

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

The Manager of the Manufactured Homes  
and Modular Units Program of the  
Missouri Public Service Commission,

Complainant,

v.

Russel V. Hanson,  
d/b/a Countryside Modular Homes, LLC.  
4469 Highway 33  
Maysville, MO 64469,

Respondent.

**Case No. MC-2025-XXXX**

**COMPLAINT**

**COMES NOW** the Manager of the Manufactured Homes and Modular Units Program of the Missouri Public Service Commission (“Manager”), by and through the Office of Staff Counsel (“Staff”) of the Missouri Public Service Commission (“PSC” or Commission”), pursuant to §§ 386.390.1, and 700.115.2, RSMo, and brings the following Complaint against Russel V. Hanson, d/b/a Countryside Modular Homes, LLC (“Respondent”), a licensed manufactured homes installer operating in the State of Missouri at the time of all alleged events, and for this *Complaint* states as follows:

**INTRODUCTION**

1. This Complaint concerns Respondent, a manufactured homes installer in Missouri, who is setting up and installing new manufactured home units in Missouri in violation of Missouri statutes and Commission rules and regulations.

**COMPLAINANT**

2. Complainant is the Manager of the Manufactured Housing and Modular Units Program (“Manager”) of the PSC. Pursuant to 20 CSR 4240-120.031, the Commission has

delegated to the Manager all of its powers pertaining to administering and enforcing Chapter 700, RSMo, as it relates to new manufactured homes, except the powers to establish, change, or eliminate the amount of fees for seals and/or inspections; deny, refuse to renew, suspend, revoke, or place on probation a registration for any reason under provisions of this rule; and other duties outlined in Chapter 700 RSMo, not specifically delegated, which are retained by the Commission.

### **RESPONDENT**

3. During all relevant times as alleged herein, Respondent Russel V. Hanson is an individual doing business as Countryside Modular Homes, LLC, with an address of 4469 S. Highway 33, Maysville, Missouri 64469-9075.

4. During all relevant times as alleged herein, Respondent Russel V. Hanson d/b/a Countryside Modular Homes, LLC, was not licensed or registered by the Commission as a dealer or manufacturer of manufactured home units under § 700.090, RSMo.

5. Respondent has held six separate Certificates of Installer Registrations between 2019 and 2024 issued by the Commission, to Respondent. The Certificate license numbers, along with their issue dates and when they expired are listed as follows:

- a. 19-000093, issued 3/13/2019, expired 6/30/2019;
- b. 19-000093, issued 7/2/2019, expired 6/30/2020;
- c. 19-000093, issued 9/21/2020, expired 6/30/2021;
- d. 19-000093, issued 7/21/2021, expired 6/30/2022;
- e. 23-000108, issued 4/5/2023, expired 6/30/2023; and
- f. 23-000108, issued 7/13/2023, expired 6/30/2024.

The Certificates of Installer Registration are attached hereto and made a part herein as **Attachment A.**

6. Respondent's registration under certificate number 23-000108 expired on June 30, 2024, and he did not renew the certification. As such, as of July 1, 2024, Respondent currently has no in force, valid Certificate of Installer Registration.

7. During all relevant times as alleged herein, Countryside Modular Homes, LLC, has been registered with the Missouri Secretary of State as a Domestic Limited Liability with its Registered Agent listed as Russel Hanson, and its principle place of business at 4469 S. Highway 33, Maysville, Missouri 64469-9075.

### **JURISDICTION**

8. The Commission has jurisdiction over manufactured homes, manufactured home dealers, and manufactured home installers pursuant to Chapter 700 RSMo, and Title 20 CSR 4240-120.

9. Section 386.390.1, RSMo, authorizes the Commission to hear and determine complaints:

Complaint may be made by the commission of its own motion, or by the public counsel or any corporation or person, chamber of commerce, board of trade, or any civic, commercial, mercantile, traffic, agricultural or manufacturing association or organization, or any body politic or municipal corporation, by petition or complaint in writing, setting forth any act or thing done or omitted to be done by any corporation, person or public utility in violation, or claimed to be in violation, of any provision of law subject to the commission's authority, of any rule promulgated by the commission, of any utility tariff, or of any order or decision of the commission . . . .

10. Pursuant to 20 CSR 4240-2.070(1), "A complaint may also be filed by . . . the commission staff through the staff counsel . . . ."

11. The Inspector for the Manufactured Housing and Modular Unit Program is an authorized representative as defined in § 700.010(1), RSMo, "approved or hired by the commission to perform inspection services."

12. Section 700.115.2, RSMo, authorizes the Commission, after hearing and a finding of a violation of Chapter 700, RSMo, to direct its General Counsel to seek civil penalties therefore by petition in the Circuit Court, and the penalty is fixed at no more than \$1,000 for each such violation.

13. Section 700.115.2, RSMo, states that “whoever violates any provision of this chapter 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. If, after a hearing, the commission finds that the person has violated any provision of this chapter, it may direct its general counsel to enforce the provisions of this section by filing a petition in circuit court for such civil penalties. Each violation of this chapter shall constitute a separate violation with respect to each manufactured home or modular unit or with respect to each failure or refusal to allow or perform an act required by this chapter[.]”

#### **INFORMATION COMMON TO ALL COUNTS**

14. Section 700.686, RSMo, authorizes the commission to “conduct inspections of new manufactured home installations performed by licensed installers consistent with standards adopted pursuant to section 700.683 and with requirements establish by the United States Department of Housing and Urban Development.”

15. Section 700.045(5), RSMo, declares it a misdemeanor “to fail to correct within a reasonable time not to exceed ninety days after being ordered to do so in writing by an authorized representative of the commission a code violation in a new manufactured home....”

16. Section 386.570.2 RSMo states that every violation of any Commission rule by any person “is a separate and distinct offense, and in case of a continuing violation each day’s continuance thereof shall be and be deemed to be a separate and distinct offense.”

