
23 the photograph you showed that showed a vent through some
24 wood.

25 Q. That was underneath the home itself.

1 Q. Yes. Okay. Now, looking from the outside,
2 I can only see a concrete slab below the siding. So where
3 would those vents appear on the outside?

4 A. Actually, these vents are down in the
5 concrete. This vent is up in the siding and this short
6 wall that was built to support the outer walls on this
7 house.

8 Q. So those vents actually go through the
9 siding?

10 A. Yes, ma'am.

11 Q. How long were you employed by America's
12 Home Brokers?

13 A. I believe four years. I've been with
14 Mr. Fruend for five.

15 Q. Are you still with one or the other?

16 A. I'm with Mr. Fruend. I work for him.

17 Q. And not America's Home Brokers?

18 A. No, ma'am.

19 Q. What does Mr. Fruend do now?

20 A. He's developing a subdivision.

21 Q. Of modular homes?

22 A. Of -- my mind just went blank. Not
23 modulars. They're mods.

24 Q. What's the difference?

25 A. They're not a modular home. They are a

1 mod. These are built more as to the stick frame home, the
2 standards of a stick frame. They're closer to the
3 standard. They are a lot better built home. These do sit
4 down all the way on the basement.

5 Q. They would have a set of regulations or
6 several sets of regulations that would apply to them, I
7 would assume; is that you're understanding?

8 A. Yes.

9 Q. Do you have any copies of any of the --

10 A. Yes, ma'am.

11 Q. -- regulations that apply to those?

12 Are you already working on any of those at
13 this time?

14 A. I'm drywalling stuff. These are all
15 drywall homes, nine-foot ceilings.

16 Q. And how many subdivisions are there?

17 A. I believe he has two.

18 Q. What part of the state?

19 A. Lincoln County.

20 COMMISSIONER MURRAY: I think that's all I
21 have right now anyway. Thank you.

22 THE WITNESS: Yes, ma'am.

23 JUDGE MILLS: Commissioner Appling?

24 QUESTIONS BY COMMISSIONER APPLING:

25 Q. I think I have one question, and I'm not

1 trying to be flippant or facetious about this. Can you
2 tell me whether the home that the frame was bent on, was
3 that a brand-new home when it was set up?

4 A. Yes, sir, it was.

5 Q. Bought from --

6 A. America's Home.

7 Q. -- America's Home?

8 A. Yes.

9 Q. And that was done by the people that was
10 install --

11 A. Installing the home, yes.

12 Q. Is it -- is it your feeling that when
13 people buy something new and it's damaged in the process
14 of installing, they should be compensated for that damage?

15 Q. If it was damaged to the point that they
16 wasn't able to use it, but the home itself is not damaged.

17 Q. But you just said if they want to move to
18 some other location, they would have to incur some
19 additional cost in order to move that house, wouldn't
20 they?

21 A. Yes.

22 Q. Okay.

23 A. It would have to be repaired to be on the
24 road, but my --

25 Q. But it's not your decision whether they

1 want to move it or not?

2 A. No, sir, it's not.

3 Q. Okay. I'm not trying to be flippant about
4 it.

5 A. No, I --

6 Q. I'm just trying to get to the point because
7 what you-all call on me to do today is to sit here and try
8 to render a decision on who is what and what is what, and
9 that's putting me in a predicament that I need to
10 understand so that I can make sure that this is fair to
11 the manufacturers here as I am to the people that has
12 been -- which they call has been damaged.

13 A. Yes, sir.

14 Q. Okay. That's the only question I had.
15 Appreciate it. Unless you had something else you want to
16 add?

17 A. I just can't see moving the home. I
18 understand your point. I mean, the home's worth more
19 where it's setting.

20 Q. And they probably will never move the home.

21 A. I understand your point. I just --

22 Q. My question is, how do you make these
23 people whole? And that's not a question I should be
24 asking you. I probably should be asking Todd that
25 question. Thank you.

1 A. Thank you.

2 JUDGE MILLS: I've got just a couple of
3 questions. We may have banged this death, but I'm going
4 to bang it a little bit more.

5 QUESTIONS BY JUDGE MILLS:

6 Q. In terms of the way that the homes are
7 welded up to I-beams --

8 A. Yes, sir.

9 Q. -- the ones in which the ground wire is in
10 question, how many crossways I-beams are there?

11 A. Depending on the size of the home, the
12 I-beams start out at two foot off each wall depending on
13 the length, and are approximately eight foot apart
14 traveling the length of the home until it comes to the
15 other end, and it's two foot after the wall again. As I
16 said before, it depends on the length of the home as to
17 how many.

