

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
March 9, 2000**

**CASE NO: MC-2000-541**

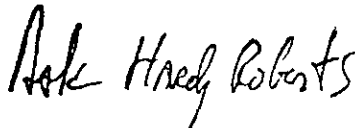
**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Doyle W. Murr**  
C/O Rightway Homes  
P. O. Box 185  
Salem, MO 65560

**Enclosed find certified copy of a NOTICE in the above-numbered case(s).**

**Sincerely,**

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

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

Director of the Division of Manufactured  
Homes, Recreational Vehicles and Modular  
Units of the Public Service Commission,

Complainant,

v.

Rightway Homes,

Respondent.

Case No. MC-2000-541

**NOTICE OF COMPLAINT**

Doyle W. Murr  
c/o Rightway Homes  
P.O. Box 185  
Salem, Missouri 65560

**CERTIFIED MAIL**

On March 6, 2000, the Director of the Division of Manufactured Homes, Recreational Vehicles and Modular Units of the Missouri Public Service Commission filed a complaint with the Missouri Public Service Commission against Rightway Homes, a copy of which is enclosed. Pursuant to Commission Rule 4 CSR 240-2.070, Respondent shall have **30 days** from the date of this notice to file an answer or to file notice that the complaint has been satisfied.

In the alternative, the Respondent may file a written request that the complaint be referred to a neutral third-party mediator for **voluntary mediation** of the complaint. Upon receipt of a request for mediation, the 30-day time period shall be tolled while the Commission ascertains whether or not the Complainant is also willing to submit to voluntary mediation. If the Complainant agrees to mediation, the time period within which an answer shall be due shall be suspended pending the resolution of the mediation process. Additional information regarding the mediation process is enclosed.

If the Complainant declines the opportunity to seek mediation, the Respondent will be notified in writing that the tolling has ceased and will also be notified of the date by which an answer or notice of satisfaction must be filed. That period will usually be the remainder of the original 30-day period.

All pleadings (the answer, the notice of satisfaction of complaint, or request for mediation) shall be mailed to:

Secretary of the Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102-0360

A copy shall be served upon the Complainant at the Complainant's address as listed within the enclosed complaint. A copy of this notice has been mailed to the Complainant.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Dated at Jefferson City, Missouri,  
on this 9th day of March, 2000.

Copy to: The Director of the Division of Manufactured Homes,  
Recreational Vehicles and Modular Units of the Missouri Public Service  
Commission

Hopkins, Senior Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

MAR 06 2000

Director of the Department of )  
Manufactured Homes and Modular Units of )  
the Public Service Commission, )

Missouri Public  
Service Commission

Complainant, )

v. )

Case No. MC-2000-541

Rightway Homes )

Respondent. )

COMPLAINT

COMES NOW the Director of the Department of Manufactured Homes and Modular Units of the Public Service Commission ("Director" and "Department"), by and through the Missouri Public Service Commission's ("Commission") Office of General Counsel, pursuant to Section 700.100 and for his Complaint against Rightway Homes ("Complaint") states as follows:

1. The Missouri Public Service Commission has jurisdiction over manufactured homes and manufactured home dealers pursuant to Chapter 700<sup>1</sup> of the Missouri Revised Statutes.

2. As prescribed by Commission Rule 4 CSR 240-120.031, the Commission delegated to the Director all of its powers pertaining to new manufactured homes under Chapter 700, except the powers to revoke, deny, refuse to renew or place on probation a registration under Section 700.090, which are retained by the Commission.

<sup>1</sup> All references to the Revised Statutes of Missouri will be to RSMo 1994 and 1999 Supplement unless otherwise noted.

3. On December 23, 1999 and January 3, 2000, Doyle W. Murr executed Applications for Manufactured Homes Dealership Certificates of Registration for Rightway Homes ("Rightway") (Appendix A and B). Rightway is a sole proprietorship owned by Mr. Murr. The Director issued Certificate of Dealer Registration No. 725102 to Rightway on January 27, 2000 (Appendix C) and Certificate of Dealer Registration No. 725104 to Rightway on January 11, 2000. (Appendix D). The certificates are valid until January 15, 2001.

4. Section 700.100.3(6), RSMo provides that it is a ground for the Commission to suspend, revoke, or place on probation a dealer's registration if the dealer:

... fail[s] to arrange for the proper initial setup of any new or used manufactured home or modular unit sold from or in the state of Missouri, unless the dealer receives a written waiver of that service from the purchaser or his authorized agent and an amount equal to the actual cost of the setup is deducted from the total cost of the manufactured home or modular unit ...

