



Florida Department of Highway Safety and Motor Vehicles Division of Motorist Services Manufactured Housing Section

PROCEDURE: MHS - 04	SUBJECT: CONSUMER COMPLAINTS
DESCRIPTION AND USE: This procedure concerns how consumer complaints against manufactured home manufacturers and manufactured home dealers are addressed.	

I. PHILOSOPHY:

The policy of the Manufactured Housing Section (MHS) is to provide uniform, impartial and expeditious service to consumers and manufactured home manufacturers and dealers in the resolution of complaints and, when necessary, to seek remedial or disciplinary actions against licensees.

II. DEFINITIONS:

- A. **Complaint** – means Any allegation, regardless of its source, that a manufacturer or dealer has violated one or more of the provisions of chapter 319 or 320, Florida Statutes, or any other statutes or administrative rules of this state affecting the manner in which a manufacturer or dealer transacts business or provides service.
- B. **Licensee** – means Any person, firm, business, or organization licensed by the Division of Motor Vehicles to manufacture or sell manufactured homes or recreational vehicles.
- C. **Unit** – means a manufactured home, mobile home, or recreational vehicle.

*Revisions to the section: **Section E #3 b** – Changed verbiage from manufacturer or dealer to homeowner and from done to start. **Section VII B #2** – included at the end of the sentence and also to the Florida SAA. **ATTACHMENT I** – changed letter to current verbiage used. On all letters input current phone number for Program Supervisor and input proper verbiage for department from Manufactured Housing Section to Manufactured Housing Section. . **ATTACHMENT N** – Input **HUD** in title of report to state, 'MONTHLY HUD CONSUMER COMPLAINT REPORT'*

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III. ACCEPTING INITIAL JURISDICTION:

- A. It is the policy of the Division of Motor Service (DMS) that all complaints involving the direct relationship between a licensee and an ultimate consumer will be accepted, in writing, for purposes of investigation to determine the agency's jurisdiction and for processing the complaint, if appropriate. All such complaints received shall be counted for statistical purposes, following the guidelines set forth in this procedure.
- B. It is the policy and procedure of the DMS that a complaint initiated against a licensee must be in writing.
- C. Any complaint referred to the DMS by another organization involving a manufactured home or recreational vehicle manufacturer, whether licensed or unlicensed, shall be accepted for purposes of investigation to determine jurisdiction.

IV. DETERMINING JURISDICTION UPON INITIAL REVIEW OF COMPLAINT

- A. Upon initial review or investigation, a determination shall be made whether the DMS has jurisdiction. The following list are examples of some jurisdictional and non-jurisdictional items. This list is not exhaustive nor it is meant to be definitive. There may be cases on either list that, depending on the particular facts, will affect the issue of jurisdiction. These are only general guidelines.
 - 1. Cases in which the DMS does have jurisdiction:
 - a. Substandard Construction
 - b. Setup
 - c. Contractual Agreements
 - 2. Cases that normally would not be within the jurisdiction of the DMS include:
 - a. Verbal agreements between a consumer and a manufacturer or dealer.
 - b. Cosmetic items; e.g., drapes, carpet/floor covering quality and color, furniture, decorative items, etc., unless specified in the contract.
- B. In instances where the DMS cannot or does not intend to take jurisdiction, every effort should be made to refer the complainant to other agencies, attorneys, or to the manufacturer or dealer bonding agent so the complainant may receive some help. In every instance where the DMS is unable to assist, the complainant should be advised of the appropriate agency that he or she could turn to for assistance.

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- C. When bond information is sought by a complainant, the responsible party in the bureau shall obtain such information from the Bureau of Field Operations (BFO). This information may be received from any regional office of the BFO or from the Dealer Licenses Section in DMS headquarters. This information should then be sent to the complainant in writing. Complainants should not be referred to the BFO directly unless the complaint is a matter where that bureau has jurisdiction. To better serve the public, bond information should be provided as quickly as possible. The existence of the bond is for the protection of consumers. Therefore, in any situation where a bond claim may be involved, bond information should be provided to the complainant, even if that information has not been specifically requested.

V. COMPLAINT PROCESSING BY REGIONAL OFFICES:

- A. The following policies apply to the processing of complaints by regional offices:
1. Generally, the only complaints addressed by the MHS are warranty complaints where the unit involved is less than one year old.
 2. All complaints received from consumers against a manufacturer or dealer must be in writing. This may involve a MHS Complaint Registration form HSMV-81095 (see **Attachment A on page 14**) or a letter written by the complainant. In no case will a complaint written in a letter be refused.
 3. Complaints received from individuals who appear at a regional office should be completed on a MHS Complaint Registration form.
 4. If a complaint is made verbally, the complainant should be advised that the complaint must be submitted in writing and the regional office should provide the complainant a copy of the MHS Complaint Registration form. If the complainant chooses to write a letter, he or she should be advised that they should indicate the name of the dealer or manufacturer, the date of purchase, HUD label number, complete directions to the home involved, and a telephone number where they can be contacted.
 5. All complaints are to be forwarded to the MHS Complaint Office.
 6. If it is determined by a telephone conversation that a complaint is not within the jurisdiction of DMS because of age of the unit, nature of complaint, etc., the consumer is to be so advised during the telephone conversation.
 7. For all complaints involving a contractual matter, the complaint should be accompanied by copies of the necessary supporting documentation. Generally, such complainants should be advised to submit copies of all documentation they received from the manufacturer or dealer with their complaint. Such complaints are generally referred to the relevant regional office of the Bureau of Field Operations (BFO).
 8. In the event that additional information is needed from the complainant, such as directions to the home involved, a letter of request should be sent

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to the complainant (see **Attachment B on page 16**). The date of this request should be documented for future reference.

