

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

Director of the Manufactured Housing and	)	
Modular Units Program of the Missouri	)	
Public Service Commission,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. MC-2009-
	)	
Brookside Homes, Inc.,	)	
2455 US Highway 67 South	)	
Festus, MO 63028	)	
	)	
Respondent.	)	

**COMPLAINT TO DENY REGISTRATION,  
MOTION FOR HEARING, AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW the Director of the Manufactured Homes and Modular Units Program of the Missouri Public Service Commission (Director), by and through the Missouri Public Service Commission's (Commission) Office of General Counsel, pursuant to Sections 386.390, 700.100 and 4 CSR 240-2.080(16), and for his Complaint against Brookside Homes, Inc. states as follows:

1. The Commission has jurisdiction over manufactured homes and manufactured home dealers pursuant to Chapter 700 RSMo 2000.<sup>1</sup>
2. Respondent, Brookside Homes, Inc., (Brookside) was a manufactured home dealer as defined in Section 700.010(4).

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<sup>1</sup> Unless otherwise noted, all references to the Revised Statutes of Missouri will be to RSMo 2000 as currently supplemented.

3. On January 7, 2009, Brookside filed an application with the Director to register as a manufactured home dealer or to renew its registration.

4. Section 700.100 provides that the Commission may refuse to register or refuse to renew the registration of any person who fails to comply with 700.100 or 700.090.

5. Section 700.100.3 provides the following grounds for refusal to register or renew a dealer's registration:

a) Failure to arrange for the proper initial setup of any new or used manufactured home; and

b) Engaging in conduct in violation of section 700.045, which provides that it is a misdemeanor to:

i) sell or offer to sell any manufactured home unless there is in effect a registration with the Commission;

ii) fail to correct a code violation in a manufactured home within a reasonable period of time not to exceed 90 days after being ordered to do so in writing by the Commission, and

iii) interfere with, obstruct, or hinder any authorized representative of the Commission in the performance of his duties.

6. Brookside sold and offered for sale manufactured homes in 2008 when Brookside had no registration with the Commission.

7. Brookside failed to arrange for the proper initial setup of homes sold to Jeremy and Casey Dement, Bill Cook, and East Carter Schools, as alleged in the pending complaint against Brookside in Case No. MC-2009-0020.

8. Brookside failed to correct code violations in homes sold to Jeremy and Casey Dement, Bill Cook, and East Carter Schools within 90 days after being ordered in writing to do so by the Director, as alleged in the pending complaint against Brookside in Case No. MC-2009-0020.

9. Brookside interfered with, obstructed, or hindered the authorized representative of the Commission in the performance of its duties as alleged in the pending complaint in Case No. MC-2009-0127 and violated Rule 4 CSR 240-120.060 by refusing to provide documentation to the Director on July 24, 2008, when authorized representatives requested to inspect records in the possession of Brookside relating to sales of manufactured homes to:

Winston and Edna Albert

Billy M. Cook

Charles and Leigh Skiles

Jeremy and Casey Dement

Michael and Nancy Daugherty

Steve and Heather Schmidt

Patricia Naïve

Sylvia Walton

Fleetwood serial numbers 2562N and TNFL527

Champion serial numbers 14224 and 14168.

#### **MOTION FOR EXPEDITED TREATMENT**

10. Section 700.100 provides that notification of a decision to refuse to register or renew must be delivered to Brookside within 30 days from the date the

application is received by the Commission, therefore the Director requests that the Commission set this matter for hearing and render a decision by February 6, 2009.

11. Unless the Commission determines this issue by February 6, 2009, the Commission will not be in compliance with section 700.100.1 and there will be a negative effect on the general public if Brookside is allowed to operate as a manufactured home dealer.

12. This pleading was filed as soon as counsel was notified of Brookside's application and a complaint could be prepared.

WHEREFORE, the Director prays that the Commission provide notice to the Respondent of this action, order the respondent to file an expedited answer, expedite a hearing and decision on this matter, and after hearing refuse to register or renew Brookside's application for registration.

Respectfully submitted,

**/s/ Steven C. Reed**

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