18 Q. So for the two or three homes that the
19 ground wire is in issue today, how many I-beams are there?

20 A. I'm going to say seven or eight.

21 Q. Seven or eight for each. Okay. And so the
22 frame is welded on both sides?

23 A. Yes.

24 Q. I think you said with two welds on each
25 side?

1 A. On a mobile home, your frame has two
2 mainframes that go down. They're approximately 99 inches,
3 99 1/2 inches apart. So you've got one-half here and
4 you've got one-half here and you've got your I-beams
5 running underneath to support them. So on each one of
6 those frames they weld all the way down through there on
7 your I-beams themselves.

8 Q. And how long are those welds? Are they
9 just spot welds or are they pretty long tacks?

10 A. Most of them are welded on one side of the
11 deal, and usually probably about two inches.

12 Q. Okay. And how big are the I-beams?

13 A. The I-beams are, I believe, eight inch.

14 Q. Eight inch web and, what, how big are the
15 flanges?

16 A. About I'm going to say six, four to six.

17 Q. And the ground wire that's provided by the
18 manufacturer, what gauge wire is that?

19 A. I believe it's six.

20 Q. Six?

21 A. No. 6.

22 Q. Copper?

23 A. Yes, sir.

24 Q. Now, the vents for the combustion air for
25 the fireplace inserts or the -- how -- there's two

1 separate vents, two separate mobile homes at issue today,
2 right?

3 A. Yes, sir.

4 Q. How many feet of four-inch vent did you use
5 to get to the outside perimeter?

6 A. I believe they're both close to the same,
7 and I'm going to say I don't think it's over five foot on
8 either one of them.

9 JUDGE MILLS: Okay. That's all the
10 questions I have.

11 Is there recross -- further
12 cross-examination based on questions from the Bench?

13 MS. WESTON: Yes.

14 JUDGE MILLS: Okay. Please go ahead, and
15 we will finish up with redirect from Mr. Mass.

16 RE-CROSS-EXAMINATION BY MS. WESTON:

17 Q. You stated regarding the Cameron and
18 Sassmann home I-beams that there was some welds on those
19 I-beams?

20 A. Yes, ma'am.

21 Q. I don't think that you have a copy of this
22 picture, but I showed this earlier. You were in the room.
23 And it shows these I-beams being sort of tilted up a
24 little bit.

25 A. Actually, that's only one I-beam. That's

1 only on one side on the closest one to the front of the
2 house. It's not two, it's one.

3 Q. Okay. So this is one beam, this picture
4 here and this --

5 A. It's the same beam.

6 MS. WESTON: If I may?

7 JUDGE MILLS: Yes.

8 THE WITNESS: Actually, your home's running
9 the long way this way. This picture is just a different
10 angle --

11 BY MS. WESTON:

12 Q. Okay.

13 A. -- of this beam here.

14 Q. So but still we have an I-beam that's
15 resting on top, that's sort of up a little bit or it's
16 just up a little bit?

17 A. It is pitched a little bit.

18 Q. So how is that welded on that?

19 A. It's welded on the side over here where
20 you're saying it's cocked.

21 Q. Right.

22 A. This side that's touching over here is
23 welded.

24 Q. So it's welded on one side?

25 A. Yes, ma'am.

1 Q. Okay.

2 A. And what --

3 Q. Go ahead.

4 A. If it's not being moved, what was suggested
5 is to put a wedge in on the side that's up above the
6 I-beam and weld it to it.

7 Q. Okay. So you no longer work for America's
8 Home Brokers?

9 A. America's Home Brokers is out of business.

10 Q. You still work for Todd Fruend, though,
11 yes?

12 A. Yes.

13 Q. And that are you in -- you are working in
14 the modular home business, I guess is what you testified
15 to Commissioner Murray's question?

16 A. I'm building garages and doing drywalling
17 and stuff like that, yes, ma'am.

18 Q. Okay. What's the name of the company that
19 you work for now?

20 A. Fruend Investments.

21 Q. And you're working on a subdivision in
22 Lincoln County?

23 A. Yes.

24 Q. How many homes are out there?

25 A. These homes -- and I couldn't tell you

1 exactly the number of homes. These are all -- these are
2 all basically in the same subdivision, they're all on the
3 same land.

