

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

AUG 24 1999

Missouri Public
Service Commission

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

Complainant,)

v.)

Pitts Mobile Homes,)

Respondent.)

Case No. MC-2000-181

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 ("Complaint") states as follows:

GENERAL ALLEGATIONS

1. The Missouri Public Service Commission has jurisdiction over manufactured homes and manufactured home dealers pursuant to Chapter 700¹ of the Missouri Revised Statutes.

2. As prescribed by Commission Rule 4 CSR 240-120.031, the Commission delegated its powers pertaining to new manufactured homes under Chapter 700 to the Director, 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.

¹ All references to the Revised Statutes of Missouri will be to RSMo 1994 and 1998 Supplement unless otherwise noted.

3. On January 4, 1999, William Pitts executed an Application for Manufactured Homes Dealership Certificate of Registration as owner of Pitts Mobile Homes. It stated that William Pitts owned Pitts Mobile Homes (collectively known as "Pitts"). The only name listed in the space entitled "List All Owners Below" was William Pitts. The Director issued Certificate of Dealer Registration No. 890001 to Pitts Mobile Homes on January 13, 1999. The certificate states that it was valid until January 15, 2000.

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 700.100(1), RSMo states as follows:

The commission may refuse to register or refuse to renew the registration of any person who fails to comply with the provisions of section 700.090 or this section.

6. 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[.]

COUNT ONE

7. The Director hereby incorporates paragraphs 1 through 6 of this Complaint into Count One as if each paragraph were completely and fully set forth herein.

8. In October of 1996, Jack Perkins purchased a doublewide Skyline home, Serial Number 2G52-0404J A-B ("Perkins Home") from Pitts.

9. Pitts received no valid waiver of any setup responsibilities from Mr. Perkins as part of the purchase agreement.

10. On June 16, 1998, Mr. Perkins filed a consumer complaint with the Director.

11. Ronnie Mann, an authorized inspector of the Department ("Inspector"), conducted an inspection of the home on August 10, 1998.

12. As a result of the inspection, Mr. Mann prepared a Field Inspection Report citing a number of deficiencies in the home that do not comply with the applicable codes. He also noted a number of deficiencies in the setup of the Perkins Home (Appendix A).

13. On August 31, 1998, the Director sent a letter to Mr. Pitts, enclosing a copy of the Field Inspection Report dated August 10, 1998, and directing that the deficiencies be corrected within 30 days (Appendix B).

14. On October 2, 1998 and January 20, 1999, Mr. Gene Winn, the Department's Senior Inspector, and the Director, respectively, sent a letter to Mr. Pitts directing him to forward work orders, signed by the consumer, which indicated that the setup deficiencies noted in the inspection report had been corrected. Said work orders were to be forwarded within 15 days from the receipt of the letter (Appendix C).

15. As of the date of this Complaint, the Director has received no work orders 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 Registration of Pitts Mobile Homes for a period of 14 days.

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

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

COUNT TWO

16. The Director hereby incorporates paragraphs 1 through 6 of this Complaint into Count Two as if each paragraph were completely and fully set forth herein.

17. On May 5, 1998, Judith Bacon purchased a new Skyline Home, Serial Number 2G52-05711 A-B ("Bacon Home") from Pitts.

18. Mr. Pitts received no valid waiver of any setup responsibilities from Ms. Bacon as part of the purchase agreement.

19. On November 30, 1998, Ms. Bacon filed a consumer complaint with the Director.

20. Ronnie Mann, an Inspector, conducted an inspection of the home on January 15, 1999.

21. As a result of the inspection, Mr. Mann prepared a Field Inspection Report citing a number of deficiencies in the home that do not comply with the applicable codes. He also noted a number of deficiencies in the setup of the Bacon Home (Appendix D).

22. On January 25, 1999, Mr. Mann sent a letter to Mr. Pitts, enclosing a copy of the Field Inspection Report dated January 15, 1999, and directing that the deficiencies be corrected within 30 days (Appendix E).

23. On March 3, 1999, the Director sent a letter to Mr. Pitts directing him to forward work orders, signed by the consumer, which indicated that the setup deficiencies noted in the inspection report had been corrected. Said work orders were to be forwarded within 15 days from the receipt of the letter (Appendix F).

24. As of the date of this Complaint, the Director has received no work orders from Mr. Pitts indicating that the setup deficiencies have 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 Registration of Pitts Mobile Homes for a period of 14 days.

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

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

COUNT THREE

25. The Director hereby incorporates paragraphs 1 through 6 of this Complaint into Count Three as if each paragraph were completely and fully set forth herein.

26. On June 16, 1998, James Carneal purchased a Champion Home, Serial Number 5498 613 0533 A-B ("Carneal Home") from Pitts.

27. Mr. Pitts received no valid waiver of any setup responsibilities from Mr. Carneal as part of the purchase agreement.

28. On September 28, 1998, Mr. Carneal filed a consumer complaint with the Director.

29. Ronnie Mann, an Inspector, conducted an inspection of the home on October 13, 1998.

30. As a result of the inspection, Mr. Mann prepared a Field Inspection Report citing a number of deficiencies in the home that do not comply with the applicable codes and also noted a number of deficiencies in the setup of the Carneal Home (Appendix G).

31. On October 28, 1998, Gene Winn, the Department's Senior Inspector, sent a letter to Mr. Pitts, enclosing a copy of the Field Inspection Report dated October 13, 1998, and directing that the deficiencies be corrected within 30 days (Appendix H).

32. On December 4, 1998, Mr. Mann sent a letter to Mr. Pitts directing him to forward work orders, signed by the consumer, which indicated that the setup deficiencies noted in the inspection report had been corrected. Said work orders were to be forwarded within 15 days from the receipt of the letter (Appendix I).

33. As of the date of this Complaint, the Director has not received any work orders indicating that the setup deficiencies have 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 Registration of Pitts Mobile Homes for a period of 14 days.

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

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

COUNT FOUR

34. The Director hereby incorporates paragraphs 1 through 6 of this Complaint into Count Four as if each paragraph were completely and fully set forth herein.

35. On February 21, 1998, Robert Burton purchased a Skyline Home, Serial Number 2G52-0405J A-B ("Burton Home") from Pitts.

36. Mr. Pitts received no valid waiver of any setup responsibilities from Mr. Burton as part of the purchase agreement.

37. On March 2, 1999, Mr. Burton filed a consumer complaint with the Director.

38. Ronnie Mann, an Inspector, conducted an inspection of the home on March 29, 1998.

39. As a result of the inspection, Mr. Mann prepared a Field Inspection Report citing a number of deficiencies in the home that do not comply with the applicable codes. He also noted a number of deficiencies in the setup of the Burton Home (Appendix J).

40. On April 6, 1999, Mr. Mann sent a letter to Mr. Pitts, enclosing a copy of the Field Inspection Report dated March 2, 1999, and directing that the deficiencies be corrected within 30 days (Appendix K).

41. On June 2, 1999, Mr. Mann sent a letter to Mr. Pitts directing him to forward work orders, signed by the consumer, which indicated that the setup deficiencies noted in the

inspection report had been corrected. Said work orders were to be forwarded within 15 days from the receipt of the letter (Appendix L).

42. As of the date of this Complaint, the Director has not received any work orders indicating that the setup deficiencies have 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 Registration of Pitts Mobile Homes for a period of 14 days.

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

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

COUNT FIVE

43. The Director hereby incorporates paragraphs 1 through 6 of this Complaint into Count Five as if each paragraph were completely and fully set forth herein.