17. Commission Rule 20 CSR 4240-120.085 provides as follows:

- (1) Re-inspections subsequent to routine inspections of new manufactured homes:
  - (A) The manager may conduct re-inspections of new manufactured homes to verify corrections have been made to address code violations identified on the initial routine inspection report.
  - (B) The manager shall not assess the dealer, installer, or the manufacturer, or each entity, a fee for the first re-inspection.
  - (C) The manager, in consultation with the commission staff director, ...may assess re-inspection fee(s) of two hundred dollars (\$200) for any re-inspection subsequent to the first re-inspection. The fee is charged to the dealer, installer, or the manufacturer who was responsible for making the corrections and completing the corrections.
- (2) Re-inspections subsequent to a consumer complaint.
  - (A) The manager may conduct re-inspections of new manufactured homes to determine if the required corrections have been completed by the dealer, installer, or manufacturer within sixty (60) days of the initial inspection.
  - (B) The manager, in consultation with the commission staff director, after attempting to contact the entity involved and documenting consideration of potential mitigating factors, including, but not limited to, the number of similar non-compliance issues, circumstances beyond the entity's control, and the entity's responsiveness to commission requirements, may assess the dealer, installer, or the manufacturer, or each entity, a fee for the re-inspection(s) if the dealer, installer, or the manufacturer responsible for making the required corrections fails to complete the required corrections within sixty (60) days of receipt of a consumer complaint.
- (3) The re-inspection shall address all violations listed in the initial inspection report. A copy of the re-inspection report shall be forwarded to the manufacturer, installer, or dealer, or each responsible entity, and the consumer, if applicable, within ten (10) days from the date of the re-inspection, for corrective action as well as an invoice for the re-inspection fee, if applicable.

18. Commission Rule 20 CSR 4240-127.010, which has the purpose to combine all definitions in Chapters 120-126, states as follows:

(X) Installation is any work undertaken at the place of occupancy of a manufactured home to ensure the proper initial setup of the home, which shall include the joining of all sections of the home, installation of stabilization, support, and leveling systems, assembly of multiple or expanded units, and installation of applicable utility hookups and anchoring systems that render the home fit for habitation;

\* \* \*

(Z) Installed means the arrangement and assembly at the occupancy site of all portions of an anchoring system, in accordance with the manufacturer's design, that renders the anchoring system fit for its intended use[.]

\*\* [REDACTED] \*\*

19. On or about August 14, 2021, \*\* [REDACTED] \*\* purchased a new Champion Home Builders, Inc., manufactured home (hereafter referred to as "the \*\* [REDACTED] \*\* home") from Sunflower Manufactured Homes, LLC, a dealership owned and operated by Respondent in the State of Kansas.

20. Respondent was designated as the primary installer of the \*\* [REDACTED] \*\* home and was responsible for ensuring that the \*\* [REDACTED] \*\* home was set up according to the manufacturer's installation instructions, Commission rules regarding setup as set forth in Title 20 CSR 4240-120, and 24 CFR Section 3285.

21. On or about August 1, 2022, Respondent installed the \*\* [REDACTED] \*\* home<sup>1</sup> at \*\* [REDACTED] \*\*.

22. On or about April 10, 2023, an Inspector for the Manufactured Housing and Modular Units Program ("Inspector") conducted a site inspection of the \*\* [REDACTED] \*\* home and identified numerous deficiencies indicating that Respondent did not set up the home in

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<sup>1</sup> Further described by the manufacturer as HUD Label # \*\* [REDACTED] \*\*; Serial # \*\* [REDACTED] \*\*

accordance with the manufacturer's installation instructions, Missouri statutes, and Commission rules. The Inspector's initial Site Inspection Report is attached hereto and incorporated herein by reference as **Attachment B**.

23. Following the initial inspection on April 10, 2023, the following deficiencies were identified by the Inspector:

- a. Several piers have a hollow cell 4" cap block. Cap blocks must be 2" hardwood or 4" solid concrete;
- b. Several blocks are damaged and can see into hollow cell. Damaged blocks must be replaced;
- c. Marriage line pier is missing as designated by the white strip on bottom board. Pier needs to be installed;
- d. Marriage line pier is loose and needs to be shimmed tight;
- e. Gap between halves exceeds 1" in some areas and will need to be closed up. Gap needs to be filled so there is a wood-to-wood connection;
- f. Spacing between fasteners in the floor exceed the 24" o.c.<sup>2</sup> in some areas and not properly leveled;
- g. Floors are not even at the marriage line in several places throughout the home and need to be adjusted. (Flashing needs to be removed from under the carpet in master bedroom);
- h. Outside end walls appear to have no fastening at all and need to be properly fastened together with #8/3" screw at 16" o.c. or 9mm X 3" leg at 32" o.c.;
- i. Some of the foam insulation has come out between the halves and needs to be replaced;
- j. Ridge beam is not properly fastened. Ridge beam requires #8 X 4" screws at 23" o.c.;
- k. Ridge cap is not laid in the correct direction. Shingles must have the open end facing away from the prevailing winds of the southwest;
- l. Ridge cap was not properly fastened. Fasteners are overdriven and not holding shingles properly;

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<sup>2</sup> Inches "on center" means the distance from the center of one stud to the center of the next stud.

- m. Shingles are not fastened in the proper nail strip location;
- n. Siding is fastened too tightly and will not move freely;
- o. Electric crossover is exposed; needs to be sealed within the bottom board;
- p. Ground bonding wire needs to be installed;
- q. Water service line needs to be protected from freezing;
- r. Improper fitting orientation. Short turn being used in a vertical to horizontal. Long turn or combo must be used;
- s. Skirting is fastened to the home through the bottom row of vinyl. Skirting cannot be fastened through siding, as it takes away the ability for the siding to contract and expand;
- t. No decal installed on home;
- u. Home is approximately ½" out of level and will need to be level checked once blocking has been corrected;
- v. Dryer vent and exhaust need to be run past the perimeter of the home;
- w. Water heater drain pan line needs to be run past the perimeter and exit 6" – 24" above the grade;
- x. Fasteners on the room need to be pulled and holes sealed;
- y. Front & back doors need to be adjusted; light is coming through the seal;
- z. Outside outlet that was replaced does not work properly and needs to have the proper beauty ring for vinyl applications installed;
- aa. Window screen for master bedroom is missing and needs to be replaced;
- bb. Electric service is a 3 wire feeder with bare ground going to ground rod. Home needs to have a 4 wire system with the ground going from the panel box to the meter base;
- cc. Electric service needs to be protected in conduit;
- dd. Fire blocking in the water heater compartment has some open spots that need to be blocked;
- ee. Exhaust fan in master bath hums when switched on but does not rotate; and
- ff. Several exposed fasteners (shiners) on the roof need to be sealed.