9. If a complaint is received by mail, the complainant's address should be verified by matching the complaint information with the return address on the envelope. The post mark date should be cross-checked with the date received prior to discarding the envelope.
- B. A Date stamp should be applied to all complaint materials received. Generally, this can be done on the top page of the documentation submitted, however, if there is to be separation of this documentation, then each page should be date stamped.
- C. All complaints shall be entered into the Complaints Data Base. The Data Base will assign a file number. The following complaint information should be entered into the data base.
1. Date complaint received
 2. Name and address of complainant.
 3. Identify of unit (HUD, RV, or PT)
 4. Name of manufacturer and dealer. If this is unknown, leave this blank and enter it upon receipt of the compliance examiner's investigative report.
 5. Name of compliance examiner to whom the complaint was assigned.
- D. A file folder shall be prepared for each complaint.
1. File folders should be prepared in the following manner:
 - a. Use letter size folders.
The label for the file folder should indicate the complainant's name, manufacturer and dealer, date of opening, date of closing, and the file number assigned by the data base. A letter size sheet of lined paper is to be stapled to the inside front cover of the file folder for the purpose of recording all oral communications with the manufacturer, dealer, complainant, and any other concerned persons.
 2. Open complaints should be filed in alphabetical order by the complainant's last name.
- E. Determining Jurisdiction:
1. A review of the complaint shall be made to determine whether the DMS has jurisdiction. This determination shall be made within two working days of receiving the complaint.
 2. If the MHS **does not have jurisdiction**:

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- a. A letter will be sent to the complainant explaining that the DMS does not have jurisdiction (**see Attachment C on page 17**). This letter shall contain a clear and complete explanation of the basis for this conclusion and, when possible, shall also include referral to the appropriate agency that may be able to assist the complainant.
 - b. A copy of the letter to the complainant along with the complaint will be filed.
 - c. If the complaint involves tag and title problems only, the complainant shall be referred to the relevant regional office of the BFO which addresses such complaints. A letter shall be sent to the complainant explaining that the complaint has been referred to the BFO indicating the address and telephone number of the BFO regional office to which it was referred. A copy of this letter and a copy of the complaint are then sent to the relevant BFO regional office. The BFO regional office will **send a copy of the complaint closing letter to the MHS regional office** that referred the complaint to document how the complaint was closed. When the BFO refers a complaint to the MHS, the MHS regional office will also **send a copy of the closing letter to the BFO regional office** for this purpose.
 - d. If it is determined that the DMS does not have jurisdiction during the investigation, a "no jurisdiction" letter is sent to the complainant and the complaint is closed. In the data base, data shall be entered indicating no jurisdiction.
 - e. All closed complaints should be filed alphabetically by the last name of the complainant.
3. If the MHS **has jurisdiction**:
- a. Upon determining that the MHS has jurisdiction, the program supervisor shall immediately assign the complaint to a compliance examiner for investigation using the Complaint Assignment form (**see Attachment D on page 18**).
 - b. In addition, the program supervisor will provide the compliance examiner an introductory letter to be presented to the homeowner when the inspection is started (**see Attachment E on page 19**).
 - c. The compliance examiner shall attempt to contact the complainant to schedule an appointment to discuss the complaint within one week of receiving the complaint, and shall document all attempts to contact the complainant.

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VI. INVESTIGATION PROCEDURES:

- A. The resolution of complaints and any subsequent administrative action against a manufacturer or dealer must be based on Florida laws. Therefore, investigations must be conducted in a manner to clearly identify the existence or nonexistence of a violation of chapters 319 or 320, Florida Statutes.
- B. With regard to the investigation, a compliance examiner should do the following:
 - 1. The compliance examiner should report their findings to the MHS Complaint Office as an attachment to an E-Mail or hand written in the event of computer trouble on Investigation Report Form HSMV-81030 (**see Attachment F on page 20**).
 - 2. If the investigative report consists of both manufacturer and dealer problems, the compliance examiner should separate these problems into two reports.
 - 3. Compliance examiners must submit accurate, legible and complete investigative reports within two days following inspection.

VII. OFFICE PROCEDURES FOR PROCESSING A COMPLAINT AFTER INVESTIGATION:

- A. Upon receipt of the investigative report in the MHS Complaint Office, the following action is taken:
 - 1. The complaint file is pulled, attached to the back of the investigative report, and given to the program supervisor for review.
 - 2. The program supervisor screens the compliance examiner's investigative report and returns the report(s) to the clerical staff for processing. If there is both a manufacturer and dealer portion of the report, each portion should be processed on a separate investigative report form.
- B. The actions necessary for processing HUD complaints are as follows:
 - 1. Manufacturer and Dealer Actions:
 - a. A notification letter is sent to the manufacturer and/or dealer with the investigative report attached (**see Attachments G and H on pages 21 and 22 respectively**). These items are sent to the manufacturer and/or dealer by regular mail. A copy of these items are enclosed in the complaint file folder.

