

**STATE OF MISSISSIPPI  
OFFICE OF THE COMMISSIONER OF INSURANCE**

**IN THE MATTER OF RODRIGUEZ MOBILE HOME TRANSPORT:  
ACTION AGAINST RESIDENT  
INSTALLER TRANSPORTER License No. 15005503**

**ORDER**

**THIS CAUSE** came on for hearing before the Commissioner of Insurance of the State of Mississippi (hereinafter “Commissioner”), by and through his specially designated appointee (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 Tuesday, August, 2009, at 9:30 a.m., pursuant to a Notice of Hearing and Statement of Charges brought against Rodriguez Mobile Home Transport (“Respondent”) on July 23, 2009. After service and notice, a representative for Respondent, Daren Rodriguez failed to appear at the hearing. The Commissioner of Insurance, based on the evidence presented at the hearing, makes the following findings:

**STATEMENT OF CHARGES**

The Respondent was charged with the following violations of law in the Notice of Hearing and Statement of Charges issued July 23, 2009.

1. Miss. Code Ann. §§75-49-1 et seq. The Commissioner, acting through the Chief Deputy State Fire Marshal and the Manufacturing Housing Division of the Insurance Department (hereinafter “Division”), is charged with the enforcement of the Uniform Standards Code

for Factory-Built Homes Law. The Commissioner may revoke or suspend a license per §75-49-13, and may impose monetary penalties for Code violations per §75-49-19.

2. Miss. Code Ann. §75-49-5(1) failing to properly anchor and block a factory-built home at the homesite.
3. Miss. Code Ann. §75-49-7(2) delivering a factory-built home to be used for human habitation without anchoring and blocking such home in accordance with rules, regulations and procedures promulgated by the commissioner pursuant to Section 75-49-5 within thirty (30) days from the date of delivery.
4. Miss. Code Ann. §75-49-9(7) failing to transact business in such a manner as to safeguard the interest of the public.

### NOTICE AND HEARING

#### I.

On or about July 23, 2009, the Commissioner of Insurance, or his designee, pursuant to Miss. Code Ann. § 75-49-13, gave the required notice to the Respondent of the Commissioner's intention to hold a hearing regarding the status of the Respondent's privilege license to install and transport moveable homes.

#### II.

Pursuant to said notice, a hearing was scheduled for 9:30 a.m. on Tuesday, August 25, 2009.

#### III.

On August 25, 2009, Daren Rodriguez, a representative of Respondent, failed to appear at said hearing.

**FINDINGS OF FACT**

After considering all of the evidence and testimony presented, the Commissioner of Insurance makes the following findings of fact:

IV.

The Respondent did fail to properly anchor and block Charles and Stacy Walker's manufactured home in on or around April 2007.

V.

The Respondent did fail to properly anchor and block Charles and Stacy Walker's manufactured home within thirty (30) days from the date of delivery.

VI.

The Respondent failed to transact his business in such a manner as to safeguard the interests of the public.

**CONCLUSIONS OF LAW**

In light of the aforementioned findings of fact, the Commissioner of Insurance finds that the Respondent has violated the following provisions:

VII.

The Respondent has violated Miss. Code Ann. §75-49-5(1) by failing to properly anchor and block a factory-built home at the homesite.

VIII.

The Respondent has violated Miss. Code Ann. §75-49-7(2) by delivering a factory-built home to be used for human habitation without anchoring and blocking such home in accordance

with rules, regulations and procedures promulgated by the commissioner pursuant to Miss. Code Ann. § 75-49-5 within thirty (30) days from the date of delivery.

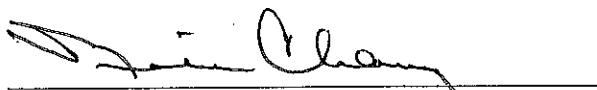
IX.

The Respondent has violated Miss. Code Ann. §75-49-9(7) by failing to transact business in such a manner as to safeguard the interest of the public.


**ORDER**

**IT IS, THEREFORE, ORDERED** that Respondent's Privilege License No. 15005503 to install and transport moveable homes is hereby **REVOKED** and the Respondent be **FINED** One Thousand Dollars (\$1,000.00). Should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in Miss. Code Ann. § 75-49-13.

**SO ORDERED**, this the 3<sup>rd</sup> day of September, 2009.

  
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MIKE CHANEY  
COMMISSIONER OF INSURANCE

Report: Recommendation Submitted By:

  
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Aaron Sisk  
Hearing Officer