

**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,)	
)	
vs.)	Case No. MC-2025-0108
)	
Stephen L. Johnson d/b/a Colony Cove, Inc.)	
and/or Sequiota Investments, Inc.,)	
)	
Respondent.)	

**RESPONDENT’S LIST OF ISSUES,
ORDER OF OPENING STATEMENTS
AND LIST OF WITNESSES**

COMES NOW Respondent Stephen Johnson, by and through counsel, and submits *Respondent’s List of Issues, Order of Opening Statements and List of Witnesses* in response to the Commission’s December 29, 2025 *Order Setting New Procedural Schedule* in the above-captioned proceeding.

The parties conferred but were unable to reach agreement on a “joint” list of issues and therefore agreed to file separate lists of issues. Their order of opening statements and list of witnesses are the same.

RESPONDENT’S LIST OF ISSUES

- A. Global / Threshold Issues (Applicable to All Counts)
 - 1. Whether the Manager of the Manufactured Homes and Modular Units Program has authority to initiate and maintain this proceeding.

2. Whether the Manager may prosecute or seek Commission findings relating to alleged criminal charges under section 700.045(5) and 700.671, RSMo, before the Commission.

3. Whether the Commission has authority to adjudicate alleged criminal violations under §§ 700.045(5) and 700.671, RSMo.

4. Whether any alleged criminal violation requires pleading and proof of *mens rea* and, if so, whether such *mens rea* has been alleged or can be established.

5. Whether adjudication of alleged criminal violations in this proceeding is authorized and consistent with applicable constitutional protections, including Article I, Sections 10, 17, 18(a) and 22(a) of the Missouri Constitution and the Fifth, Sixth and Fourteenth Amendments to the United States Constitution.

6. Whether section 386.570, RSMo, applies to the violations alleged in the complaint.

B. Party Identity / Corporate Structure (All Counts)

7. Whether Stephen L. Johnson, Colony Cove, Inc., and Sequiota Investments, Inc. are separate legal entities for purposes of liability in this proceeding.

8. Whether the Commission can make findings of conduct committed by Colony Cove, Inc. and/or Sequiota Investments, Inc. as non-parties to this proceeding.

9. Whether Stephen L. Johnson with respect to the alleged acts or omissions in the complaint was “doing business as” Colony Cove, Inc. and/or Sequiota Investments, Inc.

10. Whether the Commission has authority to apply veil-piercing principles to impose liability on Johnson for acts or omissions of non-party entities.

11. Whether Stephen L. Johnson, individually, purchased, owned, leased, set up, installed, anchored or failed to correct deficiencies in any of the manufactured homes at issue.

12. Whether Sequiota Investments, Inc. or Colony Cove, Inc. was the purchaser and/or owner of the homes at issue.

C. Inspection / Procedural Issues (All Counts)

13. Whether the activities alleged in the complaint concern “inspections of new manufactured home installations performed by licensed installers” under section 700.686, RSMo.

14. Whether the inspections at issue were “consistent with standards adopted pursuant to section 700.683 and with the requirements established by the United States Department of Housing and Urban Development,” pursuant to section 700.686, RSMo.

15. Whether the complaint identifies any “standards adopted pursuant to section 700.683 and with the requirements established by the United States Department of Housing and Urban Development.”

16. Whether the “standards adopted pursuant to section 700.683 and with the requirements established by the United States Department of Housing and Urban Development” concern the manner of inspection or manner of installation or both.

17. Whether Sequiota Investments, Inc., any lessee or some other person or entity was the “consumer” for purposes of 20 CSR 4240-120.065(2)(B).

18. Whether the inspections at issue were timely under 20 CSR 4240-120.065(2)(B).

19. Whether untimely inspections can trigger the statutory 90-day correction period.

20. Whether the statutory 90-day correction period was properly triggered and expired.

21. Whether the inspections at issue were invalid and of no potential legal effect if untimely under 20 CSR 4240-120.065(2)(B).

22. Whether any of the alleged “deficiencies” cited in any inspection correspond to any specific statute or regulation and whether the Manager’s failure to identify any specific statute or regulation for each deficiency precludes any finding in favor of Manager.

23. Whether Respondent was issued a valid and lawful notice or order to correct deficiencies sufficient to trigger obligations under § 700.045(5), RSMo.

D. Count I – Alleged Anchoring / Tie-Down Violations

24. Whether the Complaint identifies the “standards promulgated by the commission” under § 700.065 and whether a failure to plead and identify deficiencies as being in derogation of specifically identified standards precludes the relief sought by Manager.