5. Section 700.115.2, RSMo states that anyone who violates the above provisions shall:

be liable to the state of Missouri for a civil penalty in an amount which shall not exceed one thousand dollars for each such violation. Each violation of this chapter shall constitute a separate violation with respect to each manufactured home or with respect to each failure or refusal to allow or perform an act required by this chapter[.]

6. On September 19, 1995, Doug Farnsworth purchased a Fleetwood home, Serial Number MSFLS25AB36835 ("Farnsworth Home") from Rightway.

7. Rightway did not receive a valid waiver of any setup responsibilities from Mr. Farnsworth as part of the purchase agreement.

8. On September 8, 1999, Mr. Farnsworth filed a consumer complaint with the Director.

9. Tim Haden, an authorized inspector of the Department, conducted an inspection of the home on September 16, 1999.

10. As a result of the inspection, Mr. Haden prepared a Field Inspection Report citing 10 deficiencies in the setup of the Farnsworth Home (Appendix E).

11. On September 20, 1999, Mr. Haden sent a letter to Rightway, enclosing a copy of the Field Inspection Report dated September 16, 1999, and directed that Rightway correct the deficiencies within 30 days (Appendix F).

12. On October 28, 1999, Mr. Haden sent a letter to Rightway, and directed that the deficiencies be corrected and that signed work orders be forwarded to Mr. Haden or the Director within 15 days (Appendix G).

13. On January 14, 2000, Mr. Haden re-inspected the Farnsworth Home.

14. As a result of the inspection, Mr. Haden prepared another Field Inspection Report indicating that none of the of deficiencies in the setup of the Farnsworth Home had been corrected (Appendix H).

15. As of the date of this Complaint, the Director has received no work orders or other evidence indicating that the setup deficiencies had been corrected.

**WHEREFORE**, the Director respectfully requests that the Commission:

a. Find that the Respondent failed to properly comply with the setup procedures for a manufactured home and failed to correct the setup deficiencies within a reasonable amount of time as specified by the Director, as required by Section 700.100.3(6), RSMo.


b. Under the authority provided the Commission in Section 700.100.3, RSMo, suspend the Dealer Registrations of Rightway Homes until such time as the setup deficiencies are corrected, or a period of 14 days, whichever is longer.

c. Authorize the Office of General Counsel to seek civil penalties from Rightway Homes pursuant to Section 700.115.2, RSMo.

d. Issue other findings and orders as are just and reasonable.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

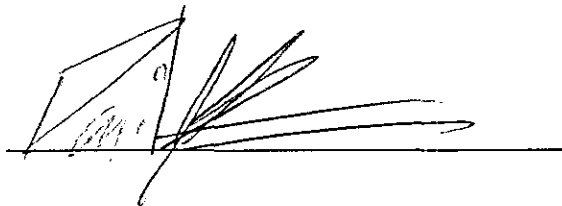


David J. Stueven  
Assistant General Counsel  
Missouri Bar No. 51274

Attorney for the Director of the Division of  
Manufactured Homes and Modular Units of  
the Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-8702  
(573) 751-9285 (Fax)

### Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the persons listed below on this 6th day of March 2000.



Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

Doyle W. Murr  
c/o Rightway Homes  
P.O. Box 185  
Salem, MO 65560



Missouri Public Service Commission

TN: 4193080134

CN: 2046

CA: \$100

# Application for Manufactured Home or Modular Unit Certificate of Dealer Registration

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

<input type="checkbox"/> New Application		If Renewal, Registration Number: <b>725101</b>		<input checked="" type="checkbox"/> Manufactured Home Dealer	
<input checked="" type="checkbox"/> Renewal				<input type="checkbox"/> Modular Unit Dealer	
<b>DEALERSHIP INFORMATION</b>				<b>CORPORATE ADDRESS</b>	
Dealership Name <b>Rightway Homes</b>				Corporate Name <b>RECEIVED</b>	
Street Address of Bona Fide Established Place of Business (Not P.O. Box) <b>Hwy 19 South</b>				Address <b>DEC 27 1999</b>	
City <b>Salem</b>		State <b>MO</b>	Zip Code <b>65560</b>	City	State
Phone <b>(573) 729-5144</b>		Fax <b>(573) 729-2930</b>	County <b>DENT</b>	Zip Code <b>MO. PUBLIC SERVICE COMMISSION</b>	
<b>ADDITIONAL LOCATIONS</b> - Please List additional locations to be registered below:					
Dealership Name		Address		City, State, Zip Code	
<b>Rightway Homes</b>		<b>Hwy 28 + 63</b>		<b>Vichy, MO 65580</b>	
<b>IMPORTANT:</b> Pursuant to Chapter 700 RSMo, all books, records, files and other matters required and necessary to conduct the business shall be kept and available for inspection during normal daytime business hours at the bona fide established place of business listed above.					
Type of Ownership: <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation				If a Corporation, State of Incorporation	
<b>IF A CORPORATION, YOU MUST ATTACH</b> ▶				• Certificate of Good Standing (Call 573-751-4153 to obtain.) • Statement of No Taxes Due (Call 573-751-9268 to obtain.)	
<b>LIST ALL OWNERS BELOW</b> ▼				If a partnership, list name & address of each partner. If a corporation, list names & addresses of principal officers.	
Name (Last, First, MI)		Home Address		City	State
<b>1. Murr, Doyle W.</b>		<b>RECEIVED</b>		<b>Salem</b>	<b>MO</b>
<b>2.</b>					
<b>3.</b>		<b>DEC 28 1999</b>			
<b>4.</b>					
<b>UNITS SOLD</b> - Number of units sold in prior 12 months		<b>MANUFACTURED HOUSING DEPARTMENT</b> <b>Hart, Fairmont, Clayton, Fleetwood,</b>			
<b>FELONY INFORMATION</b>					
Has owner (or any partner, if partnership, or officer, if corporation) within the preceding ten (10) years been convicted in any Federal or State court of a felony relating to the acquisition or transfer of a manufactured home or any other form of property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
If yes, provide the following: ▶		Date	Court	Conviction	Sentence
<b>MISDEMEANOR INFORMATION</b>					
Has owner (or any partner, if partnership, or officer, if corporation) within the preceding five (5) years been convicted in any Federal or State court of a misdemeanor relating to the acquisition or transfer of a manufactured home or any other form of property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
If yes, provide the following: ▶		Date	Court	Conviction	Sentence
<b>CERTIFICATION</b>					
I do solemnly affirm and verify that the concern named herein is a bona fide dealer and I have the authority to make the statements contained herein and to sign this application.					
Signature of Owner, Partner or Corporation Officer <b>Doyle W. Murr</b>				Date <b>12-23-99</b>	





