

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Investigation of **Total**)
Home of Kansas Inc d/b/a Total Home, of)
Lenexa, Kansas, Regarding the Violation) Docket No. 24-TRAM-392-PEN
of the Motor Carrier Safety Statutes, Rules)
and Regulations and the Commission's)
Authority to Impose Penalties, Sanctions)
and/or the Revocation of Motor Carrier)
Authority.)

MOTION TO SUSPEND INTRASTATE MOTOR CARRIER OPERATIONS

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend Total Home of Kansas Inc d/b/a Total Home of Lenexa, Kansas (Carrier) from all intrastate commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Carrier is a motor carrier as defined in 49 C.F.R. Part 390.5, as adopted by K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in intrastate commerce.
2. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 2629821.
3. Special Investigator Verna Jackson has made attempts to contact Carrier to facilitate a safety compliance investigation on its operations as a motor carrier.
4. Ahsan Latif, Litigation Counsel, sent Carrier a letter on July 21, 2023, informing Carrier that should it continue to resist by failing to respond, the Commission may suspend its motor carrier operations, revoke or amend certificates, and/or initiate sanctions or fines against Carrier. The letter gave Carrier ten (10) days from the date of the letter to respond. A copy of the letter is attached hereto as Attachment "A" and is hereby incorporated by reference.

5. As of November 14, 2023, Special Investigator Verna Jackson and Litigation Counsel Ahsan Latif have not heard from Carrier to comply with a motor carrier safety compliance investigation.

6. Staff asks that the Commission find Carrier received sufficient notices of the need to comply with the safety compliance investigation.

7. Staff asks that the Commission find Carrier failed to respond to several attempts to contact.

8. Staff asks the Commission find that Carrier's resistance to respond to Special Investigator Verna Jackson's attempts to contact and Litigation Counsel Ahsan Latif's letter poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

9. Based on the presented facts, Staff requests the Commission issue an order suspending Carrier's intrastate motor carrier authority operations until such time as Carrier contacts Special Investigator Verna Jackson to facilitate a compliance investigation, at which time Staff will recommend the Commission issue an order of reinstatement of intrastate motor carrier operations.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Carrier's intrastate motor carrier.

Respectfully submitted,

/s/ Ahsan A. Latif

Ahsan A. Latif, #24709

Litigation Counsel

Kansas Corporation Commission

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For Commission Staff

ATTACHMENT “A”



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Susan K. Duffy, Chair
Dwight D. Keen, Commissioner
Andrew J. French, Commissioner

Laura Kelly, Governor

July 21, 2023

Anita Blair
Total Home of Kansas Inc
13420 Santa Fe Trail Dr.
Lenexa, KS 66215

Re: Compliance Investigation

Dear Ms. Blair:

The Kansas Corporation Commission is given full power, authority and jurisdiction to supervise and control motor carriers - as defined in the Kansas statutes - doing business or procuring business in Kansas, and may do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

From time to time, the commission is required to carefully examine and inspect the condition of each motor carrier, its equipment, the manner of its conduct and its management with reference to the public safety and convenience. Further, the Commission has the authority to investigate an entity under the Commission's jurisdiction and order a hearing when the Commission believes the entity is in violation of the law or any order of the Commission.

Deliberate avoidance of a Commission-sponsored safety compliance review is a violation of the above-stated law and authority. Total Home of Kansas Inc is considered a motor carrier that is subject to the Commission's jurisdiction, and therefore, is required by law to submit to Commission compliance reviews.

Commission Special Investigator (SI) Verna Jackson has made several attempts to facilitate a compliance review with you, to no avail. To date there has been no response to regular mail and email attempts from SI Jackson. **This letter therefore serves to notify you that should you continue to resist by failing to contact SI Jackson within ten days of the date of this letter the Commission may suspend your motor carrier operations, revoke or amend certificates, and/or initiate sanctions or fines against you.**

Thank you for your cooperation. If you have any further questions, you may contact SI Verna Jackson at 785-271-3104.

Sincerely,
1st Ahsan A. Latif
Ahsan A. Latif
Litigation Counsel

CERTIFICATE OF SERVICE

24-TRAM-392-PEN

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of first class mail and electronic service on November 15, 2023.

Anita Blair, DIRECTOR OF OPERATIONS
Total Home of Kansas Inc
D/B/A Total Home
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Lenexa, KS 66215
admin@totalhomekc.com

AHSAN LATIF, LITIGATION COUNSEL
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/S/ Kiley McManaman
Kiley McManaman