24. The April 10, 2023, Site Inspection Report notified Respondent that “ALL SET-UP DEFICIENCIES LISTED ON THIS REPORT ARE TO BE CORRECTED WITHIN 30 DAYS[.] A FAILED 3<sup>RD</sup> INSPECTION WILL RESULT IN A \$200 REINSPECTION FEE.”

25. The PSC Inspector conducted four follow-up re-inspections of the \*\* [REDACTED] \*\* home on May 19, 2023, June 30, 2023, August 4, 2023, and September 8, 2023, to see if the deficiencies listed in the initial Site Inspection Report had been corrected.

- a. None of the deficiencies listed on the initial Site Inspection Report had been corrected as of the May 19, 2023, re-inspection;
- b. None of the deficiencies listed on the initial Site Inspection Report had been corrected as of the June 30, 2023, re-inspection;
- c. Three of the deficiencies listed on the initial Site Inspection Report had been corrected as of the August 4, 2023, re-inspection;
- d. A total of five of the deficiencies listed on the initial Site Inspection Report had been corrected as of the September 8, 2023, re-inspection.
- e. However, the following additional deficiencies were found on September 8, 2023, re-inspection:
  - i. Unable to inspect fastening. Cap covered with new ridge cap on day of inspection;
  - ii. Bottom board on the front door side of the home under the living room area is full of water. No plumbing is on the front door side but water may have entered when the roof’s ridge cap was open to the weather. Area needs to be investigated to seal against future leaks and any damaged insulation and/or wood needs to be replaced;
  - iii. Frame has a bent spot on the back door side/inside I-beam that needs to either:
    - a) Have approval by the manufacturer and documentation sent to the PSC office stating the frame is acceptable the way it is, or
    - b) Use a manufacturer-approved method of repair that is DAPAI<sup>3</sup> approved, is submitted to the PSC office, and the frame repaired following the method submitted;

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<sup>3</sup> Design Approval Primary Inspection Agency.

- iv. HUD<sup>4</sup> label has been removed from the back-door side, which needs to be reinstalled to its proper location for the home to be compliance with HUD standards;
- v. Master bedroom marriage line floor game has been filled with loose debris. Gap needs to be properly filled in; and
- vi. Several spots in the ceiling are showing signed of discoloring. Needs to be investigated for possible roof leak - may be how water is getting into the bottom board under the living room area on the front door side.

26. Following the forth re-inspection (fifth inspection) on September 8, 2023, the \*\* [REDACTED] \*\*'s filed an Inspection Request / Consumer Complaint ("Consumer Complaint") with the PSC's Manufactured Housing & Modular Unit Program on September 19, 2023. A true and accurate copy of the \*\* [REDACTED] \*\*'s Consumer Complaint is attached hereto and made a part herein as **Attachment C**.

27. On October 6, 2023, the Inspector conducted an inspection of the \*\* [REDACTED] \*\* home in response to their Consumer Complaint and identified numerous deficiencies that had still not been corrected since the home had been first installed on August 1, 2022, and inspected and re-inspected multiple times up through and including September 8, 2023. A true and accurate copy of the Inspector's October 6, 2023, Inspection Report is attached hereto and made a part herein as **Attachment D**.

28. Those deficiencies listed in the October 6, 2023, Inspection Report listed the following deficiencies:

- a. Fire blocking in the water heater compartment has some open spots that need to be blocked;
- b. Exhaust fan in the master bath hums when switched on but does not rotate;
- c. Several exposed fasteners (shiners) on the roof need to be sealed;
- d. Soffit screen on the back door side hitch end corner has a gap that needs to be closed up. Gap is allowing insect infiltration;

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<sup>4</sup> United States Department of Housing and Urban Development.

- e. Bowed wall stud in 2<sup>nd</sup> bedroom needs to be repaired;
- f. Back door protective film covering is cracking and peeling off around the door handle;
- g. Window screen for master bedroom is missing and needs to be replaced;
- h. Electric service is 3 wire feeder with bare ground going to ground rod;
- i. Electric service needs to be protected in conduit;
- j. Several blocks are damaged and can see into hollow;
- k. Marriage line pier is missing as designated by the white strip on bottom board. Pier needs to be installed;
- l. Marriage line pier is loose and needs to be shimmed tight;
- m. Gap between halves exceeds 1" in some areas and will need to be closed. Gap needs to be filled so there is a wood-to-wood connection;
- n. Ridge beam is not properly fastened;
- o. Ridge cap is not laid in the correct direction. Shingles must have the open-end facing away from the prevailing winds of the southwest; 9/8/23: Shingles have been laid the correct way with open end away from prevailing winds, but shingles themselves are not fastened properly. Nails have been placed above the tar strip when they are required to be below;
- p. Ridge cap was not properly fastened. Fasteners are overdriven and not holding shingles properly;
- q. Shingles are not fastened in the proper nail strip location. Nails have been placed above the tar strip, when there are required to be below;
- r. Siding is fastened too tight and will not move freely. 8/4/23: Most of vinyl siding has been removed and needs to be reinstalled. 9/8/23: Vinyl has been put back on the ends but is not fastened properly and is falling off the home along the top receiver;
- s. Electric crossover is exposed; needs to be sealed within the bottom board;
- t. Ground bonding wire needs to be installed;
- u. Water service line needs to be protected from freezing;
- v. Sewer has improper fitting orientation. Short turn being used in a vertical to horizontal. Long turn or combo must be used;