Missouri Public Service Commission

TN. 4193080142

CN - 1225

Am. \$50

# Application for Manufactured Home or Modular Unit Certificate of Dealer Registration

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

<input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal	If Renewal, Registration Number: <b>725104</b>	<input checked="" type="checkbox"/> Manufactured Home Dealer <input type="checkbox"/> Modular Unit Dealer			
<b>DEALERSHIP INFORMATION</b>		<b>CORPORATE ADDRESS</b>			
Dealership Name <b>Rightway Homes</b>		Corporate Name			
Street Address of Bona Fide Established Place of Business (Not P.O. Box) <b>3480 N. US Hwy 63</b>		Address			
City <b>West Plains</b>	State <b>Mo.</b>	Zip Code <b>65775</b>			
Phone <b>417-255-2640</b>	Fax <b>(417) 255-2739</b>	County <b>Howell</b>			
<b>ADDITIONAL LOCATIONS - Please List additional locations to be registered below:</b>					
Dealership Name	Address	City, State, Zip Code			
<b>Rightway Homes</b>	<b>P.O. Box 185</b>	<b>Salem, MO. 65560</b>			
<b>Rightway Homes</b>	<b>P.O. Box 430</b>	<b>Vichy, MO. 65586</b>			
<b>IMPORTANT:</b> Pursuant to Chapter 700 RSMo, all books, records, files and other matters required and necessary to conduct the business shall be kept and available for inspection during normal daytime business hours at the bona fide established place of business listed above.					
Type of Ownership: <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation		If a Corporation, State of Incorporation			
<b>IF A CORPORATION, YOU MUST ATTACH</b>		<ul style="list-style-type: none"><li>Certificate of Good Standing (Call 573-751-4153 to obtain.)</li><li>Statement of No Taxes Due (Call 573-751-9268 to obtain.)</li></ul>			
<b>LIST ALL OWNERS BELOW</b>		If a partnership, list name & address of each partner. If a corporation, list names & addresses of principal officers.			
Name (Last, First, MI)	Home Address	City	State	Zip Code	Social Security #
<b>1. Murr, Doyle W</b>	<b>P.O. Box 185</b>	<b>Salem</b>	<b>MO</b>	<b>65560</b>	<b>452-64-5707</b>
2.					
3.					
4.					
<b>UNITS SOLD</b>	Number of units sold in prior 12 months	New	Used	List Manufacturers	
		<b>8</b>	<b>4</b>	<b>Fairmont-Southern-Delta-Friendship</b>	
<b>FELONY INFORMATION</b>					
Has owner (or any partner, if partnership, or officer, if corporation) within the preceding ten (10) years been convicted in any Federal or State court of a felony relating to the acquisition or transfer of a manufactured home or any other form of property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
If yes, provide the following:	Date	Court	Conviction	Sentence	
<b>MISDEMEANOR INFORMATION</b>					
Has owner (or any partner, if partnership, or officer, if corporation) within the preceding five (5) years been convicted in any Federal or State court of a misdemeanor relating to the acquisition or transfer of a manufactured home or any other form of property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
If yes, provide the following:	Date	Court	Conviction	Sentence	
<b>CERTIFICATION</b>					
I do solemnly affirm and verify that the concern named herein is a bona fide dealer and I have the authority to make the statements contained herein and to sign this application.					
Signature of Owner, Partner or Corporation Officer <b>Doyle W. Murr</b>			Date <b>1-3-00</b>		