4 Q. Are these modular homes that are being
5 installed by Fruend Investments?

6 A. I don't know. I know he's buying the
7 homes. He's been buying them.

8 Q. Okay. Did I ask you how many homes were
9 out there?

10 A. Yes, ma'am. I couldn't tell you exactly.

11 Q. Do you know if Fruend Investments has a
12 dealer registration for modular homes?

13 A. I couldn't tell you.

14 Q. How many subdivisions were in Lincoln
15 County?

16 A. Two.

17 MS. WESTON: I think that's all the
18 questions that I have.

19 JUDGE MILLS: Redirect, Mr. Mass?

20 REDIRECT EXAMINATION BY MR. MASS:

21 Q. There was some discussion of whether the
22 I-beams welded is a sufficient ground. Didn't you also
23 testify that in all the homes you went in and put in the
24 crossover wire in any event?

25 A. Yes, they are put in.

1 Q. Okay. So at this point there's no issue
2 whether the sufficient ground is from the crossover wire
3 or from the I-beams, correct?

4 A. No, sir.

5 Q. Now, with regard to whether you made the
6 repairs in conjunction with the code, did you take out the
7 inspection report when you went to do the repairs?

8 A. Yes, sir.

9 Q. And you followed whatever corrections were
10 in the inspection report, did you not?

11 A. Yes, sir.

12 Q. So if it said strap up using non-corrosive
13 medium, the duct, you did it as per the inspection report?

14 A. Yes, sir.

15 Q. And if it said strap up the drains every
16 four feet, you did it as per the inspection report?

17 A. Yes, sir.

18 Q. And if it said attach the crossover wire,
19 you did it as per the inspection report?

20 A. Yes.

21 Q. Did you assume that the inspection report
22 was setting forth what was necessary to comply with code?

23 A. Yes, sir.

24 Q. Okay. So is that why you didn't take out
25 the manual when you went and did these various itemized

1 **repairs?**

2 A. Yes, sir.

3 Q. Now, with regard to the Cameron/Sassmann
4 home, there is a room addition built on to that home, is
5 it not?

6 A. Yes. They had somebody to come out and
7 install a sun room.

8 Q. So they have a sun room permanently
9 installed to that home?

10 A. Yes, sir.

11 Q. Do you know whether they refinanced that or
12 not?

13 A. I believe they did.

14 Q. Okay. And they refinanced it as real
15 estate?

16 A. Yes, sir, to the best of my knowledge. I
17 don't know that for a fact.

18 Q. Now, with regard to the two-inch air flow
19 into the fireplace, have you been out there when those
20 fireplaces have been operating?

21 A. Actually, I haven't seen any of them in
22 operation.

23 Q. Okay. You were here when Williams
24 testified that as long as there was an additional
25 extension in the flue on the top, her fireplace operated

1 properly, right?

2 A. Yes, sir, but I didn't do the work on
3 Williams.

4 MR. MASS: Okay. That's all I have.

5 JUDGE MILLS: Okay. Thank you. Okay.
6 Mr. Kittle, you may step down.

7 Mr. Mass, who's next?

8 MR. MASS: Five minutes?

9 JUDGE MILLS: We'll take a five-minute
10 recess and we'll be back at 2:35.

11 (A BREAK WAS TAKEN.)

12 JUDGE MILLS: Mr. Mass, you may call your
13 next witness.

14 MR. MASS: Mr. Coy.

15 (Witness sworn.)

16 JUDGE MILLS: Thank you.

17 LARRY COY testified as follows:

18 DIRECT EXAMINATION BY MR. MASS:

19 Q. Would you please state your name and
20 address.

21 A. Larry Coy. I live at 171 Janet Drive,
22 Moscow Mills, Missouri.

23 Q. And what do you do, sir?

24 A. Been in the tearing down, moving down,
25 setup business on mobile homes for approximately 20 years

1 now.

2 Q. And what do you do with regard to all of
3 those aspects?

4 A. As far as tearing them down, we put the
5 tires and axles and tongues and everything back on them.
6 On double-wides, we break them back apart in two halves
7 and package them back up for transport. Then we have a
8 transporter come in and move them to the new site, and we
9 go through all the aspects of setting them back up, the
10 sewer, water. We do not do the electric or AC or nothing,
11 but we do do the sewer and water hookups and put
12 everything back together on the home.

13 Q. Have you done electrical work on homes
14 before?

15 A. Yes, sir.

16 Q. And what parts of electrical work have you
17 done?

18 A. 99 percent of all I usually do on
19 electrical hookups. In Lincoln County we can still do the
20 main hookups that run from the meter base into the main
21 box in the house.

22 Q. Have you done any other electrical kinds of
23 work on manufactured homes?

24 A. Yeah. We've traced down electrical
25 problems in outlets and light fixtures and stuff like

1 that.