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- b. A letter is sent to the complainant notifying them that their complaint is being investigated, informing them which compliance examiner is involved, and encouraging them to cooperate with the manufacturer in getting necessary repairs (**see Attachment I on page 23**). A copy of this letter is also enclosed in the complaint file folder.
 - c. The manufacturer or dealer response due date shall be 30 days from the date of notification and shall be stamped on the investigative report that accompanies the letter of notification.
 - d. The date recorded on the investigative report as the response due date is to be written on the complainant's file folder.
 - e. Any return receipt cards received back to the MHS Complaint Office are placed in the complaint file folder. The date recorded on the investigative report as the response due date is used as the date for determining follow-up. In order to determine when follow-up is due, a clerical person should be assigned the task of reviewing all open complaints once a week.
2. **If the manufacturer involved in the complaint is located out of state** Notification is sent to the SAA in that state (**see Attachment J on page 24**) along with a copy of the investigative report. The out of state Manufacturer must respond to the SAA in that state and also to the Florida SAA.
3. When a signed work order is received in the MHS Complaint Office from the manufacturer and/or dealer indicating that all repairs have been satisfactorily completed, that work order is enclosed into the complaint file folder and given to the program supervisor for review. After the review, the file will be held for end of month closing. At the end of each month, all pertinent information is recorded in the Complaint Data Base and the complaint is closed. Complaints are filed alphabetically by the last name of the complainant.
- C. Mobile/Manufactured Home Complaints:
- 1. Manufacturer and Dealer Actions:
 - a. A notification letter is sent to the manufacturer and/or dealer with a copy of the investigative report. The letter and investigative report are sent to the manufacturer and/or dealer by regular mail. The complaint is placed back into the open complaint file.
 - b. The manufacture and/or dealer response due date shall be 30 days from the date of notification and shall be stamped on the investigative report that accompanies the letter of notification.
 - c. The date recorded on the investigative report as the response due date is to be written on the complainant's file folder.
 - d. The response due date recorded on the investigative report is to be

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used as the date for determining the due date for follow-up. In order to determine when follow-up is due, a clerical person should be assigned the task of reviewing all open complaints at least once a week.

2. If within the time allowed to the manufacturer and/or dealer, a signed work order is received by the MHS Compliant Office from the manufacturer and/or dealer indicating that all repairs have been satisfactorily completed, the complaint file is pulled out of the open complaint file drawer and attached to the work order and provided to the program supervisor for review.
3. If the resolution of the complaint is accepted by the program supervisor the complaint is closed and the complaint file is placed in the closed complaint file drawer organized alphabetically by complainant's last name.

VIII. DELINQUENT COMPLAINT RESOLUTIONS:

- A. If no response is received from the manufacturer and/or dealer within the time allotted, the file is pulled and given to the program supervisor for review. Depending on the particular circumstances revealed when reviewing the file, the program supervisor may decide to either write a letter to the manufacturer and/or dealer requesting a status report on the complaint, or may make a telephone call to the manufacturer and/or dealer to discuss this matter. If contact is made by telephone or in person, a synopsis of that conversation is to be written on the record sheet that is attached to the front cover of the complaint file folder.
- B. Unless there are extenuating circumstances, a letter is prepared notifying the manufacturer and/or dealer that the complaint is being turned over to the assistant chief of the MHS for administrative review which could result in an administrative complaint being filed against the manufacturer and/or dealer with the consequence of a fine or license suspension or revocation (**see Attachment K on page 25**) This letter is sent to the manufacturer and/or dealer by certified mail with return receipt requested. A copy of this letter is sent to the complainant and a copy is placed in the complaint file folder.
- C. The file provided to the manufactured housing section supervisor includes the following:
 1. Copy of the original complaint.
 2. Copy of the investigative report.
 3. Copies of any additional correspondence received from the complainant.
 4. Copies of any correspondence received from the manufacturer and/or dealer.
 5. Copy of the final letter to the manufacturer and/or dealer notifying them that the complaint has been referred.

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- D. Upon receipt of the materials from the regional office in the section supervisor's office, a letter will be sent to the manufacturer and/or dealer informing them that, if notification is not received within 10 days, advising that the home in question has been brought into compliance with Florida Statutes and Federal regulations, an administrative complaint will be filed against them which could result in suspension or revocation of their license. This letter is to be sent by certified mail with return receipt requested. A copy of this letter is sent to the division director and the program supervisor making the recommendation. If written notice is received from the manufacturer and/or dealer within the 10 days allotted, indicating that the home in question has been brought into compliance, the complaint is closed and the relevant regional office notified.