44. On May 11, 1998, Harvey and Stella Bittle purchased a Skyline Home, Serial Number 2G52-0170J A-B ("Bittle Home") from Pitts.

45. Mr. Pitts received no valid waiver of any setup responsibilities from either Mr. or Mrs. Bittle as part of the purchase agreement.

46. On September 14, 1998, Mr. and Mrs. Bittle filed a consumer complaint with the Director.

47. Ronnie Mann, an Inspector, conducted an inspection of the home on September 21, 1998.

48. As a result of the inspection, Mr. Mann prepared a Field Inspection Report citing a number of deficiencies in the home that do not comply with the applicable codes. He also noted a number of deficiencies in the setup of the Brooks Home (Appendix M).

49. On October 7, 1998, Gene Winn, the Department's Senior Inspector, sent a letter to Mr. Pitts, enclosing a copy of the Field Inspection Report dated September 21, 1998, and directing that the deficiencies be corrected within 30 days (Appendix N).

50. On November 10, 1998, Mr. Mann sent a letter to Mr. Pitts directing him to forward work orders, signed by the consumer, which indicated that the setup deficiencies noted in the inspection report had been corrected. Said work orders were to be forwarded within 15 days from the receipt of the letter (Appendix O).

51. As of the date of this Complaint, the Director has not received any work orders indicating that the setup deficiencies have 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 Registration of Pitts Mobile Homes for a period of 14 days.
- c. Authorize the Office of General Counsel to seek civil penalties from Mr. Pitts pursuant to Section 700.115.2, RSMo.
- d. Issue other findings and orders as are just and reasonable.

COUNT SIX

52. The Director hereby incorporates paragraphs 1 through 6 of this Complaint into Count Four as if each paragraph were completely and fully set forth herein.

53. On July 7, 1998, Mike Brannan purchased a Skyline Home, Serial Number 8D51-0921-JB ("Brannan Home") from Pitts.

54. Mr. Pitts received no valid waiver of any setup responsibilities from Mr. Brannan as part of the purchase agreement.

55. On November 9, 1998 Mr. Brannan filed a consumer complaint with the Director.

56. Ronnie Mann, an Inspector, conducted an inspection of the home on November 24, 1998.

57. As a result of the inspection, Mr. Mann prepared a Field Inspection Report citing a number of deficiencies in the home that do not comply with the applicable codes. He also noted a number of deficiencies in the setup of the Brannan Home (Appendix P).

58. On December 2, 1998, Mr. Mann sent a letter to Mr. Pitts, enclosing a copy of the Field Inspection Report dated November 24, 1998, and directing that the deficiencies be corrected within 30 days (Appendix Q).

59. On January 8, 1999, Mr. Mann sent a letter to Mr. Pitts directing him to forward work orders, signed by the consumer, which indicated that the set up deficiencies noted in the inspection report had been corrected. Said work orders were to be forwarded within 15 days from the receipt of the letter (Appendix R).

60. As of the date of this Complaint, the Director has not received any work orders indicating that the setup deficiencies have 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 Registration of Pitts Mobile Homes for a period of 14 days.
- c. Authorize the Office of General Counsel to seek civil penalties from Mr. Pitts pursuant to Section 700.115.2, RSMo.
- d. Issue other findings and orders as are just and reasonable.

COUNT SEVEN

61. The Director hereby incorporates paragraphs 1 through 6 of this Complaint into Count Four as if each paragraph were completely and fully set forth herein.

62. In July of 1998, Kevin and Linda Szczodroski purchased a Champion Home, Serial Number 5498-328-0628A/B ("Szczodroski Home") from Pitts.

63. Mr. Pitts received no valid waiver of any setup responsibilities from Mr. or Mrs. Szczodroski as part of the purchase agreement.

64. On July 23, 1998, Mr. Szczodroski filed a consumer complaint with the Director.

65. Gene Winn, The Department's Senior Inspector, conducted an inspection of the home on July 24, 1998.

66. As a result of the inspection, Mr. Winn prepared a Field Inspection Report citing a number of deficiencies in the home that do not comply with the applicable codes. He also noted a number of deficiencies in the setup of the Szczodroski Home (Appendix S).

67. On July 29, 1998, Mr. Winn sent a letter to Mr. Pitts, enclosing a copy of the Field Inspection Report dated July 24, 1998, and directing that the setup deficiencies be corrected within 30 days (Appendix T).

68. On December 1, 1998 Mr. Winn conducted another inspection of the Szczodroski Home.

69. As a result of the inspection, Mr. Winn prepared a Field Inspection report citing a number of deficiencies in the setup of the Szczodroski that had not been corrected (Appendix U).

70. On January 20, 1999, the Director sent a letter, that included both inspection reports, to Mr. Pitts directing him to forward work orders, signed by the consumer, which indicated that the setup deficiencies noted in the inspections had been corrected. Said work orders were to be forwarded within 22 days from the date of the letter (Appendix V).

71. As of the date of this Complaint, the Director has not received any work orders indicating that the setup deficiencies have 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.

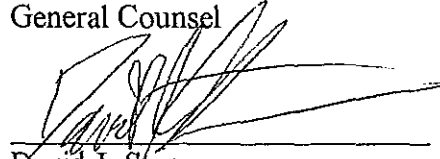
b. Under the authority provided the Commission in Section 700.100.3, RSMo, suspend the Dealer Registration of Pitts Mobile Homes for a period of 14 days.

c. Authorize the Office of General Counsel to seek civil penalties from Mr. Pitts 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
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-6726 (Telephone)
(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 24th day of August 1999.



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

William Pitts
c/o Pitts Mobile Homes
8811 E. 40 Hwy
Kansas City, MO 64129

Complainant: Jack Perkins	
Address: 1274 N.E. 681 Windsor, Mo. 65360	
Telephone Number: 660-647-2565	Serial Number: 2G52-0404J A-B
Make of Home: Skyline Halstead, Ks.	Size:
HUD Label: ULI 435108-09	Date Received: 7-3-98
Date of Mfg.: 9-23-96	Date Inspected: 8-10-98
Inspector's Name: Ronnie Mann	Time-Start: 1:00 pm End: 3:30 pm
Item:	Findings:
The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.	
References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.	
1.	The kitchen floor has a high floor joist. 3280.303 (b)
2.	The bathroom has a loose wall panel. 3280.305 (f) (2)
3.	The water supply lines for each water closet are not secured to the floor framing. 3280.608 (a) (c) (2)
4.	The roof valleys are high in the inverts and do not allow water to drain to the center of the valley. 3280.307 (a)
Notes: The cove and other trim have joints that do not fit properly.	
Set up Deficiencies.	
a. There is not a vapor barrier installed as required by manufacturer. See set up manual.	
b. Homeowner says that the interior walls at the marriage line are cold when the outside temperature is cold. Insulation at the ceiling line will need to be checked.	
c. There is not a ground wire connecting frame to frame. Refer to set up manual.	
d. There are some beams that are not shimmed in the beam pockets.	
6.	This home has been altered.
a. The front cross members have been cut off (both halves).	
b. The rear cross members have been cut off (both halves).	
Dealer will need to obtain an Application to Alter a Manufactured Home	
Action Requested: Mfr. To do Subpart I on items 1-4 Dealer to correct items 5&6	
Notification to Manufacturer: Skyline Halstead, Ks.	Time Allowed: 20 days
Notification to Dealer: Pitt's Mobile Homes Centerview, Mo.	Time Allowed: 30 days



Commissioners

SHEILA LUMPE
Chair

HAROLD CRUMPTON

CONNIE MURRAY

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/>

CECIL I. WRIGHT
Executive Director

WESS A. HENDERSON
Director, Utility Operations

GORDON L. PERSINGER
Director, Advisory & Public Affairs

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

August 31, 1998

Attn: Bill Pitts
Pitt's Mobile Homes
426 N.W. 1021 Road
Centerview, Mo. 64019

RE: Jack Perkins

Dear Sir:

An inspection of a Skyline Homes manufactured home (serial number 2G52-0404J A-B) purchased from your dealership by Jack Perkins was conducted on August 10, 1998 by Mr. Ronnie Mann, an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units. A copy of the inspection report is enclosed.