- w. No decal installed on home;
- x. Home is approximately ½" out of level and will need level checked once blocking has been corrected;
- y. Dryer vent and exhaust needs to be run past the perimeter of the home;
- z. Water heater drain pan line needs to be run past the perimeter and exit 6" – 24" above the grade;
- aa. Fasteners on the room need to be pulled and holes sealed;
- bb. Front & back door need to be adjusted; light is coming through around seal;
- cc. Outside outlet that was replaced does not work properly and needs to have the proper beauty ring for vinyl applications installed;
- dd. Bottom board on the front door side of the home under the living room area is full of water. No plumbing is on the front door side but water may have entered when the roofs ridge cap was open to the weather. Area needs to be investigated to seal against future leaks and any damaged insulation and/or wood needs to be replaced;
- ee. Frame has a bent spot on the back door side/inside I-beam that needs to either:
  - i. Have approval by the manufacturer and documentation sent to the PSC office stating the frame is acceptable the way it is; or
  - ii. Use a manufacturer approved method of repair that is DAPIA approved, is submitted to the PSC office, and frame repaired following the method submitted;
- ff. HUD label has been removed from the back door side which needs to be reinstalled to its proper location;
- gg. Master bedroom marriage line floor game has been filled with loose debris;
- hh. Several spots in the ceiling are showing signs of discoloring. Needs to be investigated for possible roof leak;
- ii. Nails sticking up at marriage line need to be removed (safety hazard); and
- jj. Holes from lagging need to be sealed and any spots between floor joists that need installation, need to be filled.

29. According to the Inspection Report, the Manufacturer has 20 days to correct the first six deficiencies listed, the Dealer has 20 days to correct the next three deficiencies, and the Installer has 30 days to correct the remaining listed deficiencies listed in the Inspection Report.

30. On December 1, 2023, the Inspector conducted a follow-up inspection on the \*\* [REDACTED] \*\* home to determine if Respondent corrected the deficiencies noted in the October 6, 2023 Inspection Report. The Inspector noted Respondent corrected five of the previously noted deficiencies.

31. On June 7, 2024, the Inspector conducted a third follow-up inspection on the \*\* [REDACTED] \*\* home to determine if Respondent corrected the deficiencies noted in the October 6, 2023, Inspection Report.

a. The Inspector noted Respondent corrected many of the previously noted deficiencies, including all of the manufacturer items and 18 of the installer items. However, none of the dealer items were corrected.

b. To date, approximately 12 deficiencies originally noted on the October 6, 2023, Inspection Report remain uncorrected.

32. All of Inspection Site, Re-Inspection, and Follow-Up Inspection reports prepared by the Inspector of the \*\* [REDACTED] \*\* home described above were provided to Respondent following each inspection and re-inspection, as required by 20 CSR 4240 120.085(3).

33. Respondent was issued a No Decal Placed Invoice<sup>5</sup> for the \*\* [REDACTED] \*\* home referenced above by PSC Staff following the initial inspection of the home. The No Decal Placed Invoice charged Respondent \$200.00, resulting in a total charged to him of \$200.00.

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<sup>5</sup> No Decal Invoice #3154.

34. To date, Respondent has failed to pay the No Decal Placed invoice, resulting in an amount due to the Commission of \$200.00.

**Countryside Estates – 145 Countryside Ln., St. Joseph, MO 64503 –**  
**File Nos. 24-000053 through #000063**

35. At some time prior to January 29, 2024, Respondent installed 11 Legacy Housing Corp. manufactured homes (hereafter referred to as “Legacy Homes”), at 11 different lots located in Countryside Mobile Home Park, at 145 Countryside Ln., St. Joseph, MO 64503.

36. All of the Legacy Homes described herein were manufactured sometime between January 16, 2023, and September 6, 2023, and installed by Respondent prior to the on-site inspections described below by the PSC Inspector.

37. On January 29, 2024, the Inspector conducted a site inspection of all 11 of the Legacy Homes described in Paragraph 35 and identified numerous deficiencies indicating that Respondent did not set up the homes in accordance with the manufacturer’s installation instructions, Missouri statutes, and Commission rules. The Inspector’s Site Inspection Reports for each of those homes are attached hereto and incorporated herein by reference as **Attachment E**.

38. Most, if not all, of the deficiencies noted by the Inspector for each Legacy Home inspected on January 29, 2024, were the same in each of the Site Inspection Reports, including, but not limited to the following, defects:

- a. Site is not properly sloped away 10’ and no method to divert water runoff has been installed. Unable to inspect under home. Skirting does not have an access door installed;
- b. Footings/Piers: Unable to inspect under home. No access door installed in metal skirting;
- c. Water: Unable to inspect under home. No access door installed in metal skirting;

- d. Sewer: Unable to inspect under home. No access door installed in metal skirting;
- e. Skirting: Skirting is not properly vented; No access door installed;
- f. Anchors: Unable to inspect. No access door installed in metal skirting;
- g. No Decal installed on home. Installer decal and sign off sheet needs to be installed when the home is blocked and leveled;
- h. The installer is not a registered installer in the state of Missouri; and
- i. Two of the homes (File #s 24-000056 and 24-000057) also noted the following additional deficiencies:
  - i. No vapor barrier installed;
  - ii. Sites are not properly crowned under the home;
  - iii. The home is not sitting on footing installed below frost level as required;
  - iv. Piers are sitting on old concrete patios / sidewalks and ABS pier pads;
  - v. The double stacked pier cap blocks are not properly installed. Cap blocks need to be installed perpendicular to the frame;
  - vi. Pier spacing is more than 8';
  - vii. Piers are not properly capped; and
  - viii. Anchor heads are not down to the proper depth. Straps are more than 2' from the end of the home. The anchor straps are not wrapping the frame and the split bolt properly. Concrete anchors used do not have the required amount of concrete for holding down. Each anchor requires 1.2 yards of concrete. No systems are installed, so the home requires more twist in anchors than installed;

39. The Site Inspection Reports for each initial inspection completed on January 29, 2024, notified Respondent that "ALL SET-UP DEFICIENCIES LISTED ON THIS REPORT ARE TO BE CORRECTED WITHIN 30 DAYS."