IX. RESOLVING AND CLOSING COMPLAINTS:

- A. A complaint is not to be considered resolved and will not be closed until the case file contains documentation that the home has been brought into compliance in the form of signed work orders, a letter from the manufacturer and/or dealer indicating the home has been brought into compliance, or a letter of settlement with the complainant.
- B. A close-out letter is to be sent to each complainant whose complaint file is closed (see **Attachment L on page 26**).
- C. When a complaint has been resolved and closed, the complaint file is removed from the open complaint file drawer and filed alphabetically in the closed complaint file drawers by the last name of the complainant.
- D. When complaints are closed all relevant information is to be entered into the Complaint Data Base.

X. RE-INSPECTIONS:

- A. A re-inspection of the mobile home may be requested by the manufacturer, dealer or consumer as an aid toward solving difficult complaints or complaints that have reached an impasse. Also, a re-inspection may be deemed necessary by division personnel in order to evaluate current status.
- B. A fee will be assessed against the manufacturer or dealer in accordance with Rule 15C-2.003, if a re-inspection is deemed necessary in order to resolve a complaint and items originally charged to the manufacturer and/or dealer are found to be incomplete. Fees will be submitted on form HSMV-81032 (see **Attachment M on page 27**). The manufacturer or dealer is to be advised of possible fee assessment, either in writing or verbally, prior to making the re-inspection. If notified by telephone, it will be noted in the file with the date of notification.

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XI. HANDLING UNRESOLVED OR DIFFICULT COMPLAINTS:

- A. When a manufacturer and/or dealer has filed for bankruptcy and is no longer in business, the manufactured housing section supervisor of the MHS is to be notified in writing immediately. The program supervisor shall obtain manufacturer and/or dealer bond information immediately and provide this information to all affected complainants.
- B. In some cases, the complaint will only be resolved by filing an administrative complaint against the manufacturer and/or dealer. This process is explained later in this procedure.
- C. It is the obligation of the MHS Complaint Office and the compliance examiner involved to make every effort to mediate a resolution of the complaint.
- D. Administrative complaints will be filed against a manufacturer and/or dealer whenever complaint resolution exceeds 120 days unless there were extenuating circumstances.
- E. In cases where the complainant refuses to cooperate in resolution of the complaint, the MHS Complaint Office will close the complaint with a statement and any documentation obtained in the investigation indicating that the complainant refused to cooperate in resolving the complaint.

XI. ADMINISTRATIVE DISPLINARY ACTIONS:

- A. It is the policy of the DMS that, when appropriate, disciplinary action will be taken against any manufacturer and/or dealer who refuses to resolve consumer complaints. This will be done through the Administrative Complaints procedure (see **Procedure MHS-20**).
- B. The appropriateness of situations leading to disciplinary actions are generally at the discretion of the program supervisor and program manager involved and with possible involvement of the bureau chief and division director.
- C. Theoretically, any provable violation of any provisions of chapters 319 and 320, Florida Statutes is grounds for taking disciplinary action against the manufacturer and/or dealer, however, the use of such disciplinary action should be tempered with an understanding of its purpose and function. Generally, this is a last resort in resolving consumer complaints.

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XII. INITIATING A REQUEST FOR ADMINISTRATIVE COMPLAINT:

- A. A request for an administrative complaint against a manufacturer and/or dealer may be initiated by a regional office, however, they should be made through the relevant program manager. Such a request should include the following materials:
 - 1. A cover memorandum requesting an administrative complaint against the manufacturer and/or dealer.
 - 2. A copy of the investigative reports regarding complaints against the manufacturer and/or dealer.
 - 3. All supporting documentation regarding findings of the investigative report.

- B. The program manager will review requests for administrative complaints against a manufacturer and/or dealer for sufficiency. When the chief approves the request, he submits it to the DMS hearing officer for preparation of the administrative complaint. **(For details of the Administrative Complaints procedure, see Procedure MHS-20.)**

XIII. PROCEDURE FOR COMPLETING THE INVESTIGATIVE REPORT:

- A. The investigative report form (HSMV-84900) must be completed in its entirety.

- B. The investigative report shall include the following information:
 - 1. Identification of the MHS regional office conducting the investigation. Date the complaint was filed with the regional office.
 - 2. The name, address and license number of the manufacturer or dealer involved. If the complaint involves both a manufacturer and a dealer, separate investigative report forms should be completed for each.
 - 3. The name, address and telephone number of the complainant.
 - 4. Date the report was prepared.
 - 5. The inclusive dates of the investigation. The beginning date should be the date the complaint was received. The ending date should be the date the report is completed or an indication that the investigation is still ongoing.
 - 6. Type of report which may be Consumer Complaint, Investigation, or Supplemental, or Administrative Complaint.
 - 7. A list of all violations of chapters 319 and/or 320, Florida Statutes including the facts of the violations.
 - 8. The details of the body of the report should be as follows:

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- a. The presentation of findings should be in chronological order of events.
 - b. The analysis should be objective and include facts only. Assumptions and opinions are not to be included in the report. There should be no citations to laws that have been violated in the body of the report, however, the presentation of facts should clearly show violations of law. If the manufacturer and/or dealer were not guilty of any violations of law, this should also be clear in the body of the report.
 - c. It should be assumed that the reader knows nothing about the case. Without such an assumptions the compliance examiner may delete important facts. If the reader has to ask why certain information is in the report, it is an indication that the facts have not been clearly explained.
 - d. Although documents supporting factual assertions in the report should be included with the report, the compliance examiner should not assume the reader will make sense of the supporting documentation. All the facts should be clearly explained in the body of the report, however, the body of the report should reference the relevant supporting documentation.
 - e. All information relevant to the complaint should be included in the report.
 - f. Supporting documentation should be arranged in the order they are referenced in the report and should be numbered or lettered for clear reference.
9. References to other related cases either against the same manufacturer and/or dealer or complaints by the same complainant against other manufacturers or dealers.
 10. The compliance examiner who prepared the report should sign and date the report and the program supervisor should also sign the report to document his or her review.
 11. The program supervisor shall review all reports to determine their completeness and sufficiency. If any questions of fact are left unanswered or if additional information is necessary, the program supervisor should return the report to the compliance examiner who prepared the report with notation of what is needed.
 12. When the report is approved by the program supervisor, it is sent to the MHS Complaint Office.

XIV. CONSUMER COMPLAINT REPORTING PROCEDURES:

A status report shall be provided to the bureau chief at the first of each month on all **HUD complaints** using form HSMV-81031 (**See Attachment N on page 28**). This report shall include the following:

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- A. A list of all complaints received during the previous month in the column captioned "Total Complaints Received." If a complaint is too old it should be listed as such. No HUD complaint should be classified as "too old" until it is investigated. All complaints for which the bureau does not have jurisdiction should be listed in the column captioned "No Jurisdiction." Complaints that do not fall into either of these categories are to be listed in the column captioned "Other."
- B. In general, there will be fewer complaints investigated than complaints received. When listing the complaints that have been investigated, list all type complaints that fall under the column captioned "Type Unit." The MHS Complaint Office should include with each complaint investigated the name and address of the manufacturer and/or dealer involved and the ID number of the unit involved. Only HUD units manufactured in Florida and coded "A" and "B" are to be recorded on form HSMV-81031.
- C. On the investigative report form (HSMV-81030), the program supervisor shall code the complaint using one of the following codes:
- A = New complaint with violations cited against the manufacturer and/or dealer.
 - B = Re-inspection (New Problem) - listing additional problems not written up on the previous inspection
 - C = Re-inspection (Not Complete) – violations written up on the previous inspection that have not been corrected or work completed.
 - D = No Jurisdiction – The compliance examiner's investigation concluded that the bureau did not have jurisdiction or the manufacturer or dealer was not guilty of any violations of law.
 - E = Too Old – Due to nature of complaint or age of the unit the manufacturer or dealer is not responsible.
 - F = Repairs Completed (No Inspection) – Manufacture or dealer completed repairs on the unit before the compliance examiner began the investigation.

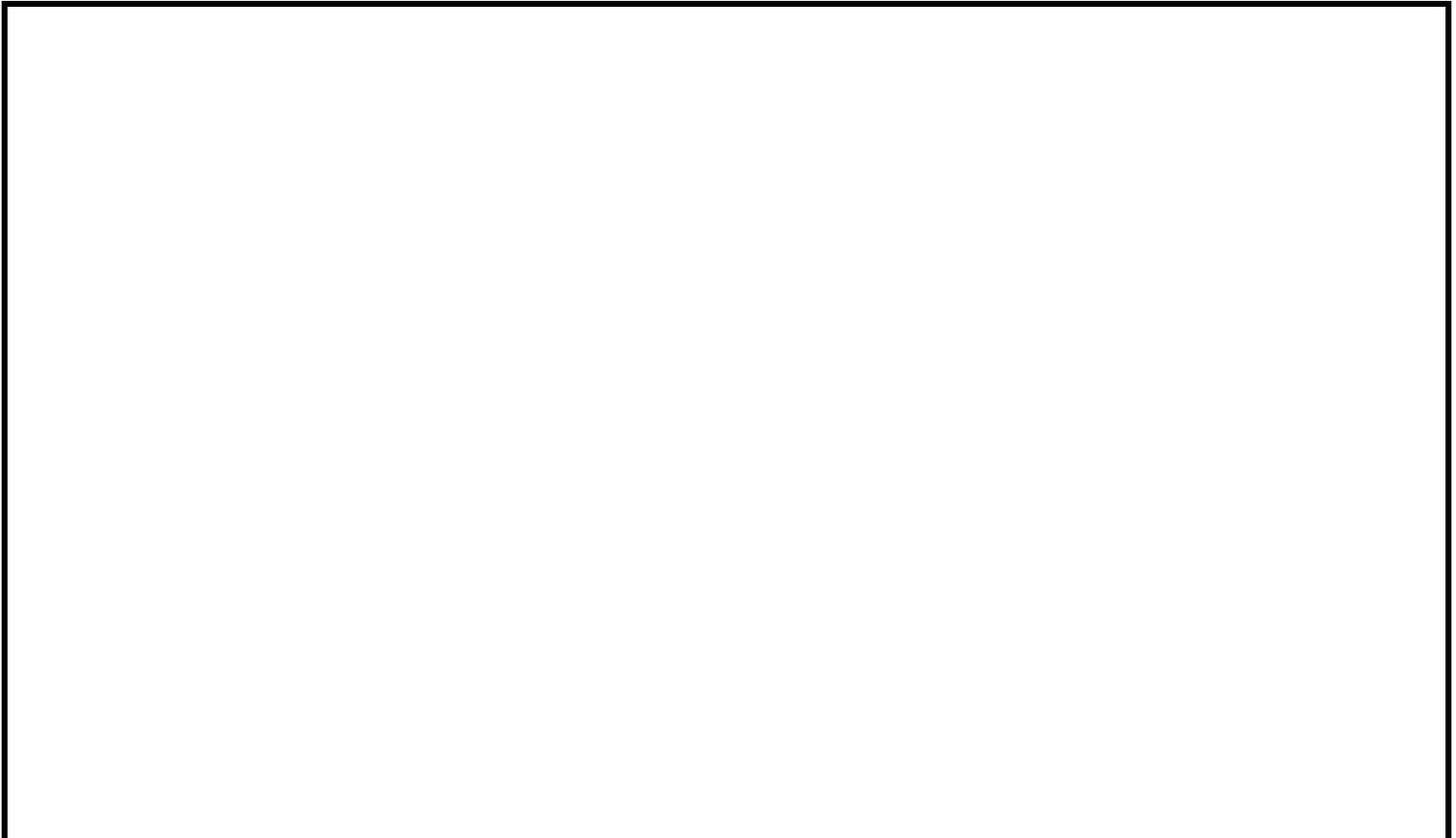
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Directions to the Mobile Home