Pursuant to Section 700.100.3(6) RSMo 1994, each dealer is responsible to arrange for the proper initial setup of any manufactured home or modular unit purchased from a dealer, 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 the inspection report for specific details. Pursuant to Section 700.045(5) RSMo 1994, you are hereby directed to correct the noted setup deficiencies within 30 days from receipt of this notification and submit a work order signed by the homeowner verifying 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 or other appropriate enforcement measures.

Page Two

Thank you for your prompt attention to this matter. Should you have any questions, please feel free to contact me at 800-819-3180.

Sincerely,

Gene Winn

Gene Winn
Senior Inspector
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

c: Jack Perkins
Ronnie Mann

Owner: Kevin & Linda Szczodroski	
Address: 20099 Hwy 135 Stover, MO 65078	
Phone Number: 573/377-4233 913/599-7909	
Builder of Home: Champion Home Builders CO.	Serial Number: 5498-328-0628A/B
Label Number: TRA-397935 & 936	Size: 28X56(52)
Date of Mfg.: 2/4/98	Date Received: 7/23/98
Date Delivered:	Date Inspected: 12/1/98
Inspector Name: Gene Winn	Time Inspected: 1:00 PM to 2:00 PM
References to (3280, etc.) are part of the Federal Manufactured Home Construction and Safety Standards.	

Findings

These items were on the 7/24/98 inspection.

Setup Deficiencies

a) The vinyl siding on both ends of the home is not properly installed. Some areas of the siding is fastened tight and some areas is not fastened close enough. Refer to installation instruction from the mfg. for proper fastening.

There are holes in the bottom board in various location that are sealed as required.

c) Center beam is not lagged through the top flange to the bottom of the home as required.

d) The center beam posts are to be bolted to the floor.

a) Some of the outriggers on the front door side have been shortened. Dealer will need to get a dapia approval from the mfg. for this alteration and correct the alteration. The dealer will need to apply for an application to alter.

Correction Requested:	Dealer to correct all items on the report.	
Notification to Mfg.	N/A	Time Allowed: N/A
Notification to Dealer:	Pitts Mobile Home/ Centerview, MO	Time Allowed:

Complainant: Jack Perkins	
Address: 1274 N.E. 681 Windsor, Mo. 65360	
Telephone Number: 660-647-2565	Serial Number: 2G52-0404J A-B
Make of Home: Skyline Halstead, Ks.	Size:
HUD Label: OLI 435108-09	Date Received: 7-3-98
Date of Mfg.: 9-23-96	Date Inspected: 8-10-98
Inspectors Name: Ronnie Mann	Time-Start: 1:00 pm End: 3:30 pm
Item:	Findings:
<p>The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.</p> <p>References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.</p>	
1.	The kitchen floor has a high floor joist. 3280.303 (b)
2.	The bathroom has a loose wall panel. 3280.305 (f) (2)
3.	The water supply lines for each water closet are not secured to the floor framing. 3280.608 (a) (c) (2)
4.	The roof valleys are high in the inverts and do not allow water to drain to the center of the valley. 3280.307 (a)
<p>Notes: The cove and other trim have joints that do not fit properly.</p>	
<p>Set up Deficiencies.</p> <p>a. There is not a vapor barrier installed as required by manufacturer. See set up manual.</p> <p>b. Homeowner says that the interior walls at the marriage line are cold when the outside temperature is cold. Insulation at the ceiling line will need to be checked.</p> <p>c. There is not a ground wire connecting frame to frame. Refer to set up manual.</p> <p>d. There are some beams that are not shimmed in the beam pockets.</p>	
6.	<p>This home has been altered.</p> <p>a. The front cross members have been cut off (both halves).</p> <p>b. The rear cross members have been cut off (both halves).</p> <p>Dealer will need to obtain an Application to Alter a Manufactured Home</p>
Action Requested: Mfr. To do Subpart I on items 1-4 Dealer to correct items 5&6	
Notification to Manufacturer: Skyline Halstead, Ks.	Time Allowed: 20 days
Notification to Dealer: Pitt's Mobile Homes Centerview, Mo.	Time Allowed: 30 days

Complainant: James V. Carneal	
33419 State Road F Garden City, Mo. 64747	
Telephone Number: 816-862-6213	Serial Number: 5498 613 0533 A-B
Make of Home: Champion Ridgeville, In.	Size: 56x28
HUD Label: 391341-42	Date Received: 10-7-98
Date of Mfg.: 12-4-97	Date Inspected: 10-13-98
Inspectors Name: Ronnie Mann	Time-Start: 11:00 am End: 12:30 pm

Item: Findings:
The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.

References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.

1. The front door and storm door do not fit the openings and leak air. 3280.405 (d)
2. The patio doors (hinged double doors) leak water around the glass inserts. 3280.405 (d)
3. The fireplace chimney vent is not plumb.
4. The vinyl siding on the front side of the home has large gaps at the joints. 3280.307 (a)
5. The soffit is loose at several locations.
6. Set up Deficiencies.
 - a. There are no marriage line piers under the large marriage wall openings as required by the manufacturer. See set up manual.
 - b. The heat duct cross over is not up and secured as required by manufacturer. Refer to set up manual.
 - c. The drain line is not strapped every four feet as required. 3280.608 (b)
 - d. The fireplace combustion air inlet now terminates under the home in the crawl space. Manufacturer requires this inlet to be extended to the outside . Refer to set up manual.
 - e. The roof has exposed staples where shipping material was removed.
 - f. The vinyl siding is fastened too tight on both ends of the home. Vinyl siding must be installed to allow movement with temperature change.
7. This home has a three conductor electrical service entrance . Manufactured housing requires a four conductor service to properly ground the home.

g w	Requested: Mfr. to do a Subpart I on items 1-5 Dealer to correct item 6 Homeowner information item 7	
Ad	Notification to Manufacturer: Champion Home Builders Indiana	Time Allowed: 20 days
	Notification to Dealer: Pitts Mobile Homes Kansas City, Mo	Time Allowed: 30 days

Owner: Harvey and Stella Bittle	
Address: Rt. 1 Box 13912 Bates City, Mo. 64011	
Telephone Number: 816-230-7168	Serial Number: 2G52-0170J A-B
Make of Home: Skyline Halstead, Ks.	Size: 48x28
UD Label: ULI 429517-18	Date Received: 9-15-98
Date of Mfr.: 1996	Date Inspected: 9-21-98
Inspectors Name: Ronnie Mann	Time-Start: 1:30 pm End: 2:45 pm
Item: Findings:	

The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.

References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.