**RECEIVED**

JAN 6 - 2000

Missouri Public Service Commission  
MANUFACTURED HOUSING DEPARTMENT

2000

Certificate of Dealer Registration

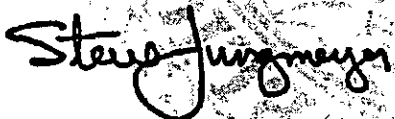
TO WHOM IT MAY CONCERN: The dealer shown below has complied with the requirements of Sections 700.090 and 700.455 RSMo, and therefore is registered in the State of Missouri as a Dealer of Manufactured Homes. This certificate is valid until January 15, 2001.

*Issued To*

RIGHTWAY HOMES  
HWY 19 S, PO BOX 185  
SALEM, MO 65560

*DBA*

RIGHTWAY HOMES  
JCT HWY 63 & HWY 28  
VICHY, MO 65580



Steve Jungmeyer, Director  
Department of Manufactured Housing,  
Recreational Vehicles, and Modular Units

THIS CERTIFICATION MUST BE PROMINENTLY DISPLAYED

Registration Number: 725102

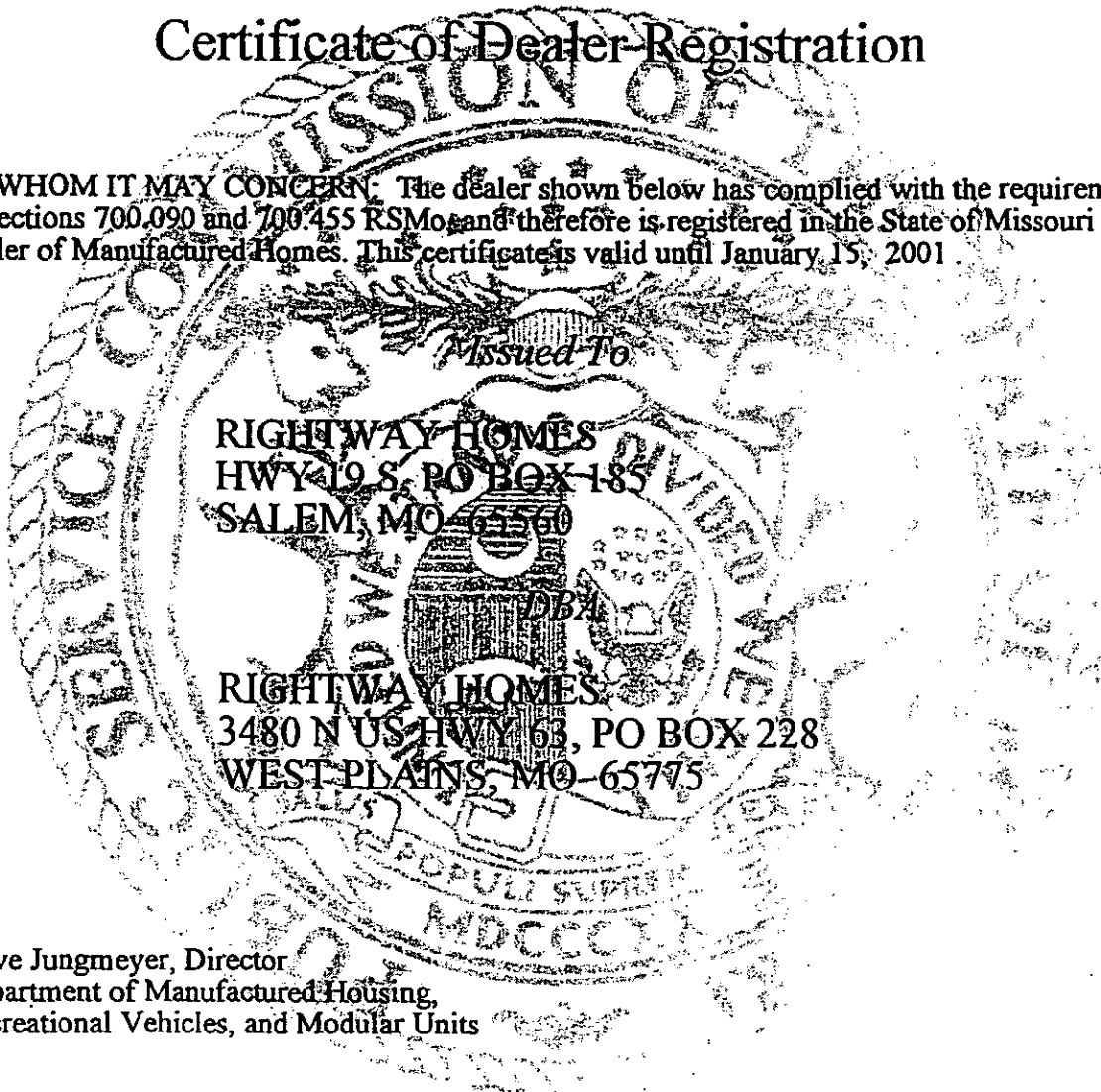
Issue date: 1/27/00

Missouri Public Service Commission  
MANUFACTURED HOUSING DEPARTMENT

2000

Certificate of Dealer Registration

TO WHOM IT MAY CONCERN: The dealer shown below has complied with the requirements of Sections 700.090 and 700.455 RSMo and therefore is registered in the State of Missouri as a Dealer of Manufactured Homes. This certificate is valid until January 15, 2001.



RIGHTWAY HOMES  
HWY 19 S, PO BOX 185  
SALEM, MO 65560

RIGHTWAY HOMES  
3480 N US HWY 63, PO BOX 228  
WEST PLAINS, MO 65775

Steve Jungmeyer, Director  
Department of Manufactured Housing,  
Recreational Vehicles, and Modular Units

THIS CERTIFICATION MUST BE PROMINENTLY DISPLAYED

Registration Number: 725104

Issue date: 1/11/00

**Consumer:** Farnsworth, Doug  
**Address:** PO Box 701, Linn, MO 65051  
**Telephone Number:** 573-897-3827  
**Manufacturer:** FLEETWOOD HMS OF MS 25-2, 100 FLEETWOOD CIRCLE, LEXINGTON, MS 39095 Phone #: (601) 834-1005  
**Dealer:** RIGHTWAY HOMES, HWY 19 S, PO BOX 185, SALEM, MO 65560  
**Installer:**  
**Inspector's Name:** Haden, Tim  
**Serial Number:** MSFLS25AB36835 **HUD Label Number:** RAD841883/84  
**Date of Manufacture:** 9/13/1995 **Date of Installation:**  
**Date Inspected:** 9/16/1999 **Size:** Single-Wide