40. The Inspector conducted a follow-up re-inspection on each of the 11 Legacy Homes on June 13, 2024, almost six months later, to see if the deficiencies listed in the initial Site Inspection Reports had been corrected.

41. The Inspector found few deficiencies had been corrected on the homes and noted additional defects, including the following:

a. File # 24-000053, 24-000060, and 24-000061 – Water had been corrected. However, he noted the ground is not properly crowned under the home; no vapor barrier was installed under the home; piers are not frost grade footings; support piers on the front porch and door supports need to be installed; skirting was not properly vented, and the area under the porch must be isolated from the area under the living space. The anchoring system was inspected and noted that the systems were not installed correctly based on the soil type – specifically, anchors must be within 2' from the end of the home, anchor straps need to properly wrap around the frame and have strap protection, and the anchoring of the front porch brackets need to be installed. Additionally, it was noted the setback from the neighbors' home is too close, and the dryer vent needs to be past the perimeter of the home; Additionally, the Installer noted the following deficiencies specific to File #24-000060 and 24-000061:

- i. A hole in the bottom board next to the sewer drop needs to be repaired (24-000060 only);
- ii. The TP valve needs a 90-down fitting;
- iii. The water heater drain pan line needs a bug screen; and
- iv. The A/C condensate line needs to be run past the perimeter of the home at least 6" above grade.

b. File # 24-000054 and 24-000055 – Water and sewer had been corrected. However, he noted the ground is not properly crowned under the home; no vapor barrier was installed under the home; piers are not frost grade footings; support piers on front porch and door supports need to be installed; the area under the porch must be isolated from the area under the living space; and the dryer vent needs to vent past the perimeter of the home. The anchoring system was inspected and noted that the systems were not installed correctly based on the soil type – specifically, anchors must be within 2' from the end of the home, anchor straps need to properly wrap around the frame and have strap protection, the anchoring of the front porch brackets need to be installed, and there are anchor caps that were not installed flush with the ground. Additionally, the Installer noted the following deficiencies specific to File #24-000055:

- i. There is a ground depression around the sewer soil stack pipe that needs to be filled in to prevent water from collecting under the home;
- ii. There is not enough concrete for patio anchors;



- iii. The outside light lamp globe needs to be installed;
- iv. Dryer vent needs to vent past the perimeter of the home; and
- v. There is no bug screen installed in the water heater pan drain line;

c. File # 24-000056 – Water had been corrected, and some of the site prep and footings/piers deficiencies had been corrected. However, he noted piers are not on frost grade footings; support piers on front porch and door supports need to be installed. Additionally, sewer is not properly supported every 4'; no access door was installed in metal skirting, the skirting was not properly vented, and the area under the porch must be isolated from the area under the living space; several anchoring deficiencies remained uncorrected; dryer vent needs to vent past the perimeter of the home; and the water heater drain lines and the A/C condensation line need to be run to the outside perimeter of the home;

d. File # 24-000057 – Water had been corrected. However, he noted piers are not on frost grade footings; support piers on front porch and door supports need to be installed. Sewer is not properly supported every 4' and dryer vent needs to vent past the perimeter of the home; no access door installed in metal skirting, skirting not properly vented, and area under the porch must be isolated from the area under the living space; although some anchoring deficiencies were apparently corrected, others were noted instead, including anchor straps need to have strap protection, and anchoring of the front porch brackets need to be installed;

e. File # 24-000058, # 24-000059 and # 24-000063 – Water had been corrected. However, he noted the ground is not properly crowned under the home; no vapor barrier installed under the home; piers are not on frost grade footings; support piers on front porch and door supports need to be installed. Additionally, sewer is not properly supported every 4'; short turn 90 was being used in a horizontal to horizontal flow; skirting was not properly vented, the area under the porch must be isolated from the area under the living space; and the dryer vent needs to vent past the perimeter of the home; and the TP valve needs a 90-down fitting. The anchoring system was inspected, and he noted the anchors must be within 2' from the end of the home, the anchor straps need to properly wrap around the frame and have strap protection, and the anchoring of the front porch brackets need to be installed. The Inspector also noted the following deficiencies specific to File #24-000059 and #24-000063:

- i. Holes in the bottom board need to be properly repaired and any damaged or missing insulation replaced;
- ii. The A/C condensate line needs to be run past the perimeter of the home at least 6" above grade; and

iii. The water heater drain pan needs a bug screen (#24-000063 only).

f. File # 24-000062 – Water was corrected. However, he noted the ground is not properly crowned under the home; no vapor barrier was installed under the home; piers are not on frost grade footings; and support piers on front porch and door supports need to be installed. Additionally, sewer is not properly supported every 4'; there is a short turn 90 that is installed improperly; skirting not properly vented, and the area under the porch must be isolated from the area under the living space; the dryer vent needs to vent past the perimeter of the home; the water heater pan line needs a bug screen; the TP valve needs a 90-down fitting; and there is not a 12" clearance between the frame of the home and ground. The anchoring system was inspected and noted that the anchors must be within 2' from the end of the home, anchor straps need to properly wrap around the frame and have strap protection, the anchoring of the front porch brackets need to be installed.

42. Each of the June 13, 2024, Site Inspection Reports provided to Respondent following the second inspection, or first re-inspection, of the Legacy Homes notified Respondent that "ALL SET-UP DEFICIENCIES LISTED ON THIS REPORT ARE TO BE CORRECTED WITHIN 30 DAYS[.] A FAILED 3<sup>RD</sup> INSPECTION WILL RESULT IN A \$200 REINSPECTION FEE."