1. The front door does not fit the opening and leaks air. 3280.405 (d)
2. This home has three damaged wall panels in the living room.
3. The roof valleys are raised up in the inverts and do not allow water to run down the center of the valleys. 3280.307 (a)
4. The patio door leaks water. 3280.403 (c)
5. Set up Deficiencies.
 - a. The finish at the marriage line is not complete.
 1. The panels and trim are not installed in the living room and dining area.
 2. A bedroom door has not been installed.
 3. The trim for the closet doors in the master bedroom has not been installed.
 - b. The end wall closure is not complete.
 1. The end walls are not fastened every 10" as required. See set up manual.
 2. The exterior covering (masonite siding) has not been installed at the marriage line on either end of the home. 3280.307 (a)
 - c. This home does not have a ground vapor barrier installed as required by manufacturer.
 - d. The foundation beams are not properly spaced. Beams are now approximately 15,23, and 33 feet from the rear of the home. Manufacturer requires beams to be placed at 16,28, and 38 feet from the rear.
 - e. The chassis beams are not shimmed at the point of contact with the foundation beams.
 - f. The ends of the chassis frames are not shimmed at the point of contact with the foundation.
 - g. One centerline footing has settled. The support column does not contact the footing.
 - h. The gas line is not grounded. 3280.809 (3)
 - i. There is not a ground wire to connect frame to frame.
 - j. There are no vents in the crawl space. Manufacturer requires one square foot of open vent for every one hundred-fifty square feet of floor area. See set up manual.
 - k. The foundation drains do not work properly.

gw

Requested: Mfr. to do Subpart I on items 1-4 Dealer to correct item 5	
Notification to Manufacturer: Skyline Halstead, Ks.	Time Allowed: 20 days
Notification to Dealer: Pitts Mobile Homes Centerview, Mo.	Time Allowed: 30 days

Tenant: Mike Brannan	
Address: Rt.2 Box 82120 I-70 M-H Park Bates City, Mo. 64011	
Telephone Number: 816-322-1681	Serial Number: 8D51-0921-J
Make of Home: Skyline	Size: 16x80
HUD Label: ULI 439609	Date Received: 11-17-98
Date of Mfg.: 11-19-96	Date Inspected: 11-24-98
Inspectors Name: Ronnie Mann	Time-Start: 1:00 pm End: 2:30 pm
Item: Findings:	

The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.

References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.

Homeowner reported that this home was dropped during the set up. Skyline Homes service did repair on this home November 23, 1998. Mr. Roy Pepper of Skyline was present during the inspection. The mfr. related items were taken care of prior to the inspection.

1. There is a high floor joist in the kitchen and dining area.
2. There are nail heads showing under the vinyl floor in the kitchen and dining area.
3. There is a damaged wall panel by the living room window.
4. Set up Deficiencies.
 - a. Some of the piers are not capped.
 - b. The exterior doors are not perimeter blocked.
 - c. Some of the piers are built on split base pads (two cap blocks)
 - d. Some of the piers are approximately 20' apart. See set up manual for proper pier spacing.
 - e. A pier by the front door is made of 4" x 4" wood blocking. Mfr. requires piers to be constructed of concrete blocks. Refer to pier construction in set up manual.
 - f. The sewer drain line does not have enough fall. 3280.610 (h)
 - g. The sewer drain is not strapped every four feet as required. 3280.608 (b)
 - h. The air conditioner lines are not fire stopped in the furnace compartment. 3280.206 (c)
 - i. The air conditioner electric supply wiring is not up and in conduit as required. 3280.808 (k)
5. Anchoring Deficiencies.
 - a. The anchors used are M122 for soil type #2. The soil at this location is unclassified. The soil should be tested at each anchor location to determine the proper anchor to be used.
 - b. The anchors do not have stabilizer plates installed. Where anchors are not driven in line with the anchor straps a stabilizing device or concrete collar must be used.
 - c. The anchor straps are loose.

gw

Requested:	Dealer to correct items 1-4	Homeowner information item 5
Notification to Manufacturer:	none required	Time Allowed:
Notification to Dealer:	Pitts Mobile Homes Kansas City, Mo.	Time Allowed: 30 days



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CONNIE MURRAY

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Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

January 20, 1999

Mr. Bill Pitts
Pitts Mobile Homes
426 NW 1021 Rd.
Centerview, MO 64019

Dear Mr. Pitts:

Since this office has not received work orders on the complaints of Mike Brannan, Harvey Bittle, James Carneal, Jack Perkins, and Kevin Szczodroski, this is to inform you that you have fifteen (15) working days from the receipt of this letter to complete the repair work and submit work orders verifying the setup deficiencies listed in the inspection reports have been corrected. Copies of the inspection reports are enclosed.

If you recall, Gene Winn and I met with you on December 1, 1998, to discuss these complaints. You assured us at that time that you would respond to the complaints and make the necessary corrections noted in the inspection reports. Apparently this work has not been done and I believe you have been allowed ample time to complete these corrections.

If this office does not receive the work orders by February 11, 1999, then I will have no alternative but to turn this matter over to our General Counsel to prepare a formal complaint.

Your cooperation will be appreciated.

Sincerely,

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

cc: David Stueven
Ronnie Mann



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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

October 2, 1998

Bill Pitts
Pitts Mobile Homes
426 N.W. 1021 Road
Centerview, Mo. 64019

RE: Jack Perkins

Dear SIR:

On September 1, 1998, you were furnished with a notice of inspection of the Skyline Homes manufactured home (serial number 2G52-0404J A-B) owned by Jack Perkins and directed to correct specified deficiencies in the setup of the manufactured home. We are unable to determine if the deficiencies have been corrected due to one or more of the following reasons: We have not received the signed work orders as requested; the homeowner has indicated that the deficiencies have not been corrected; or the home has been re-inspected and the deficiencies noted have not been corrected.

Unless the setup deficiencies noted in the inspection report 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 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. Monetary penalties may also be assessed.

Processed by
N W Field Inspector
Ronnie Mann

Mailed

RECV'D

10-2-98

Page Two

If there is any reason that you cannot comply within the 15-day period, you should contact me immediately at 800-819-3180.

Sincerely,

Gene Winn / RM

Gene Winn
Inspector Supervisor
Department of Manufactured Housing
Recreational Vehicles and Modular Units

c: Jack Perkins
Ronnie Mann
General Counsel

Owner: Judith Bacon	
1040 SW 25th	Holden, Mo. 64040
Telephone Number: 816-850-6435	Serial Number: 2G52-05711 A-B
Make of Home: Skyline Halstead, Ks.	Size: 40x28
HUD Label: ULI- 417796-97	Date Received: 12-9-98
Date of Mfg.: 11-28-95	Date Inspected: 1-15-99
Inspectors Name: Ronnie Mann	Time-Start: 11:00 am End: 12:30 pm

Findings:

The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.

References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.

