

**BEFORE THE MISSISSIPPI INSURANCE DEPARTMENT  
STATE OF MISSISSIPPI**

**IN RE: ALLEN ROWE MOBILE HOME SERVICE, INC.  
INSTALLER/TRANSPORTER LICENSE # 15009352**

**FINAL ADMINISTRATIVE ORDER**

**THIS MATTER** came on for hearing before the Commissioner of Insurance of the State of Mississippi (hereinafter “Commissioner”), by and through his specially designated appointee, the Hon. Brandon White (hereinafter “Hearing Officer”), in the Office of the Commissioner, 10<sup>th</sup> Floor, Woolfolk State Office Building, 501 North West Street, Jackson, MS 39205, on Wednesday, April 9, 2014, at 01:30 o’clock p.m., pursuant to a Notice of Hearing and Statement of Charges brought against ALLEN ROWE MOBILE HOME SERVICE, INC. (“Respondent”) dated February 27, 2014. Respondent, by and through its President, Mary Rowe, received notice of the hearing, as evidenced by proof of delivery via United States Mail, Certified Mail, to her address of record. Mary Rowe, as owner and President of Respondent, was present at and participated in the hearing. The Commissioner, based on the evidence presented at the hearing, makes the following findings of fact and conclusions of law by clear and convincing evidence:

**FINDINGS OF FACT**

That during the period of time that Respondent held a Mississippi license to operate as a Manufactured Home Retailer/Installer, the Respondent has failed to act with trustworthiness, integrity and competency in transacting its business, and it would be in the best interest of the public that Respondent’s license be revoked. Respondent’s conduct supporting this conclusion includes, but is not limited to, the following conduct:

(a) Respondent has knowingly and willfully violated Miss. Code § 75-49-19(1) (Supp. 2013) and Regulation 2009-1, Section 8, (A)(3)(a), and Bulletin 2010-3, Section (3)(b) by failing

to make corrections to installation defects and submit a proper signed and notarized affidavit of corrected installation defects within the 20 day time limit for the factory-built home installed for the following consumer: Gail Goodson at address of 1074 Old Hwy. 82, Eupora, MS 39744, inspected on February 6, 2014. Although a signed and notarized statement alleging the defects were corrected was submitted to the State Fire Marshal's Office by the Respondent on February 18, 2014, a re-inspection of the defects on February 20, 2014 confirmed that no correction work had actually been performed to cure the defects.

(b) Respondent has knowingly and willfully violated Miss. Code § 75-49-19(1) (Supp. 2013) and Regulation 2009-1, Section 8, (A)(3)(a), and Bulletin 2010-3, Section (3)(b) by failing to make corrections to installation defects and submit a proper signed and notarized affidavit of corrected installation defects within the 20 day time limit for the factory-built home installed for the following consumer: Anthony Anderson at address of 595 SCR 129, Magee, MS 39111, inspected on January 22, 2014. Although a signed and notarized statement alleging the defects were corrected was submitted to the State Fire Marshal's Office by the Respondent on February 18, 2014, a re-inspection of the defects on February 20, 2014 confirmed that no correction work had actually been performed to cure the defects.

(c) Respondent has knowingly and willfully violated Miss. Code § 75-49-19(1) (Supp. 2013) and Regulation 2009-1, Section 8, (A)(3)(a), and Bulletin 2010-3, Section (3)(b) by failing to make corrections to installation defects and submit a proper signed and notarized affidavit of corrected installation defects within the 20 day time limit for the factory-built home installed for the following consumer: Samuel Cochran at address of 3610 Tank Road, Terry, MS 39170, inspected on August 19, 2013. Although a signed and notarized statement alleging all the defects were corrected was submitted to the State Fire Marshal's Office by the Respondent on

November 26, 2013, a re-inspection of the defects on February 20, 2014 confirmed that significant portions of the correction work had not actually been performed.

(d) Respondent has knowingly and willfully violated Miss. Code § 75-49-19(1) (Supp. 2013) and Regulation 2009-1, Section 8, (A)(3)(a), and Bulletin 2010-3, Section (3)(b) by failing to make corrections to installation defects and submit a proper signed and notarized affidavit of corrected installation defects within the 20 day time limit for the factory-built home installed for the following consumer: Steve Parker at address of 1748 White Road, Florence, MS 39073, inspected on December 20, 2013. Although a signed and notarized statement alleging the defects were corrected was submitted to the State Fire Marshal's Office by the Respondent on January 7, 2014, a re-inspection of the defects on February 20, 2014 confirmed that no correction work had actually been performed to cure the defects.