Item:	Findings:	Location:
1	1900.00 MISCELLANEOUS / REGULATIONS/MISCELLANEOUS / REGULATIONS/ Notes: a) There is a stain on the kitchen floor vinyl which appears to be glue.	
2	0501.01 EXTERIOR WALLS/STUDS/BOWED There is a bowed area in the back side rear end wall which appears to be due to bowed wall studs. Standard: 3280.305(f)	
3	1809.06 APPLIANCES/FIREPLACE/FLUE The fireplace flu pipe is below the required height. Standard: 3280.305(f)	
4	0704.02 EXTERIOR SIDING/VINYL/INSTALLATION The exterior vinyl siding is loose and buckled out under several of the windows. Standard: 3280.307(a)	
5	0700.00 EXTERIOR SIDING/EXTERIOR SIDING/ The exterior vinyl siding is buckled and wavy along the front side of the home. It appears that the underlayment is buckled in several ares causing the vinyl to be wavy. Standard: 3280.307(a)	
6	3100.00 SETUP/SETUP/ Set up deficiencies observed. a) The manufacturers installation manual does not provide information needed to install this home on a basement foundation. The dealer is required to submit an approved method of installation for a basement set for this home. The method of installation is to be approved by the manufacturers DAPIA or a registered professional engineer. The approval is to include the size and type of footers required, the type of support post required, the size of the support beams and required spacing of the support beams. b) There are no column supports installed along the marriage line of the home as required. c) The Labeled G-2 straps have not properly anchored. d) Some of the I-beams are not shimmed tight. e) The ridge beam is uneven in some areas along the marriage line. f) The fireplace air inlet cannot terminate in the basement area of the home. g) The bolt holes in the bottom board along the mating line have not been sealed. h) The electric cable for the central air conditioner circuit must be installed in couduit outside the home and under the home. i) The floor fo the furnace compartment is not properly firestopped around the central air conditioner A-coil lines. j) The two sections are not properly fastened together along the mating line. The end walls of the two sections are to be fastened together using #8 x 4" wood screws spaced at 24" on center and staggered from side to side. The ridge beam and the rim joist are to be lagged with 3/8" x 6" minimum lag bolts spaced at 36" apart on center staggered from side to side.	

Manufacturer to correct item(s): 1, 2, 3, 4, 5

Dealer to correct item(s): 6

**Notification:**

Notification to Manufacturer: FLEETWOOD HMS OF MS 25-2, LEXINGTON, MS

Notification to Dealer: RIGHTWAY HOMES, SALEM, MO

Notification to Installer: N/A

**Time Allowed:**

20 days

☒ 30 days ☐ 15 days ☐ — days

☐ 30 days ☐ 15 days ☐ — days



Commissioners

SHEILA LUMPE  
Chair

HAROLD CRUMPTON

CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER  
Vice Chair

September 20, 1999

Rightway Homes, Inc.  
Highway 19 South  
Salem, MO 65560

RE: Doug Farnsworth

Dear Sir or Madam:

As an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units, on September 16, 1999, I inspected a Fleetwood Homes of MS, Inc. manufactured home (serial number MSFLS25A/B36835) owned by Doug Farnsworth. A copy of the inspection report is enclosed.

Pursuant to Section 700.100.3(6) RSMo 1994, manufactured home dealers are responsible to arrange for the proper initial setup of any manufactured home or modular unit purchased from their dealership, unless the dealer receives a written waiver of that service from the purchaser or his authorized agent and an amount equal to the actual cost of the setup is deducted from the total cost of the manufactured home or modular unit.

The inspection conducted by this Department indicated that the referenced manufactured home is not properly setup. Please refer to those items of the inspection report for specific details. According to Section 700.045(5) RSMo 1994, you are required to correct the noted setup deficiencies within 30 days from receipt of this notification. In addition, please submit a work order signed by the homeowner indicating that the setup deficiencies have been corrected.

Please note that failure to correct these items within the specified time period could result in a formal complaint being brought before the Public Service Commission for enforcement measures.

Thank you for your prompt attention to this matter. Should you have any questions, please feel free to contact me at 573-642-0001.

Respectfully,

*Tim Haden*

Tim Haden  
Manufactured Housing Inspector  
Department of Manufactured Housing,  
Recreational Vehicles and Modular Units

c: File

GORDON L. PERSINGER  
Acting Executive Director  
Director, Research and Public Affairs

WESS A. HENDERSON  
Director, Utility Operations

ROBERT SCHALLENBERG  
Director, Utility Services

DONNA M. KOJILIS  
Director, Administration

DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE  
General Counsel



## Missouri Public Service Commission

Commissioners  
SHEILA LUMPE  
Chair  
HAROLD CRUMPTON  
CONNIE MURRAY  
ROBERT G. SCHEMENAUER  
M. DIANNE DRAINER  
Vice Chair

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

GORDON L. PERSINGER  
Acting Executive Director  
Director, Research and Public Affairs  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. KOLILIS  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

October 28, 1999

Rightway Homes  
South Highway 19, PO Box 185  
Salem, MO 65560

RE: Doug Farnsworth

Dear SIR/MADAM:

On September 20, 1999, you were furnished with a notice of inspection of the Fleetwood Homes manufactured home (serial number MSFLS25AB36835) owned by Doug Farnsworth and directed to correct specified deficiencies in the setup of the manufactured home. I have not received the signed work orders as requested, and the homeowner has indicated that the deficiencies have not been corrected.