1. There are indications of roof leaks. 3280.307 (a)
 - a. There are water stains on the master bathroom ceiling by the exhaust vent.
 - b. There are water stains on the hallway ceiling.
2. There are damaged wall panels in the living room.
3. There are interior doors that do not open and close properly.
 - a. The closet door drags on the jamb.
 - b. The bedroom door does not latch properly.
4. There is a light switch on the wall at the kitchen end of the hallway that does not control any of the lights in that area. There is not a light fixture in the hallway.
 Note: The window by the front door in the living room is cracked.
5. Set up Deficiencies.
 - a. This home is on a poured foundation. There are no wedges between the foundation beams and the frames under the home.
 - b. The frames are not wedged tight where they meet the foundation.
 - c. There is not a ground wire connecting the two halves of the home.
 - d. The electrical service entrance is a three conductor service. Manufactured housing requires a four conductor service to properly ground the home. 3280.809 (a)
 - e. The electric cross over wiring is not up and protected as required.
 - f. The heat duct cross over connections are not properly fastened and sealed. Refer to set up manual.
 - g. The end walls are not fastened every 10" as required by manufacturer. Refer to set up manual.
 - h. The end wall siding closure is not installed. 3280.307 (a)
 - i. The water line is not heat taped.
 - j. The air conditioner supply wiring is not up and in conduit as required. 3280.808 (k)
 - k. The air conditioner condensation drain does not have fall and is holding water.

gw

Requested: Mfr. to do a Subart I on items 1-4 Dealer to correct item 5	
Notification to Manufacturer: Skyline Homes Halstead, Ks.	Time Allowed: 20 days
Notification to Dealer: Pitts Homes Centerview, Mo.	Time Allowed: 30 days



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Director, Utility Services

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Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

January 25, 1999

Attn: Bill Pitts
Pitts Mobile Homes
426 N W 1021 Rd.
Centerview, Mo. 64019

RE: Judith Bacon

Dear Sir:

An inspection of a Skyline Homes manufactured home (serial number 2G52-05711 A-B) purchased from your dealership by Judith Bacon was conducted on January 15, 1999 by Mr. Ronnie Mann, an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units. A copy of the inspection report is enclosed.

Pursuant to Section 700.100.3(6) RSMo 1994, each dealer is responsible to arrange for the proper initial setup of any manufactured home or modular unit purchased from a dealer, 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.

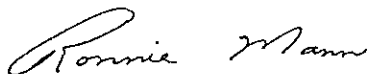
The inspection conducted by this Department indicated that the referenced manufactured home is not properly setup. Please refer to the inspection report for specific details. Pursuant to Section 700.045(5) RSMo 1994, you are hereby directed to correct the noted setup deficiencies within 30 days from receipt of this notification and submit a work order signed by the homeowner verifying 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 or other appropriate enforcement measures.

Page Two

Thank you for your prompt attention to this matter. Should you have any questions, please feel free to contact me at 660-684-6835 or 1-800-819-3180.

Sincerely,

A handwritten signature in cursive script that reads "Ronnie Mann".

Ronnie Mann
Field Inspector
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

c: file



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Director, Utility ServicesDONNA M. KOLILIS
Director, AdministrationDALE HARDY ROBERTS
Secretary/Chief Regulatory Law JudgeDANA K. JOYCE
General Counsel

March 3, 1999

Attn: Bill Pitts
Pitts Mobile Homes
426 N W 1021 Rd.
Centerview, Mo. 64019

RE: Judith Bacon

Dear Sir:

In January 25, 1999 you were furnished with a notice of inspection of the Skyline manufactured home (serial number 2G52-05711 A-B) owned by Judith Bacon and directed to correct specified deficiencies in the setup of the manufactured home. I am unable to determine that the listed deficiencies have been corrected. I have not received the signed work orders as requested, or the homeowner has indicated that the deficiencies have not been corrected, or I have re-inspected the home and found 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 660-684-6835.

Respectfully,

A handwritten signature in cursive script that reads "Ronnie Mann".

Ronnie Mann
Field Inspector
Department of Manufactured Housing,
Recreational Vehicles and Modular Unitscc: Judith Bacon
General Counsel

Mainant: James V. Carneal	
33419 State Road F Garden City, Mo. 64747	
Telephone Number: 816-862-6213	Serial Number: 5498 613 0533 A-B
Make of Home: Champion Ridgeville, In.	Size: 56x28
UD Label: 391341-42	Date Received: 10-7-98
Date of Mfg.: 12-4-97	Date Inspected: 10-13-98
Inspectors Name: Ronnie Mann	Time-Start: 11:00 am End: 12:30 pm

Findings:

The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.

References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.

1. The front door and storm door do not fit the openings and leak air. 3280.405 (d)
2. The patio doors (hinged double doors) leak water around the glass inserts. 3280.405 (d)
3. The fireplace chimney vent is not plumb.
4. The vinyl siding on the front side of the home has large gaps at the joints. 3280.307 (a)
5. The soffit is loose at several locations.
6. Set up Deficiencies.
 - a. There are no marriage line piers under the large marriage wall openings as required by the manufacturer. See set up manual.
 - b. The heat duct cross over is not up and secured as required by manufacturer. Refer to set up manual.
 - c. The drain line is not strapped every four feet as required. 3280.608 (b)
 - d. The fireplace combustion air inlet now terminates under the home in the crawl space. Manufacturer requires this inlet to be extended to the outside. Refer to set up manual.
 - e. The roof has exposed staples where shipping material was removed.
 - f. The vinyl siding is fastened too tight on both ends of the home. Vinyl siding must be installed to allow movement with temperature change.
7. This home has a three conductor electrical service entrance. Manufactured housing requires a four conductor service to properly ground the home.

Requested: Mfr. to do a Subpart I on items 1-5 Dealer to correct item 6 Homeowner information item 7
Notification to Manufacturer: Champion Home Builders Indiana Time Allowed: 20 days
Notification to Dealer: Pitts Mobile Homes Kansas City, Mo Time Allowed: 30 days



Commissioners

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CONNIE MURRAY

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Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

October 28, 1998

Attn: Bill Pitts
Pitts Mobile Homes
8811 E. 40 Hwy.
Kansas City, Mo. 64129

RE: James V. Carneal

Dear Sir:

An inspection of a Champion Homes manufactured home (serial number 5498 613 0533 A-B) purchased from your dealership by James V. Carneal was conducted on October 13, 1998 by Mr. Ronnie Mann, an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units. A copy of the inspection report is enclosed.

Pursuant to Section 700.100.3(6) RSMo 1994, each dealer is responsible to arrange for the proper initial setup of any manufactured home or modular unit purchased from a dealer, 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 the inspection report for specific details. Pursuant to Section 700.045(5) RSMo 1994, you are hereby directed to correct the noted setup deficiencies within 30 days from receipt of this notification and submit a work order signed by the homeowner verifying 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 or other appropriate enforcement measures.

Page Two

Thank you for your prompt attention to this matter. Should you have any questions, please feel free to contact me at 800-819-3180.

Sincerely,

Gene Winn/RM

Gene Winn
Inspector Supervisor
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

c: James V. Carneal
Ronnie Mann



Commissioners

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Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

December 4, 1998

Bill Pitts
Pitts Mobile Homes
8811 E. 40 Hwy.
Kansas City, Mo. 64129

RE: James V. Carneal

Dear Sir:

On November 4, 1998, you were furnished with a notice of inspection of the Champion Homes manufactured home (serial number 5498 613 0533 A-B) owned by James V. Carneal and directed to correct specified deficiencies in the setup of the manufactured home. We are unable to determine if the deficiencies have been corrected due to one or more of the following reasons: We have not received the signed work orders as requested; the homeowner has indicated that the deficiencies have not been corrected; or the home has been re-inspected and the deficiencies noted have not been corrected.

Unless the setup deficiencies noted in the inspection report 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 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. Monetary penalties may also be assessed.

Processed by
N W Field Inspector
Ronnle Mann

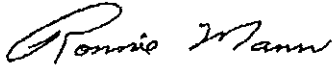
Mailed RECV'D

12-2-98

Page Two

If there is any reason that you cannot comply within the 15-day period, you should contact me immediately at 800-819-3180 or 660-684-6835.

Sincerely,

A handwritten signature in cursive script that reads "Ronnie Mann".

