

Missouri Manufactured Housing Association

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**Missouri Public
Service Commission**

Public Service Commission
Dale Hardy Roberts Secretary
P.O. Box 360
Jefferson City, MO 65102

RE: Proposed Rules 4 CSR 240-120.085 Inspection Fee,
 4 CSR 240-121.065 Inspection Fee,
 4 CSR 240-123.095 Inspection Fee

Dear Mr. Roberts:

MMHA appreciates the opportunity to submit the following comments regarding the above referenced proposed rules.

MMHA has serious concerns regarding the adoption and implementation of the proposed rules for inspection fees on manufactured homes and modular units.

Since 2000, MMHA has supported the PSC on enacting rules/regulations and legislation increasing revenues for the manufactured housing program. These fees included an increase in the registration for dealers (\$50 to \$250) and manufacturers (\$250 to \$750), increases in modular seals from \$20.00 to \$80.00 dollars, an increase in modular plan approvals from \$50.00 to \$75.00, an inspection fee of \$30.00 per home delivered in Missouri and another increase in the seals in modular's from \$80.00 dollars to \$110.00 dollars. This reflects a significant increase in fees to the Missouri registered dealers and manufacturers.

The PSC staff numbers indicated a dramatic decrease in the number of complaints received from homeowners translating into a significantly lower number of complaint inspections and re-inspections. MMHA has serious concerns and questions regarding the need for additional revenues at this time over and above all of the fee increases implemented over the past three years, while program workload is on the decline.

MMHA strongly believes that any rule imposing an inspection fee should assure that the assessments only apply in cases of legitimate complaints regarding material defects and compliance.

No standard for a legitimate complaint regarding deficiencies regulated by the PSC exists in the proposed rule. Thus the assessment of the fee is purely at the discretion of the staff. Further, no appeals process is provided for the assessments.

All three rules imply that the fee will be assessed on all inspections conducted after the effective date of the rule rather than inspections based upon complaints received after the effective date of the rule.

Proposed rule 4 CSR 240-121.065 would assess a \$400.00 dollar inspection fee upon the manufacturer for inspection of pre-owned manufactured homes. This rule appears to make the manufacturer responsible for any material deficiency that exists even if caused by the set up contractor. Subparagraph 14 of all three proposed rules could impose a severe penalty for what could be a slight late payment of the assessed fees. If a manufacturer or dealer were one day late in payment for two consecutive months for a total of two days they could be subject to denial, suspension, revocation, or probation.

MMHA respectfully requests that PSC withdraw proposed rules 4 CSR 240-121.085, 4 CSR 240-121.065, and 4 CSR 240-123.095 in light of the lack of sufficient evidence and showing of cause for the need of additional revenues at this time and the potential inequity of assessment of the proposed fees upon manufacturers and dealers.

Thank you for the opportunity to submit these comments. Should you have any questions or comments please don't hesitate to contact the MMHA office.

Sincerely



Joyce Baker
Executive Director