Location: Directions must start from a known specific point so that the compliance examiner may proceed directly to the location of your home.

In the space below, draw a sketch using highway road numbers, names and other landmarks or point of location indicating exactly how to find this property



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ATTACHMENT B



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhamv.gov

January 12, 2004

Mr. Joseph Smedly
1234 Highlight Avenue
Tampa, Florida 33060

RE: Mobile Home Complaint
ID #: Need Serial Number

Dear Mr. Smedley:

Thank you for sending us your recent complaint about your mobile/manufactured home. We need some additional information from you in order to investigate your complaint.

Attached you will find your incomplete complaint form. Some very important information is missing from this form. We must have this information to process your complaint. Please fill out the highlighted areas and return this form to our office.

Upon return of the completed form to this office, your complaint will be assigned to a compliance officer and the investigation process will begin immediately.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 E. Hillsborough Avenue, Suite 2228
Tampa, Florida 33610
Telephone: (813) 612-7140

VML/ejb

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ATTACHMENT C



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhamv.gov

January 12, 2004
Mr. Joseph Smedley
1234 Highlight Avenue
Tampa, Florida 33060

RE: Mobile Home Complaint
ID #:

Dear Mr. Smedley:

Thank you for sending us your recent complaint about your mobile/manufactured home.

Our jurisdiction is limited, however, to structural, mechanical, electrical, plumbing, heating, and life safety issues. We have no jurisdiction over non-structural issues or cosmetic items such as floor coverings, panel blemishes, paint, window shades or items not attached to the home.

Unfortunately, the items you are referring to in your complaint do not fall within our jurisdiction. We are very sorry we cannot assist you because of this limitation on our authority.

You may wish to seek private counsel to address your concerns. You may obtain a lawyer referral by calling (800) 342-8011, or by calling your local bar association directly. Finally, you may also want to inquire if your county has a Dispute Resolution Center or program that handles disputes without having to go to court.

I hope this information is useful and that you can find a resolution to your problem.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 E. Hillsborough Avenue, Suite 2228
Tampa, Florida 33610
Telephone: (813) 612-7140

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ATTACHMENT D

CONSUMER COMPLAINT ASSIGNMENT SHEET

Log ID #		CONSUMER NAME					
		ADDRESS			COUNTY		
		MAILING ADDRESS					
OPENED		CITY		STATE		ZIP	CC PHONE # H
CLOSED		ID #					CC PHONE # W
DAYS OPEN							
		MANUFACTURER					
DATE ASSIGNED		MFG ADDRESS					
CALL IN DATE		MFG CITY		STATE		MFG ZIP	
INSPECTION DATE		MFG PHONE #				MFG FAX #	
REPORT RCD		MFG LICENSE #					
INSTALLER LIC #		MFG					
INSTALLER LABEL		VIOLATIO					
		CODE					
INSTALLER NAME							
		DEALER					
ASSIGNED TO		DLR ADDRESS					
STATUS		DLR CITY		STATE		DLR ZIP	
		DLR PHONE #				DLR FAX #	
		DLR LICENSE #					
TBR – To Be Run		NU-No Jurisdiction					
SPI – Subpart I		R – Re-inspection		DLR			
		VIOLATION					
		CODE					

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ATTACHMENT E



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhsmv.gov

MANUFACTURED HOUSING SECTION

Acting under the authority of Chapter 320, Florida Statutes, the Manufactured Housing Section, a functional part of the Department of Highway Safety and Motor Vehicles, is responsible for assuring compliance with established federal and state standards for the construction of mobile homes and recreational vehicles. This agency is also responsible for overseeing the handling of consumer complaints against manufacturers and dealers in the State of Florida. The Department of Highway Safety and Motor Vehicles is committed to achieving a fair and final resolution to all complaints; however, there are areas in which our agency has no jurisdiction. Some of these are:

- (1) Verbal agreements between consumer and manufacturer/dealer.
- (2) Cosmetic items; e.g., drapes, carpet/floor covering quality and color, furniture, decorative items, etc., unless specified in the contract.
- (3) Additions and/or alterations made to the home by the owner or a private contractor.