2 Q. Did you have occasion to work on the home
3 of the Williams, Mr. and Mrs. Williams?

4 A. Yes.

5 Q. Okay. And if you will, the folder that's
6 Count 3, that's Exhibit 11. When you went out there, did
7 you have a copy of the inspection report from which to
8 work?

9 A. Yes, sir.

10 Q. Now, one of the items on there was it said
11 the manufacturer requires piers over 36 inches in height
12 to be double stacked. Did you double stack some of the
13 piers?

14 A. The only piers that were not double stacked
15 on that home were just the marriage line piers. There was
16 a discrepancy there between -- I've worked for Coachman
17 Homes and several others, and they have never required the
18 marriage line, the actual marriage line pier to be double
19 stacked. They always said that the -- all your actual
20 frame support stacks has to be double stacked on anything
21 over 36. I even called the factory at one time and they
22 said, well, we're not going to say they don't, but we
23 ain't going to say they are.

24 So -- but as far as the setup manuals that
25 we've always observed, it never even went into marriage

1 line piers. It went into support piers. As far as the
2 frames and stuff, but it never actually went into the
3 marriage line pier. But we did go back and double stack
4 anything that was over 36 inches on this home, yes.

5 Q. That had not been previously double
6 stacked?

7 A. Yes, sir.

8 Q. And did you take some pictures of that?

9 A. Yes, sir.

10 Q. And will you show, please, the
11 Commissioners and Judge Mills the pictures showing the
12 double stacking?

13 A. That one there's of the double stacked
14 piers on the center marriage line of the home. They have
15 to be double stacked crisscrossed blocks instead of just a
16 single stack of blocks going up.

17 Q. Okay. And when you left, were all of the
18 marriage line piers double stacked?

19 A. No. All the way up to I believe the very
20 front two stacks were only at 26 and 28 inches, so they
21 were not over the 36-inch limit to where we had to double
22 stack those. But everything that was over 36 was double
23 stacked all the way from there to the rear of the home.

24 Q. The next item was that the drain line be
25 strapped every four feet. Did you do that?

1 A. Yes, sir.

2 Q. And do you have a picture showing that you
3 did that?

4 A. I have several of them. We had to go
5 through and put the straps on the sewer lines where they
6 were not at before. I'll also say I did not set this
7 home.

8 Q. Okay. It then says the electrical cable
9 installed under the home for the air conditioner not
10 protected in conduit for moisture damage. Now, you did
11 not put that in conduit, did you?

12 A. No, sir, I did not. The --

13 Q. Did you observe that it had been put in
14 conduit?

15 A. Yes. The electric AC man went back and
16 installed that wire in conduit.

17 Q. So you observed that it was in conduit?

18 A. Yes, sir.

19 Q. Then did you address the issue of
20 anchoring?

21 A. Yes.

22 Q. Okay. What did you do with regard to
23 anchoring?

24 A. Well, I've set several homes in this home
25 addition, and it is a very solid clay-type soil. I don't

1 know how Tim inspected the soil or whatever, how he does
2 it, but I have tried to put 40-inch anchors into this
3 subdivision. It's impossible. They will not go in.
4 You'll twist them in two before they'll go in the ground.

5 But I contacted Mr. Haden and asked him how
6 we could solve this problem without going to 40-inch
7 anchors, because you're going to go buy 24 or 26 of them,
8 you're going to twist half of them off before you'll get
9 them in this dirt.

10 And he done some checking and called me
11 back and he said if we would go in and install an extra
12 anchor in between every anchor that is on the existing
13 home and run straps to them, then he would consider that
14 sufficient anchoring. Right now there's approximately
15 40 anchors on this house, to where on a normal standard
16 house this size there would be 22.

17 Q. So did you go and install a 30-inch anchor?

18 A. Yes.

19 Q. In between every existing anchor?

20 A. In between each existing anchor that was on
21 the home.

22 Q. Were you here when Mr. Haden testified as
23 to some of the anchors that were existing didn't have the
24 right -- and I might be wrong -- was it a flange or
25 something that's supposed to be kind of at the surface?

1 A. You're talking about the stabilizer plate?

2 Q. Yeah, the stabilizer plate.

3 A. Yeah. There was several of those that was
4 missing.

5 Q. Okay.

6 A. I have installed those.

7 Q. Did you install them on the missing ones?

8 A. Yes, sir.

9 Q. And did you install stabilizer plates on
10 every one of the anchors that you installed?

11 A. That I installed, yes, sir.

12 Q. And do you have a picture showing one of
13 the anchors that you've installed?

14 A. I had several of them here. That's one of
15 the new anchors that we installed with the stabilizer
16 plate, and we also ran the new strap to the frame. And I
17 believe in the report somewhere it stated that the back of
18 the home was in an excess height, so we had to run long
19 straps from the anchor over to the inside frame instead of
20 going to the outside, because it wouldn't be on the proper
21 angle as per the setup manual.