Ronnie Mann
Field Inspector
Department of Manufactured Housing
Recreational Vehicles and Modular Units

c: James V. Carneal
General Counsel

Consumer: Robert H. Burton	
Address: 215 West 2 nd Norborne, MO 64668	
Telephone Number: 660-593-3324	Serial Number: 2G52 -0405J A-B
Manufacturer: Skyline Halstead, KS	HUD Label: ULI 433728-29
Dealer: Pitts Mobile Homes	Size: 52x28
Delivery Date: 2/21/98	Date of Manufacture: 9/20/96
Date Received Inspection Request: 3/4/99	Date Inspected: 3/29/99
Inspectors Name: Ronnie Mann	Time Inspected: 9:30 am 11:30 am

Item:	Findings:
1.	<p>Items for Subpart I investigation.</p> <ul style="list-style-type: none"> a) The back door does not close up tight and leaks air. 3280.405 (d) b) There is a bowed wall stud in the wall between the hallway and bedroom. c) There is a bowed wall stud in the outside wall in the kitchen area. d) There are water stains on the ceiling around the exhaust vent in the master bathroom indicating a roof leak. 3280.307 (a) e) There is a loose wall panel in the dining area. 3280.305 (f) (2) f) There are interior doors that do not fit the openings and are hard to open and close. g) There is a high floor joist in the kitchen. h) There are nails showing under the vinyl floor covering in the kitchen. i) The roof valleys (roll roofing material) have humps and ridges in the inverts that will not allow the water to run down the center of the valleys. 3280.307 (a)
2.	<p>Set up Deficiencies.</p> <ul style="list-style-type: none"> a) The piers are not properly capped. The piers are constructed with 12" concrete blocks and are capped with 8" wide material. b) The piers are spaced too far apart. Most of the piers are 13' 6" on center. Manufacture requires a maximum pier spacing of 10' on center. Refer to set up manual. c) The end piers at the rear of the home are more than 2' from the ends of the home. d) The perimeter blocking for the exterior doors has concrete blocks laid on their side. Concrete blocks are to be stacked with the open cells aligned vertically. e) Some of the marriage line piers are not wedged tight. f) Some of the marriage line piers are leaning. The blocks are not stacked one directly on top of the other. g) The heat duct cross over tubing is not strapped up off the ground as required. h) The sewer drain line has short turn fittings installed. These fittings must be replaced with long sweep fittings. i) There are holes in the bottom board at various locations. j) The range vent is incomplete and not fire stopped where the microwave was removed.
3.	<p>Anchoring Deficiencies.</p> <ul style="list-style-type: none"> a) Some of the anchor straps are loose. b) Some of the anchor straps have strap angles that are too steep. Refer to set up manual. c) There are end anchors that are located more than 2' from the ends of the home.

gw

Action Requested: Mfr. to do a Subpart I on items 1a-i Dealer to correct items 2a-j Homeowner info. item 3			
Notification to Manufacturer: Skyline Halstead, KS	Time Allowed: 20 days		
Notification to Dealer: Pitts Mobile Homes Centerview, MO	Time Allowed: 30 days		



Commissioners

SHEILA LUMPE
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HAROLD CRUMPTON

CONNIE MURRAY

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Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

April 6, 1999

Attn: Bill Pitts
Pitts Mobile Homes
426 NW 1021 Rd.
Centerview, MO 64019

RE: Robert H. Burton

Dear Sir:

As an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units, I inspected a Skyline manufactured home (serial number 2G52-0405J A-B) owned by Robert H. Burton, on March 29, 1999. 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 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 660-684-6835.

Respectfully,

Ronnie Mann
Field Inspector
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

Enclosure

File



Commissioners

SHEILA LUMPE
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HAROLD CRUMPTON

CONNIE MURRAY

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Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

June 2, 1999

ATTN: Bill Pitts
Pitts Mobile Homes
426 NW 1021 Rd.
Centerview, MO 64019

RE Robert Burton

Dear Sir:

In April 6, 1999 you were furnished with a notice of inspection of the Skyline manufactured home (serial number 2G52-0405J A-B) owned by Robert Burton and directed to correct specified deficiencies in the setup of the manufactured home. I am unable to determine that the listed deficiencies have been corrected. I have not received the signed work orders as requested, or the homeowner has indicated that the deficiencies have not been corrected, or I have re-inspected the home and found 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 660-684-6835.

Respectfully,

Ronnie Mann
Field Inspector
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

cc Office File
General Counsel

Processed by
N W Field Inspector
Ronnie Mann

Mailed

6/3/99

REC'D

Complainant: Harvey and Stella Bittle	
Address: Rt. 1 Box 13912 Bates City, Mo. 64011	
Phone Number: 816-230-7168	Serial Number: 2G52-0170J A-B
Make of Home: Skyline Halstead, Ks.	Size: 48x28
HUD Label: ULI 429517-18	Date Received: 9-15-98
Date of Mfr.: 1996	Date Inspected: 9-21-98
Inspectors Name: Ronnie Mann	Time-Start: 1:30 pm End: 2:45 pm

Item: Findings:

The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.

References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.

1. The front door does not fit the opening and leaks air. 3280.405 (d)
2. This home has three damaged wall panels in the living room.
3. The roof valleys are raised up in the inverts and do not allow water to run down the center of the valleys. 3280.307 (a)
4. The patio door leaks water. 3280.403 (c)
5. **Set up Deficiencies.**
 - a. The finish at the marriage line is not complete.
 1. The panels and trim are not installed in the living room and dining area.
 2. A bedroom door has not been installed.
 3. The trim for the closet doors in the master bedroom has not been installed.
 - b. The end wall closure is not complete.
 1. The end walls are not fastened every 10" as required. See set up manual.
 2. The exterior covering (masonite siding) has not been installed at the marriage line on either end of the home. 3280.307 (a)
 - c. This home does not have a ground vapor barrier installed as required by manufacturer.
 - d. The foundation beams are not properly spaced. Beams are now approximately 15,23,and 33 feet from the rear of the home. Manufacturer requires beams to be placed at 16,28, and 38 feet from the rear.
 - e. The chassis beams are not shimmed at the point of contact with the foundation beams.
 - f. The ends of the chassis frames are not shimmed at the point of contact with the foundation.
 - g. One centerline footing has settled. The support column does not contact the footing.
 - h. The gas line is not grounded. 3280.809 (3)
 - i. There is not a ground wire to connect frame to frame.
 - j. There are no vents in the crawl space. Manufacturer requires one square foot of open vent for every one hundred-fifty square feet of floor area. See set up manual.
 - k. The foundation drains do not work properly.

Requested: Mfr. to do Subpart I on items 1-4 Dealer to correct item 5
Notification to Manufacturer: Skyline Halstead, Ks. Time Allowed: 20 days
Notification to Dealer: Pitts Mobile Homes Centerview, Mo. Time Allowed: 30 days



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Missouri Public Service Commission

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Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

October 7, 1998

Bill Pitts
Pitts Mobile Homes
426 NW 1021 Road
Centerview, Mo. 64019

RE: Harvey and Stella Bittle

Dear Sir:

An inspection of a Skyline Homes manufactured home (serial number 2G52-0170J A-B) purchased from your dealership by Harvey and Stella Bittle was conducted on September 21, 1998 by Mr. Ronnie Mann, an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units. A copy of the inspection report is enclosed.