Unless the setup deficiencies noted in the previous letter are corrected within fifteen (15) days from the receipt of this letter, and a work order signed by the homeowner indicating that the setup deficiencies have been corrected is received, this complaint file will be forwarded to the Public Service Commission General Counsel for the preparation of a formal complaint. In the event a complaint is filed, requested remedies may include revocation, suspension, or probation of your dealer's registration, pursuant to Section 700.100.3(6)RSMo 1994, and/or monetary penalties.

If there is any reason that you cannot comply within the 15-day period, you should contact me immediately at 573-642-0001.

Respectfully,

Tim Haden  
Manufactured Housing inspector  
Department of Manufactured Housing  
and Modular Units

c: File

General Counsel

Doug Farnsworth  
PO Box 701  
Linn, MO 65051

# Missouri Public Service Commission

## Site Investigation Report

**Consumer:** Farnsworth, Doug  
**Address:** PO Box 701  
**City, State, Zip:** Linn, MO 65051  
**Phone Number:** 573-897-3827

**Manufacturer:** FLEETWOOD HMS OF MS 25-2  
**Address:** 100 FLEETWOOD CIRCLE  
**City, State, Zip:** LEXINGTON, MS 39095  
**Phone Number:** (601) 834-1005

**Dealer:** RIGHTWAY HOMES  
**Address:** HWY 19 S, PO BOX 185  
**City, State, Zip:** SALEM, MO 65560  
**Phone Number:** (573) 729-5144

**Installer:**  
**Address:**  
**City, State, Zip:**  
**Phone Number:**

**Inspector's Name:** Haden, Tim  
**Serial Number:** MSFLS25AB36835  
**Date of Manufacture:** 9/13/1995  
**Date Inspected:** 1/14/2000

**HUD Label Number** RAD841883/84  
**Date of Installation:** 9/19/1995  
**Size:** Multi-Wide

Item:	Findings:	Location:
1	3100.00 SETUP/SETUP/ Set up deficiencies. a) The manufacturers installation instruction manual does not provide information needed to properly install this home on a basement foundation. The dealer is required to submit an approved method of installation for a basement set for this home. The method of installation must be approved by the manufacturers DAPIA or a registered professional engineer. b) There are no marriage line column supports installed. There are 5 locations marked along the marriage line c) The labeled G-2 straps have not been connected. There is 1 set on the marriage line. d) The ridge beam and rim joist are un-even in the living room area. e) Some of the support beams are not shimmed tight. f) The electric cable installed for the central air conditioner circuit is required to be protected from moisture and damage in conduit. g) The floor of the furnace compartment has not been fire stopped around the central air conditioner A-coil lines. h) The ITE brand breaker installed in the Siemens brand electrical panel box for the central air conditioner circuit is not approved for use in this panel box and voids the panel box manufacturers warranty. i) The crossover water and electric lines have not been properly installed according to the manufacturers installation manual and are exposed under the home. j) The crossover frame ground wire has not been connected. k) The exterior vinyl siding installed on the ends of the home is not properly fastened. The fasteners are overspaced or are not located in the middle of the pre-punched slots of the vinyl. This will allow the siding to buckle.	
2	0704.02 EXTERIOR SIDING/VINYL/INSTALLATION The vinyl siding on the front side wall of the home is not properly fastened. The fasteners are over-spaced and some are too loose. Standard: 3280.307(a)	
3	0201.01 FLOORS/BOTTOM BOARD/TORN/CUT / HOLE The bottom board is damaged along the front side wall area near the middle of the home. Standard: 3280.307(d)	



**Action Requested:**

Manufacturer to conduct a Subpart I on item(s): 2, 3

Dealer to correct item(s): 1

**Notification:**

Notification to Manufacturer: FLEETWOOD HMS OF MS 25-2, LEXINGTON, MS

Notification to Dealer: RIGHTWAY HOMES, SALEM, MO

Notification to Installer: N/A

**Time Allowed:**

20 days

<input type="checkbox"/> 30 days	<input type="checkbox"/> 15 days	<input type="checkbox"/> — days
<input type="checkbox"/> 30 days	<input type="checkbox"/> 15 days	<input type="checkbox"/> — days

