RULES OF

Department of Commerce and Insurance

Division 4240—Public Service Commission

Chapter 126—Manufactured Housing Consumer Recovery Fund

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TITLE 20 — DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240 — Public Service Commission
Chapter 126 — Manufactured Housing Consumer Recovery Fund

20 CSR 4240-126.010 Definitions

PURPOSE: This rule defines various terms as used in this chapter.

(1) The following definitions, as well as those set out in section 700.010, RSMo, and 20 CSR 4240-127, apply to this chapter:

(A) Applicant is any consumer who completes a claim form; and

(B) Home means any new manufactured home built according to the federal standards 24 CFR Parts 3280 and 3282 and 20 CSR 4240-120.100, and/or any modular unit used as a residential home and built according to the code for modular units as that code is defined in 20 CSR 4240-123.080.

AUTHORITY: sections 700.040 and 700.041, RSMo 2016. This rule originally filed as 4 CSR 240-126.010. Original rule filed April 6, 2009, effective Oct. 30, 2009. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-126.010, effective Aug. 28, 2019. Amended: Filed April 29, 2026, effective Nov. 30, 2026.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999, and 700.041, RSMo 2008.*

20 CSR 4240-126.020 Consumer Recovery Fund

PURPOSE: To establish guidelines for the Manufactured Housing Consumer Recovery Fund (Recovery Fund) pursuant to section 700.041, RSMo.

(1) The Recovery Fund is established for the purpose of paying unsatisfied claims as approved by the commission under the procedures established by this rule. The commission shall administer the Recovery Fund, and all monies in the fund shall be used solely as prescribed in this rule and pursuant to section 700.041, RSMo.

(2) The advisory committee shall consist of three (3) members to assist the commission in the administration and investigation of all claims submitted by consumers under this rule. The committee members shall include the manager, one (1) person from the commission's staff counsel's office, and one (1) member of the Missouri Manufactured Housing Association.

(3) In order to receive a disbursement of funds from the Recovery Fund, the following criteria shall be met:

(A) A consumer must have purchased a new manufactured home or residential modular unit as those terms are defined in Chapter 700, RSMo, and the commission's rules;

(B) The new manufactured home or residential modular unit must have been purchased from a manufacturer or dealer as those terms are defined in Chapter 700, RSMo, and the commission's rules;

(C) At the time of purchase, the manufacturer or dealer must have been registered with the commission pursuant to sections 700.010 to 700.692, RSMo;

(D) If a consumer is seeking a disbursement from the Recovery Fund resulting from the actions of an installer, at the time of installation, such installer must have been licensed with the commission pursuant to sections 700.650 to 700.692, RSMo;

(E) A consumer must have an unsatisfied claim resulting from a violation of –

1. Chapter 700, RSMo; or
2. Any rule adopted by the commission; or
3. The National Manufactured Housing Construction and Safety Standards in 24 CFR Part 3280 or the Manufactured Home Procedural and Enforcement Regulations in Part 3282 or the Manufactured Home Installation Standards and Manufactured Housing Installation Rules and Regulations in Parts 3285 and 3286; or
4. The standards that govern modular units defined in 20 CSR 4240-123.080;

(F) A consumer must have exhausted all legal remedies as set forth in section (6) prior to submitting a claim form;

(G) A consumer must file a claim with the commission on a claim form provided by the commission and within one (1) year from the date of exhaustion of legal remedies; and

(H) The amount requested by the consumer must reflect the actual cost of repairs or additional costs incurred because a manufacturer, dealer, or installer is out-of-business, bankrupt, closed, dissolved, or no longer subject to the jurisdiction of the commission. In no event shall a reimbursement amount be made from the Recovery Fund in excess of five thousand dollars ($5,000) for single section homes and seven thousand five hundred dollars ($7,500) for multi-section homes. No claim shall include attorney's fees, double, treble, punitive, or exemplary damages.

(4) Upon receipt of a claim form, the advisory committee will investigate and determine whether the requirements of this rule have been met and shall present its findings to the commission in the form of a recommendation.

(5) Recommendations of the advisory committee for disbursement of funds from the Recovery Fund shall be subject to the approval of the commission.

(6) In determining whether an applicant's legal remedies have been exhausted, the advisory committee may consider any of the following:

(A) Evidence demonstrating that the consumer has obtained a judgment from a circuit court against a manufacturer, dealer, or installer and that the consumer has been unable to satisfy this judgment; or

(B) Information indicating that a manufacturer, dealer, or installer, against whom legal action may be taken, is out-of-business, bankrupt, closed, dissolved, or no longer subject to the jurisdiction of the commission; or

(C) Information indicating that legal action against a manufacturer, dealer, or installer is futile or is barred by statute or equitable principle, or any other relevant factor.

(7) A claim form submitted to the commission must be completed in its entirety. The claim form shall contain, but may not be limited to, the following:

(A) The name, physical address, and telephone number of the consumer who purchased the home;

(B) A copy of the purchase agreement or bill of sale;

(C) Any other information the consumer has regarding the purchase and installation of the home, including a description of any defect, work orders, invoices, or other information;

(D) The business name and physical address of the dealer; and

(E) The business name and physical address of the manufacturing plant where the home was manufactured and any other information deemed necessary by the commission.

(8) The advisory committee may request or obtain estimates from approved or registered industry representatives to determine the actual repair costs.

(9) The advisory committee, the manager, or the commission shall not be liable if the Recovery Fund does not have sufficient funds to cover all the damages and/or repair costs.

(10) Should the Recovery Fund contain insufficient funds to pay approved claims, claims shall be processed in the order in which the approved claims have been received.

(11) If the claim arises directly from the sale, lease-purchase, exchange, brokerage, or installation of a manufactured or modular home before July 1, 2009, the consumer will not be eligible to file a claim against the Recovery Fund.

(12) Nothing in this chapter shall limit the ability of the manager to inspect a manufactured home or modular unit at any reasonable time before or during pendency of the claim or as directed by the commission.

AUTHORITY: sections 700.040 and 700.041, RSMo 2016. This rule originally filed as 4 CSR 240-126.020. Original rule filed April 6, 2009, effective Oct. 30, 2009. Amended: Filed July 6, 2017, effective March 30, 2018. Moved to 20 CSR 4240-126.020, effective Aug. 28, 2019. Amended: Filed April 29, 2026, effective Nov. 30, 2026.*

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