43. On September 13, 2024, three months after the first re-inspections, the Inspector conducted a second re-inspection (third inspection) on each of the above-referenced 11 Legacy Homes to see if any of the deficiencies listed in the Site Inspection Reports had been corrected.

44. According to the Inspectors, Respondent failed to correct any of the deficiencies identified in the 2<sup>nd</sup> Inspection Site Inspection Report(s) of those 11 homes. The Inspector's 3<sup>rd</sup> Site Inspection Reports for each of those homes are attached hereto and incorporated herein by reference as **Attachment F**.

45. Respondent was issued No Decal Placed Invoices<sup>6</sup> for each of the 11 Legacy Homes by PSC Staff following the initial inspection of each home. Each No Decal Placed

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<sup>6</sup> No Decal Invoice #s 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, and 3227.

Invoice charges Respondent \$200.00 per home (no decal), resulting in a total charged to him of \$2,200.00.

46. To date, Respondent has failed to pay any of the No Decal Placed invoices, resulting in an amount due to the Commission of \$2,200.00.

**Countryside Estates Lots # 164 & 187 – File #24-000319 and #24-000320**

47. At some time prior to June 13, 2024, Respondent installed two Legacy Housing Corp. manufactured homes (hereafter referred to as “Legacy Homes”), at two more lots located in Countryside Mobile Home Park, at 145 Countryside Ln., St. Joseph, MO 64503.

48. Both of those Legacy Homes described herein were installed by Respondent prior to the on-site inspections described below by the PSC Staff.

49. On June 13, 2024, an Inspector conducted a site inspection of both Legacy Homes described above in paragraph 47 and identified numerous deficiencies indicating Respondent did not set up the homes in accordance with the manufacturer’s installation instructions, Missouri statutes, and Commission rules. The Inspector’s Site Inspection Reports for each of those homes are attached hereto and incorporated herein by reference as **Attachment G**.

50. The following deficiencies were identified by the Inspector:

a. Lot #164 – File #24-000319:

- i. Site is not properly sloped away 10’ and no method to divert water runoff has been installed; the ground is not properly crowned under the home; no vapor barrier installed under the home;
- ii. Piers are not on frost grade footings; support piers on front porch and door supports need to be installed; and there are piers that exceed 10” spacing;
- iii. Sewer line is not properly supported every 4’;
- iv. No access door installed in metal skirting; skirting is not properly vented; area under the porch to be isolated from the area under the living space;

- v. The anchoring system was inspected and noted that the anchors must be within 2' from the end of the home, anchor straps need to properly wrap around the frame and have strap protection, the anchoring of the front porch brackets needs to be installed;
- vi. There is no installer decal installed on the home;
- vii. Multiple holes in the bottom board need to be repaired; and
- viii. The outside light lamp globe needs to be installed.

b. Lot #187 – File #24-000320:

- i. Piers are not on frost grade footings; support piers on front porch and door supports need to be installed; there are piers that exceed 10" spacing;
- ii. No access door installed in metal skirting; skirting is not properly vented; area under the porch must be isolated from the area under the living space;
- iii. The anchoring system was inspected and noted that the anchors must be within 2' from the end of the home, anchor straps need to properly wrap around the frame and have strap protection, the anchoring of the front porch brackets needs to be installed;
- iv. There is no installer decal installed on the home;
- v. Multiple holes in the bottom board that need to be repaired;
- vi. Dryer vent needs to vent past the perimeter of the home; and
- vii. The water heater drain lines need to run past the perimeter of the home.

51. The Site Inspection Report, dated June 13, 2024, notified Respondent "ALL SET-UP DEFICIENCIES LISTED ON THIS REPORT ARE TO BE CORRECTED WITHIN 30 DAYS[.] A FAILED 3<sup>RD</sup> INSPECTION WILL RESULT IN A \$200 REINSPECTION FEE"

52. On September 13, 2024, the Inspector conducted a second inspection of both Legacy homes described above located at Lots #164 and #187 to see if any of the deficiencies listed in the initial Site Inspection Reports had been corrected.

53. According to the 2<sup>nd</sup> Site Inspection Reports for each of those homes, Respondent failed to correct any of the deficiencies identified in the initial Site Inspection Report(s) of these homes. The Inspector's 2nd Site Inspection Reports for both of those homes are attached hereto and incorporated herein by reference as **Attachment H**.

54. Respondent was issued No Decal Placed Invoices<sup>7</sup> for both of the Legacy Homes referenced above by PSC Staff following the initial inspection of each home. Each No Decal Placed Invoice charges Respondent \$200.00 per home (no decal), resulting in a total charged to him of \$400.00.

55. To date, Respondent has failed to pay any of the No Decal Placed invoices, resulting in an amount due to the Commission of \$400.00.

### **COUNT I**

#### **§§ 700.065 and 700.076, RSMo, Failure to Properly Anchor New Manufactured Homes**

56. Complainant realleges and incorporates herein the allegations contained in paragraphs 1 – 18 and 35 – 55.

57. Section 700.065, RSMo, requires all new manufactured homes to be “anchored and tied down in accordance with the standards promulgated by the commission.”

58. Section 700.076.1, RSMo, requires the owner of a manufactured home to “secure the manufactured home to the ground by use of anchors and tie-downs so as to resist wind overturning and sliding.”

59. Section 700.683.1, RSMo, requires “installers to install homes in accordance with the installation instructions provided by the manufacturer of the manufactured home.”

60. Commission Rule 20 CSR 4240-127.010, which has the purpose to combine all definitions in Chapters 120-126, provides as follows:

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<sup>7</sup> No Decal Invoice #s 3280 and 3281.

(E) Anchoring standards means the manufactured home tie-down systems standards adopted by the commission under section 700.076, RSMo;

\* \* \*

(X) Installation is any work undertaken at the place of occupancy of a manufactured home to ensure the proper initial setup of the home, which shall include the joining of all sections of the home, installation of stabilization, support, and leveling systems, assembly of multiple or expanded units, and installation of applicable utility hookups and anchoring systems that render the home fit for habitation;

\* \* \*

(Z) Installed means the arrangement and assembly at the occupancy site of all portions of an anchoring system, in accordance with the manufacturer's design, that renders the anchoring system fit for its intended use[.]