Pursuant to Section 700.100.3(6) RSMo 1994, each dealer is responsible to arrange for the proper initial setup of any manufactured home or modular unit purchased from a dealer, 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 the inspection report for specific details. Pursuant to Section 700.045(5) RSMo 1994, you are hereby directed to correct the noted setup deficiencies within 30 days from receipt of this notification and submit a work order signed by the homeowner verifying 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 or other appropriate enforcement measures.

Page Two

Thank you for your prompt attention to this matter. Should you have any questions, please feel free to contact me at 800-819-3180.

Sincerely,

Gene Winn /RM

Gene Winn
Inspector Supervisor
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

c: Harvey and Stella Bittle
Ronnie Mann



Mailed
11-10-98 RM

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Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

November 10, 1998

Bill Pitts
Pitts Mobile Home Sales
426 N.W. 1021 Rd.
Centerview, Mo. 64019

RE: Harvey and Stella Bittle

Dear SIR:

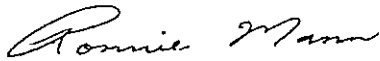
On October 7, 1998, you were furnished with a notice of inspection of the Skyline Homes manufactured home (serial number 2G52-0170J A-B) owned by Harvey and Stella Bittle and directed to correct specified deficiencies in the setup of the manufactured home. We are unable to determine if the deficiencies have been corrected due to one or more of the following reasons: We have not received the signed work orders as requested; the homeowner has indicated that the deficiencies have not been corrected; or the home has been re-inspected and the deficiencies noted have not been corrected.

Unless the setup deficiencies noted in the inspection report 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 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. Monetary penalties may also be assessed.

Page Two

If there is any reason that you cannot comply within the 15-day period, you should contact me immediately at 660-684-6835 or 1-800-819-3180.

Sincerely,

A handwritten signature in cursive script that reads "Ronnie Mann".

Ronnie Mann
Field Inspector
Department of Manufactured Housing
Recreational Vehicles and Modular Units

c: Harvey and Stella Bittle
General Counsel

Complainant: Mike Brannan	
Address: Rt.2 Box 82120 I-70 M-H Park Bates City, Mo. 64011	
Telephone Number: 816-322-1681	Serial Number: 8D51-0921-J
Make of Home: Skyline	Size: 16x80
HUD Label: ULI 439609	Date Received: 11-17-98
Date of Mfg.: 11-19-96	Date Inspected: 11-24-98
Inspectors Name: Ronnie Mann	Time-Start: 1:00 pm End: 2:30 pm
Item:	Findings:
<p>The Missouri Public Service Commission has established the Manufacturer's installation instructions and other accepted engineering practices as the standard for the set up of Manufactured Housing in the State of Missouri.</p> <p>References to 3280 codes are from Part 3280 Manufactured Home Construction and Safety Standards.</p>	
<p>1. There is a high floor joist in the kitchen and dining area.</p> <p>2. There are nail heads showing under the vinyl floor in the kitchen and dining area.</p> <p>3. There is a damaged wall panel by the living room window.</p> <p>4. Set up Deficiencies.</p> <p>a. Some of the piers are not capped.</p> <p>b. The exterior doors are not perimeter blocked.</p> <p>c. Some of the piers are built on split base pads (two cap blocks)</p> <p>d. Some of the piers are approximately 20' apart. See set up manual for proper pier spacing.</p> <p>e. A pier by the front door is made of 4" x 4" wood blocking. Mfr. requires piers to be constructed of concrete blocks. Refer to pier construction in set up manual.</p> <p>f. The sewer drain line does not have enough fall. 3280.610 (h)</p> <p>g. The sewer drain is not strapped every four feet as required. 3280.608 (b)</p> <p>h. The air conditioner lines are not fire stopped in the furnace compartment. 3280.206 (c)</p> <p>i. The air conditioner electric supply wiring is not up and in conduit as required. 3280.808 (k)</p> <p>5. Anchoring Deficiencies.</p> <p>a. The anchors used are M122 for soil type #2. The soil at this location is unclassified. The soil should be tested at each anchor location to determine the proper anchor to be used.</p> <p>b. The anchors do not have stabilizer plates installed. Where anchors are not driven in line with the anchor straps a stabilizing device or concrete collar must be used.</p> <p>c. The anchor straps are loose.</p>	<p>Homeowner reported that this home was dropped during the set up. Skyline Homes service did repair on this home November 23,1998. Mr. Roy Pepper of Skyline was present during the inspection . The mfr. related items were taken care of prior to the inspection.</p> <p>gw</p>
Action Requested: Dealer to correct items 1-4	Homeowner information item 5
Notification to Manufacturer: none required	Time Allowed:
Notification to Dealer: Pitts Mobile Homes Kansas City, Mo.	Time Allowed: 30 days



Commissioners

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CONNIE MURRAY

ROBERT G. SCHEMENAUER

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Vice Chair

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DONNA M. KOLJIS
Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

December 2, 1998

Attn: Bill Pitts
Pitts Mobile Homes
8811 E. 40 Hwy.
Kansas City, Mo. 64129

RE: Mike Brannan

Dear Sir:

An inspection of a Skyline Homes manufactured home (serial number 8D51-0921-J) purchased from your dealership by Mike Brannan was conducted on November 24, 1998 by Mr. Ronnie Mann, an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units. A copy of the inspection report is enclosed.

Pursuant to Section 700.100.3(6) RSMo 1994, each dealer is responsible to arrange for the proper initial setup of any manufactured home or modular unit purchased from a dealer, 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.

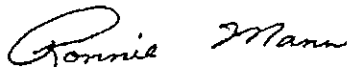
The inspection conducted by this Department indicated that the referenced manufactured home is not properly setup. Please refer to the inspection report for specific details. Pursuant to Section 700.045(5) RSMo 1994, you are hereby directed to correct the noted setup deficiencies within 30 days from receipt of this notification and submit a work order signed by the homeowner verifying 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 or other appropriate enforcement measures.

Page Two

Thank you for your prompt attention to this matter. Should you have any questions, please feel free to contact me at 660-684-6835 or 1-800-819-3180.

Sincerely,

A handwritten signature in cursive script that reads "Ronnie Mann".

Ronnie Mann
Field Inspector
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

c: file



Commissioners

SHEILA LUMPE
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Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

January 8, 1999

Bill Pitts
Pitts Mobile Homes
426 NW 1021 Road
Centerview, Mo. 64019

RE: Mike Brannan

Dear Sir:

On December 4, 1998, you were furnished with a notice of inspection of the Skyline manufactured home (serial number 8D51-0921-J) owned by Mike Brannan and directed to correct specified deficiencies in the setup of the manufactured home. We are unable to determine if the deficiencies have been corrected due to one or more of the following reasons: We have not received the signed work orders as requested; the homeowner has indicated that the deficiencies have not been corrected; or the home has been re-inspected and the deficiencies noted have not been corrected.

Unless the setup deficiencies noted in the inspection report 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 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. Monetary penalties may also be assessed.

Processed by
N W Field Inspector
Ronnie Mann

Mailed

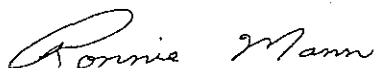
REC'D

1-8-99

Page Two

If there is any reason that you cannot comply within the 15-day period, you should contact me immediately at 800-819-3180 or 660-684-6835.

Sincerely,

A handwritten signature in cursive script that reads "Ronnie Mann".