The inspector who will be investigating your complaint is trained to recognize code deficiencies and will make a fair and impartial evaluation of your complaint. You will receive copies of all correspondence written from our office pertaining to your complaint. Before signing the manufacturer's or dealer's service work order, you should be certain that all repairs listed on the work order are complete. If there are remaining items to be completed, a notation to this effect should be made on the work order.

Inquiries regarding your complaint should be made to:

Victoria M. Ladd, Planner II
Manufactured Housing Section
5701 E. Hillsborough Avenue, Suite 2228
Tampa, Florida 33610
Telephone: (813) 612-7140

MANUFACTURED HOUSING SECTION

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ATTACHMENT F INVESTIGATION REPORT

MANUFACTURER _____ ST. OR P. O. _____ CITY/STATE/ZIP _____ PHONE # _____ LICENSE # _____ DEALER _____ ST. OR P.O. _____ CITY/STATE/ZIP _____ PHONE # _____ LICENSE # _____ INSTALLER _____ LICENSE # _____	COMPLAINANT _____ ST. OR P.O. _____ CITY/STATE/ZIP _____ PHONE # _____ YEAR _____ MAKE _____ DATE PURCHASED _____ I.D. NUMBER _____ SEAL/LABEL # _____ DATE OF MFG. _____ DAPIA _____ MH/PT/RV _____ CURRENT TAG # _____ INSTALLATION DATE _____ INSTALLER LABEL # _____
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COMPUTER CODES	MANUFACTURER VIOLATIONS

MILES _____ HOURS _____ CLOSE OUT DATE _____	INVESTIGATED BY: _____ INVESTIGATION DATE: _____
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MANUFACTURED HOUSING SECTION

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ATTACHMENT G



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhsmv.gov

January 13, 2004

Service Manager
ABC Manufactured Homes, Inc.
1234 Highway Avenue
Tampa, Florida 33606

RE: Joseph Smedly
ID #:

Dear Sir:

Attached is a copy of an investigation report listing items to be corrected on the home owned by the above referenced consumer.

Subpart I, Section 3282.404 of the Federal Regulations, requires the manufacturer to carry out any necessary investigations and inspections within 20 days after receipt of the information and maintain records of all such information and determinations.

Florida's mobile home warranty law, section 320.837(3), Florida Statutes, requires defects to be corrected within 30 days from the receipt of written notification. If this timeframe cannot be met, you are to contact the claimant in writing with the reason for the delay. Written notification accompanied by a signed release and/or work order from the complainant must be received in this office within the time allotted by Federal Regulations, Subpart I and Florida Statute 320.837.

Failure to take required action on your part may subject your business to sanctions imposed by the Division of Motor Vehicles that include license suspension or revocation and civil penalties of up to \$1,000.00 per violation that are authorized pursuant to sections 320.77(12) and 320.8225(8), Florida Statutes.

Your immediate attention to this matter is required. Do not allow this matter to put your license to do business in Florida in jeopardy.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 East Hillsborough Avenue, Suite 2228
Tampa, Florida 33610 Telephone: (813) 612-7140

MANUFACTURED HOUSING SECTION

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ATTACHMENT H



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhsmv.gov

January 13, 2004

Service Manager
ABC Manufactured Homes, Inc.
1234 Highway Avenue
Tampa, Florida 33606

RE: Joseph Smedly
ID #:

Dear Sir:

Attached is a copy of an investigation report listing items to be corrected on the home owned by the above referenced consumer.

To expedite correction of any installation violations, please provide a copy of the investigative report to the installer of the home immediately.

Florida's mobile home warranty law, section 320.837(3), Florida Statutes, requires defects to be corrected within 30 days from the receipt of written notification. If this timeframe cannot be met, you are to contact the claimant in writing with the reason for the delay. Written notification accompanied by a signed release and/or work order from the complainant must be received in this office within the time allotted by Federal Regulations, Subpart I and Florida Statute 320.837.

Failure to take required action on your part may subject your business to sanctions imposed by the Division of Motor Vehicles that include license suspension or revocation and civil penalties of up to \$1,000.00 per violation that are authorized pursuant to sections 320.77(12) and 320.8225(8), Florida Statutes.

Your immediate attention to this matter is required. Do not allow this matter to put your license to do business in Florida in jeopardy.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 East Hillsborough Avenue, Suite 2228
Tampa, Florida 33610 Telephone: (813) 612-7140

MANUFACTURED HOUSING SECTION

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ATTACHMENT I



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.fhsmv.gov

January 13, 2004

Mr. Joseph Smedley
1234 Highland Lane
Tampa, Florida 33606

Dear Mr. Smedley:

Attached is a copy of the investigation report from our recent inspection of your home.
The items listed are those over which we have jurisdiction .

