

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

LEVI AND ADRIENNE (GOBLE) TEEL,)
)
Complainants)
)
vs.) File No. MC-2020-0250
)
CLAYTON HOMES, CHAMPION)
HOMES, AND BILL HEMBREE,)
)
Respondents.)

**ANSWER OF RESPONDENT CMH HOMES, INC. D/B/A CLAYTON HOMES #651 TO
THE INSPECTION REQUEST AND CONSUMER COMPLAINT
FILED BY LEVI TEEL AND ADRIENNE GOBLE TEEL**

COMES NOW Respondent CMH Homes, Inc. d/b/a Clayton Homes #651 (“CMH”) and
for its Answer to the Inspection Request and Consumer Complaint filed by Levi Teel and
Adrienne Goble Teel hereby states:

1. CMH admits that on or about October 2017, CMH sold to Complainants a
Champion Ridgecrest home, Serial No. 021000HA004965AB pursuant to a written agreement.
2. CMH admits that Mr. Bill Hembree and others set the above-referenced home on
Complainants’ real property.
3. CMH is without sufficient information to admit or deny the allegations 1-40, and
therefore denies allegations 1-40.

Affirmative Defenses

1. By participating in this forum and all attendant discovery and evidentiary
hearings, CMH does not waive any and all rights it has to mediate and arbitrate any dispute
between CMH and Complainants as set forth in the sales agreement.

2. Complainants had significant control over the design, installation and construction of the home and its foundation, and some or all of the alleged defects may have been caused in whole or in part by Complainants' own acts or omissions.

3. The home was ordered in October of 2017, was built at the factory, and set on the Teel property in March of 2018 after a final visual inspection by the Complainants. Respondent William Hembree performed the set-up of the home.

4. As part of the purchase agreement, CMH agreed to construct footings, piers and a cosmetic concrete short-wall for the home. CMH hired Kaisler General Building to perform this work.

5. During the 12-month warranty period, CMH and Respondent Champion Homes conducted several service visits to make normal repairs and adjustments to the home.

6. On March 3, 2018, John Cayou inspected the Teel home and found certain set up deficiencies. On May 8, 2018, Ty Kaisler repaired most if not all of the deficiencies found by John Cayou.

7. In the Spring of 2019, Complainants alleged that the home was not level. A meeting was set to inspect the home. Kaisler, Hembree, and CMH's service manager were present, but Complainants failed to appear at the meeting. Nonetheless, each and every pier was inspected and found to be level, and the spacing between the bottom of the home and the cosmetic short wall was uniform.

8. In December of 2019, CMH received a state inspection report. CMH disagreed with many of the findings in the report, but upon information and belief, William Hembree tried to communicate with Complainants to address those issues raised in the state inspection report and received no response. Hembree also communicated with John Cayou.

WHEREFORE, having fully answered Complainants' Complaint and the Commission's Order, CMH respectfully requests the Complaint be dismissed and for any other relief this Commission deems just.

Respectfully submitted,

/s/ Christopher P. Leritz

Christopher P. Leritz, #39864

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ATTORNEYS FOR RESPONDENT

CMH HOMES, INC.

CERTIFICATE OF SERVICE

A copy of the foregoing was mailed this 24th day of March, 2020 to: Tyce S. Smith, Smith & Turley, P.O. Box 494, Waynesville, MO 65583.

/s/ Christopher P. Leritz