61. According to the Site-Inspection Reports and Re-Inspection Reports for the Legacy homes described above, Respondent failed to properly anchor and/or tie down any of those 13 homes.

## **COUNT II**

### **§ 700.015, RSMo, Code Compliance Required**

62. Complainant realleges and incorporates herein the allegations contained in paragraphs 1 - 61.

63. Section 700.015.1, RSMo, forbids any person from renting, leasing, selling, or offering "for sale any new manufactured home ... unless such manufactured home complies with the code and bears the proper seal."

64. Commission Rule 20 CSR 4240-120.065(1)(B) defines "proper initial setup" as installing and setting up of the manufactured homes "in accordance with the manual provided by the manufacturer of the home an complete compliance with 24 CFR section 3285 and with all of the provisions regarding setup in sections 700.010 to 700.115, RSMo." According to the Site-Inspection Reports and Re-Inspection Reports for many, if not all of the homes

described above, many of the deficiencies noted the errors were not in accordance with the installation instructions or manual.

65. Commission rule 20 CSR 4240-125.070(1)(I) subjects the installer to a \$200 inspection fee for failing to attach the installation decal to the home immediately after completion of the blocking and leveling of the home.

66. None of the homes described above which were installed and set up by Respondent had an installer decal affixed or otherwise attached to any of them, according to the Site Inspection Reports provided by the Inspector.

67. Commission Rule 20 CSR 4240-120.065(1)(A) states that “[a] dealer who sells a new manufactured home shall arrange for the proper initial setup of the manufactured home unless the dealer obtains from the purchaser or the purchaser’s authorized agent a written waiver[.]”

68. To the best of the Manager’s knowledge, no written waivers of Respondent’s initial setup services were ever executed.

69. Commission Rule 20 CSR 4240-125.040 requires all licensed installers to be responsible for the following:

(2) Installer Responsibilities and Limits.

\* \* \*

(B) An installer licensee shall also be responsible for –

\* \* \*

4. Assuring that all portions of the manufactured home installation are in compliance with the manufacturer’s installation manual; and

5. Correcting all applicable non-conformances within thirty (30) days of receipt of a correction notice from the manager.

(3) Primary Installer Responsibilities in addition to (2)(A) and (B) above—

- (A) Each primary installer shall be responsible for ensuring the site and foundation are correct before setting the home on the site or foundation. If the home is not correctly set on the site or foundation, the primary installer shall be responsible for making corrections to the site or foundation, pursuant to sections 700.010(5) and (15), RSMo, and 4 CSR 240-125.010(12) and (13)[.]

70. At all relevant times as alleged herein, Respondent was a licensed manufactured home installer, and therefore had an obligation to install homes in compliance with the Commission's uniform standards.

71. Each one of the 14 homes described above that Respondent installed fails to comply with code, as described in the Site Inspection Reports and Re-Inspection Reports submitted by the Staff Inspector.

72. The Manufactured Housing and Modular Unit Program notified Respondent of multiple deficiencies related to the installation of each of the 14 manufactured home units described above, and instructed Respondent to make such repairs necessary to bring the homes into compliance with Missouri law and the respective manufacturers' installation instructions. Respondent failed to perform such repairs.

73. Although Respondent corrected some of the deficiencies noted in the initial Site Inspection Reports for the \*\* [REDACTED] \*\* home and the 11 Legacy Homes listed above, Respondent has failed to perform all repairs to fix all of the deficiencies noted by the Inspector for all of the homes listed above, to include the \*\* [REDACTED] \*\* home, the 11 Legacy Homes (File #s 24-000053 to 24-000063), and the two Legacy Homes located at Countryside Estates Lots # 164 & 187.



74. Respondent failed to arrange for the proper initial setups of each of the 14 manufactured home units complained of herein.

75. Respondent failed to correct the set-up deficiencies noted in the Site Inspection Reports provided to Respondent following the initial inspections on each of the 14 homes complained of herein within 30 days, as required by Commission rule.

### **COUNT III**

#### **20 CSR 4240-125.070 – Failure to Place Installation Decals on Homes**

76. Complainant realleges and incorporates herein the allegations contained in paragraphs 1 – 75.

77. Section 700.683.3, RSMo, requires installers to purchase “installation decals from the commission” and affix them to the homes “upon completion of the installation. The decal shall note the installer’s license number and shall be permanently affixed to the manufactured home at a location determined by the commission.”

78. Commission Rule 20 CSR 4240-125.070.1 requires the following:

(A) An installation decal issued by the manufactures housing and modular units program ... to be attached to the exterior of the home and shall be also include a sign-off portion of the decal, ... with the initials and license number of each installer involved with the initial set up and installation of the home.

(B) The primary installer who is responsible for the initial setup and installation of the manufactured home which includes site preparation and foundation and any portion of the blocking, leveling, or roof installation is responsible for affixing the installation decal and the sign-off portion of the decal to the manufactured home upon completion of blocking, leveling, or roof installation.

\* \* \*

(I) Primary installers who fail to attach the installation decal and/or the sign-off portion of the decal to the home immediately after the completion of the blocking and leveling of the home shall be subject to

a two hundred dollar (\$200) inspection fee ... within ten (10) days after notification by the manager.

79. Respondent failed to attach the installation decal on any of the 14 above-referenced manufactured homes he installed.