**Service List for**  
**Case No. MC-2000-\_\_\_\_**  
**March 6, 2000**

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

Loyd Biggs  
Rock Road Trailer Parts & Sales  
12725 St. Charles Rock Road  
Bridgeton, MO 63044



*Commissioners*

**SHEILA LUMPE**  
Chair

**HAROLD CRUMPTON**

**CONNIE MURRAY**

**ROBERT G. SCHEMENAUER**

**M. DIANNE DRAINER**  
Vice Chair

## **Missouri Public Service Commission**

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

**BRIAN D. KINKADE**  
Executive Director

**GORDON L. PERSINGER**  
Director, Research and Public Affairs

**WESS A. HENDERSON**  
Director, Utility Operations

**ROBERT SCHALLENBERG**  
Director, Utility Services

**DONNA M. KOLILIS**  
Director, Administration

**DALE HARDY ROBERTS**  
Secretary/Chief Regulatory Law Judge

**DANA K. JOYCE**  
General Counsel

### **Information Sheet Regarding Mediation of Commission Formal Complaint Cases**

Mediation is process whereby the parties themselves work to resolve their dispute with the aid of a neutral third-party mediator. This process is sometimes referred to as "facilitated negotiation." The mediator's role is advisory and although the mediator may offer suggestions, the mediator has no authority to impose a solution nor will the mediator determine who "wins." Instead, the mediator simply works with both parties to facilitate communications and to attempt to enable the parties to reach an agreement which is mutually agreeable to both the complainant and the respondent.

The mediation process is explicitly a problem-solving one in which neither the parties nor the mediator are bound by the usual constraints such as the rules of evidence or the other formal procedures required in hearings before the Missouri Public Service Commission. Although many private mediators charge as much as \$250 per hour, the University of Missouri-Columbia School of Law has agreed to provide this service to parties who have formal complaints pending before the Public Service Commission at no charge. Not only is the service provided free of charge, but mediation is also less expensive than the formal complaint process because the assistance of an attorney is not necessary for mediation. In fact, the parties are encouraged not to bring an attorney to the mediation meeting.

The formal complaint process before the Commission invariably results in a determination by which there is a "winner" and a "loser" although the value of winning may well be offset by the cost of attorneys fees and the delays of protracted litigation. Mediation is not only a much quicker process but it also offers the unique opportunity for informal, direct communication between the two parties to the complaint and mediation is far more likely to result in a settlement which, because it was mutually agreed to, pleases both parties. This is traditionally referred to as "win-win" agreement.

The traditional mediator's role is to (1) help the participants understand the mediation process, (2) facilitate their ability to speak directly to each other, (3) maintain order, (4) clarify misunderstandings, (5) assist in identifying issues, (6) diffuse unrealistic expectations, (7) assist in translating one participant's perspective or proposal into a form that is more understandable and acceptable to the other participant, (8) assist the participants with the actual negotiation process, (9) occasionally a mediator may propose a possible solution, and (10) on rare occasions a mediator may encourage a participant to accept a particular solution. The mediator will not possess any specialized knowledge of the utility industry or of utility law.

In order for the Commission to refer a complaint case to mediation, the parties must both agree to mediate their conflict in good faith. The party filing the complaint must agree to appear and to make a good faith effort to mediate and the utility company against which the complaint has been filed must send a representative who has full authority to settle the complaint case. The essence of mediation stems from the fact that the participants are both genuinely interested in resolving the complaint.

Because mediation thrives in an atmosphere of free and open discussion, all settlement offers and other information which is revealed during mediation is shielded against subsequent disclosure in front of the Missouri Public Service Commission and is considered to be privileged information. The only information which must be disclosed to the Public Service Commission is (a) whether the case has been settled and (b) whether, irrespective of the outcome, the mediation effort was considered to be a worthwhile endeavor. The Commission will not ask what took place during the mediation.

If the dispute is settled at the mediation, the Commission will require a signed release from the complainant in order for the Commission to dismiss the formal complaint case.

If the dispute is not resolved through the mediation process, neither party will be prejudiced for having taken part in the mediation and, at that point, the formal complaint case will simply resume its normal course.

Date: January 25, 1999



---

Dale Hardy Roberts  
Secretary of the Commission

MC-2000-541  
P 102 316 541

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <i>Doyle W. Murr</i>	
Street & Number <i>P.O. Box 185</i>	
Post Office, State, & ZIP Code <i>SALEM, MO 65560</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800 April 1995

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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 9<sup>th</sup> day of March 2000.

*Dale Hardy Roberts*

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