22 Q. Did you tighten all the straps?

23 A. Yes, sir, I did.

24 Q. And did you tighten the straps on the
25 existing frames?

1 A. I found four or five of them that was a
2 little loose on the existing anchors, and yes, I had to go
3 through and readjust those and tighten them down.

4 Q. So the only item that was left open were
5 the issue of the piers under the exterior doors?

6 A. Yes, sir.

7 Q. And you did not address that?

8 A. No, sir, I did not. As I understand, it
9 was per the contract with the homeowner that they were to
10 be responsible for the piers for the home. And I did talk
11 to the homeowner and asked him who installed the piers,
12 and he said, we had the piers put in. The homeowner
13 theirsself told me that. And I told him, I said, I cannot
14 stack blocks and put door piers if there's no concrete
15 underneath of it to hold it, because they would have just
16 fell over within two or three hours of putting them up
17 anyway.

18 Q. Okay. What you mean by that is where the
19 concrete blocks are installed, that's on top of what are
20 concrete piers into the ground?

21 A. It's considered an -- actually a concrete
22 footing to -- that should have been approximately 2 foot
23 across and 30 inches deep, just the same as they are
24 underneath the frame piers.

25 Q. Okay.

1 A. They should have been installed for the
2 door piers, too, but they were not.

3 Q. Did you put concrete block or was there
4 concrete block piers on top of the concrete footings?
5 Everywhere there was a concrete footing, is there concrete
6 block piercing the --

7 A. Yes.

8 Q. -- home?

9 A. Under all of the existing frame piers and
10 the marriage piers, yes, every place there was a pier
11 poured, there's block going up to the marriage line or the
12 frame.

13 Q. With regard to the front door and the back
14 door, there are no concrete piers in the ground; is that
15 correct?

16 A. That's true, sir.

17 Q. And the Williams' said that they were
18 responsible for putting in those piers?

19 A. That's what they to-- well, they told me
20 that they were the ones that hired a person to come in and
21 install the piers. I don't know how they're going to get
22 them in there, because there's a massive deck on the front
23 and there's a pretty good size deck on the back, right in
24 front of the doors, and I don't know how you're going to
25 get under there and dig a 30-inch deep hole and pour

1 concrete. It's going to be next to impossible.

2 Q. They'd have to take the decks off, wouldn't
3 they?

4 A. Basically.

5 MR. MASS: I have no further questions.

6 JUDGE MILLS: Cross-examination?

7 MS. WESTON: Yes, Judge.

8 CROSS-EXAMINATION BY MS. WESTON:

9 Q. Regarding the Williams home, what kind of
10 home is it?

11 A. As far as the brand name?

12 Q. Yes.

13 A. I believe it's a Champion. I'm not sure.
14 It was on my paperwork, but I'm not exactly sure what the
15 brand name was now.

16 Q. Would you be surprised to know it was a
17 Cavalier home?

18 A. No. I knew it started with a C. It was
19 either Champion or Cavalier. I just don't remember
20 exactly what was on the paperwork when I got it.

21 Q. You indicated that Coachman had certain
22 requirements regarding piers and height. You stated that
23 Coachman didn't require double stacking on a --

24 A. Fleetwood had never required it, no, and
25 I've been to several of their classes.

1 Q. I thought you said Coachman earlier. I'm
2 sorry.

3 A. Well, it was through Coachman. I was
4 working for Coachman at the time, but I went to Fleetwood
5 classes.

6 Q. Okay. Did you take the information that
7 you knew about Coachman and use that as the basis for
8 making a determination regarding this Cavalier home?

9 A. Regarding the piers?

10 Q. Yes.

11 A. No. That's why I contacted Mr. Haden on
12 several instances, and I also contacted Cavalier.

13 Q. Okay. Could you once again show the
14 photograph regarding the piers, the ones that were
15 repaired?

16 A. The double stacked piers on the marriage
17 line?

18 Q. Yes, sir.

19 A. If you don't really look at it, it's hard
20 to tell, because there was several of them taken. This
21 one here is of the outside stack, but the reason I took it
22 was to show the straps going to the inside frame. But
23 this one here, if you look at it real close through here,
24 you can see the piers on the inside frame on the front
25 door after. And this is the double stacked pier on the