Please work with your manufacturer and/or dealer to allow them to make repairs within the time
frame established by the Florida Warranty Law.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 East Hillsborough Avenue, Suite 2228
Tampa, Florida 33610
Telephone: (813) 612-7140

Enclosure

MANUFACTURED HOUSING SECTION

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ATTACHMENT J



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhsmv.gov

January 13, 2004

Manufactured Housing Division
State Fire Marshall's Office
#2 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334

RE: Joseph Smedley
ID # :

Dear Sir or Madam:

We have received a complaint from the above named consumer on a mobile home produced by a manufacturer in your state. An inspection of the home was made by our inspector and the deviations found are listed on the attached investigative report.

Some of the items listed may not be serious defects or imminent safety hazards. Florida Statutes require the manufacturer to warrant the home to be free from substantial defects for a period of 12 months from the date of delivery to the consumer.

The attached report is being forwarded to you for your information and is offered as a source for correlating non-conformities to assist in identifying specific trends that may be developing in a given manufacturing facility.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 East Hillsborough Avenue, Suite 2228
Tampa, Florida 33610
Telephone: (813) 612-7140

MANUFACTURED HOUSING SECTION

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ATTACHMENT K



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhamv.gov

January 13, 2000
President of Company
ABC Manufactured Homes, Inc.
1234 Levy Street
Tampa, Florida 33060

RE: Past Due Complaint
Joseph Smedley

Dear Sir or Madam:

This is in reference to the past due complaint referenced above. This complaint has been open since 10/27/99 so the past due status has become very severe.

Florida statute 320.835 provides that repair of defects must be accomplished within 30 days of notification. Also, section 320.822(8), Florida Statutes, outlines sanctions, which include license suspension or revocation and civil penalties of up to \$1,000 per violation.

To prevent the possibility of administrative review, we ask you to immediately provide the required service to this consumer complaint. We also ask you to remain current in the future with the reply due date stamped on all investigative reports received by your dealership.

It is requested that you immediately contact this consumer and schedule a date for repairs. Failure to complete repairs by 2/21/00 will give us no choice but to forward this Complaint to our Tallahassee office to review for further action. Please govern your actions accordingly.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 East Hillsborough Avenue, Suite 2228
Tampa, Florida 33610
Telephone: (813) 612-7140

MANUFACTURED HOUSING SECTION

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ATTACHMENT L



Terry L. Rhodes
Executive Director

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhamv.gov

January 13, 2004

Mr. Joseph Smedley
1234 Highland Avenue
Tampa, Florida 33606

RE: Mobile Home Complaint
ID #:

Dear Mr. Smedley:

This letter is in reference to your mobile/manufactured home complaint on file with this office. The dealer and/or manufacturer has provided documentation indicating that the deficiencies listed on our investigation report dated 02/13/04 and over which we have jurisdiction have been corrected. Based on this information, if no contradictory reply is received within five days, we will retire your file.

Thank you for your cooperation with the manufacturer and/or dealer to ensure that repairs to your home were made timely.

Sincerely,

Victoria M. Ladd, Program Supervisor
Manufactured Housing Section
5701 East Hillsborough Avenue, Suite 2228
Tampa, Florida 33610
Telephone: (813) 612-7140

MANUFACTURED HOUSING SECTION

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**ATTACHMENT M
Inspection or Investigation
HOURLY CHARGE REPORT**

Date

Manufacturer or Dealer: _____

Address: _____

Check One: INSPECTOR ENGINEER or DESIGNATED PERSON
(Charge: \$30.00 per hour, plus mileage) (Charge: \$45.00 per hour, plus mileage)

TRAVEL TIME

Departure Time	Arrival Time	Travel Time	Auto mileage
_____	_____	_____	_____
_____	_____	_____	_____
Total Travel Time _____ hr			Total Mileage _____

INSPECTION TIME

Beginning Time	Ending Time	Total Time
_____	_____	_____
_____	_____	_____
		Total Time _____

TOTAL AUTO MILEAGE _____ x 44.5 CENTS = \$ _____

TOTAL MILEAGE &
TOTAL INSPECTION TIME = _____ x _____ \$ _____ = \$ _____

MISC. CHARGES _____ = \$ _____

GRAND TOTAL OF ALL CHARGES = \$ _____

Explain Inspection or Investigation: _____

MANUFACTURED HOUSING SECTION

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ATTACHMENT N

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MONTHLY HUD CONSUMER COMPLAINT REPORT

DISTRICT: _____

MONTH/YEAR: _____

A	New Complaint (MH12)	D	No Jurisdiction	G	Other
B	Re-inspection (New Problem)	E	Too Old		
C	Re-inspection (Not Complete)	F	Repairs Complete (No Inspection)		

TYPE OF UNIT	COMPLAINTS RECEIVED			COMPLAINTS INVESTIGATED			
	TOO OLD	NO JURISD.	OTHER	TOO OLD	NO. JURISD.	MH12 COMPL.	OTHER
ANSI							
HUD NEW							
HUD USED							
R.V. NEW							
R.V. USED							
TOTAL							

TOTAL COMPLAINTS RECEIVED: _____ TOTAL COMPLAINTS INVESTIGATED: _____

CLOSED CONSUMER COMPLAINTS

HUD LABEL	I.D. #	MFR'S NAME/ADDRESS	CONSUMER'S NAME/ADDRESS	DATE	CODE