25. What anchoring/tie-down standards apply and to whom they apply.

26. Whether Johnson was an “owner” subject to § 700.076.1, RSMo.

27. Whether the homes were “new manufactured homes” within the meaning of § 700.010, RSMo.

28. Whether Johnson was an “installer” subject to the requirements of section 700.683.1, RSMo.

29. Whether Manager has identified and pleaded installation instructions that were not followed and whether a failure to plead and identify deficiencies as being in derogation of specifically identified installation instructions precludes the relief sought by Manager.

30. Whether Manager has identified and pleaded the “manufactured home tie-down system standards adopted by the Commission under section 700.076” and whether a failure to plead and identify deficiencies as being in derogation of such identified standards precludes the relief sought by Manager.

31. Whether the deficiencies identified indicate a violation of 20 CSR 4240-127.010(X).

32. Whether Manager has identified and pleaded the specifics of the “manufacturer’s design” with respect to the anchoring system and the installation’s noncompliance and whether a failure to plead and identify deficiencies as being in derogation of such design precludes the relief sought by Manager under 20 CSR 4240-127.010(Z).

33. Whether the deficiencies indicated in the inspection reports indicate that “Respondent failed to properly anchor and/or tie down each of the homes” per specifically identified statutory or regulatory requirements.

34. Whether Johnson personally committed any violations under Count I as alleged by Manager.

35. Whether Respondent violated §§ 700.065 and 700.076.1, RSMo, and 20 CSR 4240-127.010.

E. Count II – Alleged Setup / Code Compliance

36. Whether Johnson rented, leased, sold or offered for sale “any new manufactured home.” (§ 700.015.1).

37. Whether the homes were “new” for purposes of § 700.015.

38. Whether the deficiencies recited in the inspection reports indicate that any of the homes did not comply with “the code” as referenced in section 700.015.1 and whether a failure to plead and identify deficiencies as being in derogation of “the code” precludes the relief sought by Manager.

39. Whether the homes at issue bore or did not bear “the proper seal” as referenced in section 700.015.1.

40. Whether section 700.015 applies to Johnson.

41. Whether Johnson, who is alleged not to be a licensed installer, is subject to the requirements of section 700.683.3.

42. Whether Johnson installed or set up any homes.

43. Whether Johnson was a “dealer” under § 700.010, RSMo.

44. Whether 20 CSR 4240-120.065(1)(B) applies only to dealers.

45. Whether HUD certification precludes a violation of § 700.015, RSMo.

46. Whether Respondent performed or was responsible for setup.

47. Whether Respondent violated § 700.015.1 and applicable regulations.

F. Count III – Alleged Installer Violations

48. Whether Johnson was an “installer” under §§ 700.656 and 700.671, RSMo.

49. Whether Johnson “engage[d] in the business of installing manufactured homes or [held] himself . . . out as a manufactured home installer in this state,” per section

700.656, RSMo.

50. Whether Johnson engaged in the business or acted in the capacity of a licensed installer or acted in the capacity of an installer, per section 700.671.1(6).

51. Whether hiring an unlicensed installer creates liability under §§ 700.656 and 700.671, and does the hiring party's knowledge or lack of knowledge of licensed status affect this.

52. Whether hiring an installer makes a person an "installer."

53. Whether Respondent violated §§ 700.656 and 700.671.

G. Count IV – Alleged Failure to Correct

54. Whether § 700.045(5) applies only to "new manufactured homes."

55. Whether section 700.045(5) applies to Johnson under the facts alleged, including whether the units were owned, manufactured or sold by him.

56. Whether the alleged installation deficiencies constitute "a code violation in a new manufactured home" as referenced in section 700.045(5).

57. Whether the inspection reports and correction notices were properly directed to Johnson.

58. Whether Respondent had a duty to correct deficiencies.

59. Whether any failure to correct constitutes a misdemeanor under § 700.045(5).

ORDER OF OPENING STATEMENTS

Staff

Stephen Johnson

LIST OF WITNESSES

Staff

David Freeman
Gregory Coates

Stephen Johnson

Stephen Johnson

WHEREFORE, Respondent respectfully submits *Respondent's List of Issues, Order of Opening Statements and List of Witnesses* in this case for the Commission's consideration.

Respectfully submitted,

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s/ Matthew D. Turner

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 31st day of March 2026 the foregoing
was sent via email to the following:

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s/ Matthew D. Turner

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