(e) Respondent has knowingly and willfully violated Miss. Code § 75-49-19(1) (Supp. 2013) and Regulation 2009-1, Section 8, (A)(3)(a), and Bulletin 2010-3, Section (3)(b) by failing to make corrections to installation defects and submit a proper signed and notarized affidavit of corrected installation defects within the 20 day time limit for the factory-built home installed for the following consumer: Daniel Sumrall at 387 Dan George Road, Mendenhall, MS 39744, inspected on November 18, 2013. Although a signed and notarized statement alleging the defects were corrected was submitted to the State Fire Marshal's Office by the Respondent on December 6, 2013, a re-inspection of the defects on February 24, 2014 confirmed that no correction work had actually been performed to cure the defects.

(f) Respondent has knowingly and willfully violated Miss. Code § 75-49-19(1) (Supp. 2013) and Regulation 2009-1, Section 8, (A)(3)(a), and Bulletin 2010-3, Section (3)(b) by failing to make corrections to installation defects and submit a proper signed and notarized affidavit of

corrected installation defects within the 20 day time limit for the factory-built home installed for the following consumer: Margaret Sumrall at 397 Dan George Road, Mendenhall, MS 39114, inspected on November 18, 2013. Although a signed and notarized statement alleging the defects were corrected was submitted to the State Fire Marshal's Office by the Respondent on December 6, 2013, a re-inspection of the defects on February 24, 2014 confirmed that no correction work had actually been performed to cure the defects.

(g) In her testimony at the hearing, Mary Rowe advised that Allen Rowe Mobile Home Service, Inc. does not presently have the equipment, skilled labor, or other required capacity necessary to accomplish the work of installation of factory-built homes without resort to sub-contractors. Furthermore, Allen Rowe Mobile Home Service, Inc. has been regularly sub-contracting out factory-built home transportation and installation jobs to independent contractors who are not licensed by the State of Mississippi to perform the work. Allen Rowe Mobile Home Service, Inc. has provided insufficient supervision and control over the installation jobs being performed under the color of its license, and this has resulted in regular non-compliance with the rules and regulations of the Mississippi State Fire Marshal's Office, as well as numerous defective factory-built home installations performed by sub-contractors unlawfully operating under the color of the Allen Rowe Mobile Home Service, Inc. license.

(h) It would be in the best interest of the public that the Respondent's license as an Installer/Transporter be revoked.

**ORDER**

**IT IS, THEREFORE, ORDERED** as follows:

1. That the Mississippi Installer / Transporter License No. 15009352 issued to Respondent, Allen Rowe Mobile Home Service, Inc., should be, and hereby is **REVOKED**.

2. Respondent, Allen Rowe Mobile Home Service, Inc., is directed to cease and refrain from engaging in the transportation or installation of a factory-built home intended to be used for human habitation, until such time in the future as he may obtain a license from the Commissioner of Insurance for the State of Mississippi as required by § 75-49-9 of the Mississippi Code of 1972, as amended. Respondent is directed to remove from display any signs or other advertisements which could mislead a consumer into believing it is still conducting business as an Installer/Transporter of Factory Built Homes.

3. Respondent, Allen Rowe Mobile Home Service, Inc., is directed to perform all work necessary to correct installation defects noted in all outstanding Affidavits/Correction Statements which have been issued to Allen Rowe Mobile Home Service, Inc. prior to the date of this Final Administrative Order, and to return the Affidavit/Correction Statements to the State Fire Marshal's Office fully executed in evidence that the necessary correction work has been completed.

It is noted that should the Respondent wish to appeal the Order of the Commissioner, it may follow the procedure set forth in § 75-49-13 of the Mississippi Code of 1972, as Amended.

SUBMITTED BY:



Brandon White, Hearing Officer

SO ORDERED, this the 10<sup>th</sup> day of April, 2014.



MIKE CHANEY  
COMMISSIONER OF INSURANCE

Prepared by:



Mark Lampton, Esq.  
Special Assistant Attorney General