#### **COUNT IV**

##### **§ 700.045, RSMo – Failure to Correct Defects Within 90 Days**

80. Complainant realleges and incorporates herein the allegations contained in paragraphs 1 – 79.

81. Section 700.045(5), RSMo, deems it a misdemeanor if a person fails “to correct within a reasonable time not to exceed ninety days after being ordered to do so in writing by an authorized representative of the commission a code violation in a new manufactured home or new modular unit.”<sup>8</sup>

82. The \*\* [REDACTED] \*\*’s home was first inspected by the Inspector on April 10, 2023, and at the conclusion of that inspection, Respondent was provided a Site Inspection Report notifying him that all set-up deficiencies were “to be corrected within 30 days.” The Inspector noted at least 32 separate deficiencies on that initial Site Inspection Report.<sup>9</sup>

83. Staff conducted four additional re-inspections on May 19, 2023, June 30, 2023, August 4, 2023, and September 8, 2023, before the \*\* [REDACTED] \*\*’s filed their Consumer Complaint with the Commission, alleging many of the deficiencies noted in the prior inspections of their home had not been remedied. Three more inspections followed the filing of the \*\* [REDACTED] \*\*’s Consumer Complaint on October 6, 2023, December 1, 2023, and June 7, 2024.

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<sup>8</sup> The statute allows for “reasonable and necessary extensions” to be granted by the commission.

<sup>9</sup> Attachment B, attached hereto.

84. Following each re-inspection, the Inspector provided Respondent with a Site Inspection Report notifying him of the deficiencies that still needed to be corrected and the time-frame in which those deficiencies were to be corrected.

85. As of the date of the most recent re-inspection, on June 7, 2024, over one year after the initial inspection, there remain approximately 12 uncorrected deficiencies at the home purchased by the \*\* [REDACTED] \*\*'s and installed by Respondent.

86. The 11 Legacy homes described in Paragraphs 35 – 46, above, that Respondent installed at Countryside Estates<sup>10</sup>, were first inspected on January 29, 2024, and at the conclusion of each of those inspections, the Inspector provided Respondent with a Site Inspection Report notifying him that all set-up deficiencies listed in those reports were “to be corrected within 30 days.” The Inspector noted at least 17 separate deficiencies on each of those initial Site Inspection Reports.<sup>11</sup>

87. Staff conducted a second re-inspection of each of those 11 homes on June 13, 2024, almost six months later, and found that few of the deficiencies noted on the initial Site Inspection Report had been corrected.

88. The Site Inspection Reports provided to Respondent following the second inspections (first re-inspection) of each of those 11 homes also notified Respondent that the set-up deficiencies listed on those reports “are to be corrected in 30 days.”

89. A third inspection (second re-inspection) of those 11 Legacy homes, conducted on September 13, 2024, revealed that Respondent failed to correct any of the deficiencies noted on the previous Site Inspection Reports. As such, the deficiencies noted originally by the Inspector had been left untouched – Respondent had taken no action to correct any of the noted deficiencies in almost nine months since the homes were installed.

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<sup>10</sup> File Nos. 24-00053 through 24-00063,

<sup>11</sup> Attachment E, attached hereto.

90. The two Legacy homes described in Paragraphs 47 – 55, above, that Respondent installed at Countryside Estates at lots # 164 and #187<sup>12</sup> were first inspected on June 13, 2024, and at the conclusion of each of those inspections, the Inspector provided Respondent with a Site Inspection Report notifying him that all set-up deficiencies listed in those reports were “to be corrected within 30 days.” The Inspector noted at least 18 separate deficiencies on each of those initial Site Inspection Reports.<sup>13</sup>

91. Staff conducted a re-inspection of both homes on September 13, 2024, and found that none of the deficiencies noted on the initial Site Inspection Report were corrected.

**WHEREFORE**, Staff prays that the Commission will give due notice to Respondent Russel V. Hanson, d/b/a Countryside Modular Homes, LLC, and, after a hearing:

- a. Determine that Respondent has violated Missouri statutes and Commission regulations and rules as set forth above in Counts I through IV;
- b. Order Respondent to cure each and every deficiency noted in the most recent Site Inspection Report for each of the homes listed above, specifically, the \*\* [REDACTED] \*\* Home, all 13 Legacy Homes listed above, namely File Nos. 24-000053 to 24-000063, Lot #164 (File #24-000319), and Lot #187 (File #24-000320), and to bring each such home into compliance with all applicable codes, statutes, and regulations;
- c. Order Respondent to pay all No Decal Placed Invoices due and owing to the Commission in the total amount of \$2,800.00;<sup>14</sup>
- d. Order Respondent to pay all Re-Inspection Invoices due and owing to the Commission in the total amount of \$ 2,800.00;<sup>15</sup>
- e. Determine that Respondent is subject to penalties as provided by §§ 386.570 and 700.100.3(6), RSMo and Commission Rule 4 CSR 4240-120.065(1)(A), and thereupon authorize the Commission’s General Counsel to seek in Circuit Court the penalties as are authorized by law;

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<sup>12</sup> File # 24-000319 and #24-000320.

<sup>13</sup> Attachment G, attached hereto.

<sup>14</sup> 1 No Decal Placed invoice due for the \*\* [REDACTED] \*\* home plus 1 invoice for each of the 13 Legacy homes at \$200 per home for a total of  $200 * 14 = \$2,800.00$ .

<sup>15</sup> 3 Re-Inspection Fee invoices due for the \*\* [REDACTED] \*\* home plus 1 invoice for the first 11 Legacy homes (#24-000053 – 24-000063) at \$200 per home for a total of  $200 * 14 = \$2,800.00$ .

- f. Refer this matter to the appropriate county prosecutor<sup>16</sup> for prosecution of any and all crimes committed by Respondent, including, but not limited to the misdemeanor violations of § 700.045, RSMo; and
- g. Grant such other and further relief as is just and reasonable under the circumstances.

Respectfully submitted,

**/s/ Carolyn H. Kerr**

Missouri Bar Number 45718

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Attorney for Staff of the

Missouri Public Service Commission

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<sup>16</sup> The homes installed by Respondent are located in St. Joseph, Missouri, which is in Buchanan County, and Princeton, Missouri, which is located in Mercer County, Missouri.

ATTACHMENTS A THROUGH H  
HAVE BEEN DEEMED CONFIDENTIAL  
IN THEIR ENTIRETY