Ronnie Mann
Field Inspector
Department of Manufactured Housing
Recreational Vehicles and Modular Units

c: Mike Brannan
General Counsel



MISSOURI PUBLIC SERVICE COMMISSION
FIELD INSPECTION REPORT

301 V HIGH STREET, P.O. BOX 360
JEFFERSON CITY, MO 65102
PHONE (573) 751-2557

Owner: Kevin and Linda Szczodroski	
Address: 20099 Hwy 135 Stover, MO.	
Telephone Number: 573/377-4233 913/599-7909	
Make of Home: Champion Home Builders Co.	Serial Number: 5498-328-0628A/B
HUD Label: TRA-397935 & 936	Size: 28X56(52)
Date of Mfg.: 2/4/98	Date Received: 7/23/98
Inspectors Name: Gene Winn	Date Inspected: 7/24/98
Item:	Findings: Time In: 9:30am Time Out: 11:30am
1	The front storm door and inside front door are out of square in the opening and gapped at the top. 3280.405(d)
2	The back storm door is out of square in the opening and is gapped at the top. 3280.405(d)
3	There is a bulge in the vinyl siding on the back door side of the home. It appears to be the underlayment. 3280.303(b)
4	The smoke detector is not installed going to the master bedroom. 3280.208(b)
5	Set up deficiencies. a) The home is not level on the basement. Refer to the attachment. b) The ground wire from frame to frame on the back end is not installed. Refer to installation instructions. p.69 c) The vinyl siding on the ends is not properly installed. It is not fastened on every stud as required and in some areas it is fastened to tight and in some areas to tight. Some of the nails are out as much as 1/2". Refer to siding installation instructions. There are holed in the bottom board in various areas including the bolt holes at the marriage line that will need to be patched. Refer to the installation instructions.p.72 e) Center beam is not lagged through the top flange to the bottom of the home as required. Refer to mfg. instructions for basement sets. f) The center column post are to be bolted to the cross beams and to the floor. Refer to mfg. installation instructions for basement sets. g) The cross beams on the basement are to be bolted or welded to the I-beams on the home. Refer to the mfg. installation instructions for basement sets. h) The first bedroom door in the front hall will not latch.
6	This home has been altered. a) Some of the outriggers on the front door side have been shortened. Dealer will need to get a dapia approval from the mfg. for this alteration and correct the alteration. The dealer will need to apply for an application to alter.
Action Requested: Mfg. to conduct Subpart I on items 1-4. Dealer to correct items 5&6.	
Action to Manufacturer: Champion Home Builders Co. Ridgeville, IN	Time Allowed: 20 days
Action to Dealer: Pitts Mobile Home / Centerview, Missouri	Time Allowed: 30 days



Commissioners

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Chair

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CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER
Vice Chair

July 29, 1998

Missouri Public Service Commission

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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Bill Pitts
Pitts Mobile Homes
426 N.W. 1021 Road
Centerview, MO 64019

RE: Kevin & Linda Szczodroski

Dear Mr. Pitts:

An inspection of a Champion Home Builders CO. manufactured home (serial number 5498-328-0628A?B) purchased from your dealership by Kevin & Linda Szczodroski was conducted on 7/24/1998 by Gene Winn, an authorized inspector for the Department of Manufactured Housing, Recreational Vehicles and Modular Units. A copy of the inspection report is enclosed.

Pursuant to Section 700.100.3(6) RSMo 1994, each dealer is responsible to arrange for the proper initial setup of any manufactured home or modular unit purchased from a dealer, 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 the inspection report for specific details. Pursuant to Section 700.045(5) RSMo 1994, you are hereby directed to correct the noted setup deficiencies within 30 days from the date of this notification and submit a work order signed by the homeowner verifying that the setup deficiencies have been corrected.

Further, it is the finding of this Department that this home has been altered in violation of both state and federal law. According to 24 CFR 3282.254 of the federal Manufactured Home Procedural and Enforcement Regulations, if a dealer alters a manufactured home in such a way as to create an imminent safety hazard or other failure to conform to the federal standards, the manufactured home affected may not be sold, leased, or offered for sale or lease. Please refer to the specific items of Gene Winn's inspection report for details.

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 or other appropriate enforcement measures.

Thank you for your prompt attention to this matter. Should you have any questions, please feel free to contact me by calling 800-819-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Winn". The signature is fluid and cursive, with a large initial "G" and a stylized "W".

Gene Winn
Senior Inspector
Department of Manufactured Housing,
Recreational Vehicles and Modular Units

GW

c: Kevin & Linda Szczodroski
Gene Winn

Complainant: Kevin & Linda Szczodroski	
Address: 20099 Hwy 135 Stover, MO 65078	
Telephone Number: 573/377-4233 913/599-7909	
Make of Home: Champion Home Builders CO.	Serial Number: 5498-328-0628A/B
HUD Label Number: TRA-397935 & 936	Size: 28X56(52)
Date of Mfg.: 2/4/98	Date Received: 7/23/98
Date Delivered:	Date Inspected: 12/1/98
Inspectors Name: Gene Winn	Time Inspected: 1:00 PM to 2:00 PM

References to (3280, __ etc.) are part of the Federal Manufactured Home Construction and Safety Standards.

Item	Findings
	<p>These items were on the 7/24/98 inspection.</p> <p>Setup Deficiencies</p> <p>1 a) The vinyl siding on both ends of the home is not properly installed. Some areas of the siding is fastened tight and some areas is not fastened close enough. Refer to installation instruction from the mfg. for proper fastening.</p> <p>b) There are holes in the bottom board in various location that are sealed as required.</p> <p>c) Center beam is not lagged through the top flange to the bottom of the home as required.</p> <p>d) The center beam posts are to be bolted to the floor.</p> <p>2 a) Some of the outriggers on the front door side have been shortened. Dealer will need to get a dapia approval from the mfg. for this alteration and correct the alteration. The dealer will need to apply for an application to alter.</p>

Action Requested: Dealer to correct all items on the report.	
Notification to Mfg. N/A	Time Allowed: N/A
Notification to Dealer: Pitts Mobile Home/ Centerview, MO	Time Allowed:



Commissioners

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

January 20, 1999

Mr. Bill Pitts
Pitts Mobile Homes
426 NW 1021 Rd.
Centerview, MO 64019

Dear Mr. Pitts:

Since this office has not received work orders on the complaints of Mike Brannan, Harvey Bittle, James Carneal, Jack Perkins, and Kevin Szczodroski, this is to inform you that you have fifteen (15) working days from the receipt of this letter to complete the repair work and submit work orders verifying the setup deficiencies listed in the inspection reports have been corrected. Copies of the inspection reports are enclosed.

If you recall, Gene Winn and I met with you on December 1, 1998, to discuss these complaints. You assured us at that time that you would respond to the complaints and make the necessary corrections noted in the inspection reports. Apparently this work has not been done and I believe you have been allowed ample time to complete these corrections.

If this office does not receive the work orders by February 11, 1999, then I will have no alternative but to turn this matter over to our General Counsel to prepare a formal complaint.

Your cooperation will be appreciated.

Sincerely,

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

cc: David Stueven
Ronnie Mann



Commissioners

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Vice Chair

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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.

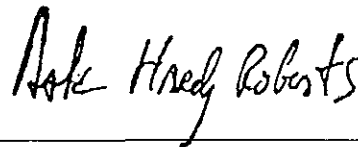
In order for the Commission to refer a complaint case to mediation, the parties must both agree to mediate their conflict in good faith. The party filing the complaint must agree to appear and to make a good faith effort to mediate and the utility company against which the complaint has been filed must 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

RECEIVED

OCT 07 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION