

# Mobilehome Magazine

*Orange County &  
South L.A*

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*[www.mobilehomemagazine.org](http://www.mobilehomemagazine.org)*



# From the Staff of Mobilehome Magazine



Interference of sales has long been a top priority of ours. It costs residents millions of dollars each year. Check out our article on page 4 explaining the reasons why parks like to interfere with sales.

Recently Golden State Manufactured-Home Owners League (GSMOL) introduced Assembly Bill AB 2026 Interference of Sales (see page 5). We applaud GSMOL's efforts to stop the several techniques park owners use to interfere with a resident's right to sell his home in place in the park, including denying a buyer residency, requiring the seller to complete significant repairs before his home can be sold, etc.

This month Donna Matthews continues her series of articles on pages 6-7, this time about the park owners Conditional Use Permit. Why is the park's Conditional Use Permit so important to you? Because these standards and requirements are the terms and conditions of park tenancy when you contracted to place your home, or purchase a home in the park. To change any of these standards or requirements would require an alternate permit and I believe would be a breach of the homeowner's contract without mutual consent.

We want to remind you there is no automatic distribution of the Mobilehome Residency Law (MRL) in January/February (page 7). Parks must however notify you that the MRL is available and you can pick up a copy in the office.

We continue our efforts to work with GSMOL. And we thank those who participated in our recent Survey. We received some good comments and preliminary results can be seen on pages 8-9. In general mobilehome owners are behind our offer to print and distribute the Californian in an effort to increase GSMOL membership and strength. Our hope is GSMOL will soon sit down with us and brainstorm how best to implement this program. To that end, we will attend the GSMOL Convention and make ourselves available.

April brings some good news to park residents fighting to keep their senior status. The article on page 10 demonstrates what you can do if you are organized. Now ten parks in Huntington Beach must remain senior parks. This is a good example what can be accomplished when residents work together. Terrific job guys.

Finally check out the Frequently Asked Questions on page 11 and the efforts in Huntington Beach to keep senior parks senior. Good work guys!

Mobilehome Magazine (MHMag) has alerted you to the upcoming GSMOL Convention in Costa Mesa April 2014. Many of our friends will attend and we will publish an article about the Convention in the May 2014 issue of MHMag. Watch for it. Be prepared for some big changes! Remember you read about it in MHMag first.

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# Why Do Parks Interfere With Sales of Homes?

## WHY DOES INTERFERENCE HAPPEN?

Of course it's all about money! The park wants to:

1. Discourage a seller enough so that he lowers his price.
2. Discourage a seller so that he will sell to the park.
3. With enough pressure, sellers may take the easy way out and just leave their home, getting pennies on the dollar.
4. Direct a buyer to a mobilehome where the park may make money on the sale.

## HOW DOES THE PARK GAIN?

1. They get a mobilehome and the space it sits on, often times at reduced cost.
2. They often remove the mobilehome, leaving just the space, which is no longer under rent control.
3. They often move on new doublewide or triple wide mobilehome, selling it at a profit, sometimes \$40-50,000 or more.
4. The asset value of the park increases whenever income increases (keep in mind that the cost of maintenance and overhead is about \$150.00/space. Anything over and above the \$150.00 is the parks profit). Any increase in space rent results in greater income; thus increased park value. The park wins several ways.
5. The park may get money "under the table" from favored real estate companies and/or agents.
6. Some managers and parks interfere just to be nasty to residents they may not like.

## HOW DO PARKS INTERFERE?

1. They use Housing and Community Development (HCD)? One manager phoned HCD complaining about three mobilehomes in a park. HCD came out (without a formal written request) and wrote up all three homes for "health and safety" violations. The manager followed up with a letter to each stating there were serious violations that needed to be resolved ASAP. Also the letter stated that prospective buyers had to be told of the violations. It turns out that each was going to be sold.
2. Most parks have a sign out front "Prospective buyers must see manager." This way the manager can steer the buyer to look at only certain mobilehomes in the park.
3. Often management will incorrectly tell sellers that they can't sell their mobilehome. Some state that it is too old and the park wants to upgrade by getting rid of older mobilehomes and putting new homes in their place. This has happened in Indian Hills, Chatsworth, Chatsworth Imperial and other parks.
4. A mobilehome MUST be moved only if it violates the Health and Safety code – unsafe stairs, railings, porches, electrical chords outside, refuse, debris, etc. and it is of a certain age. Age alone is not a criteria.

5. Another way to interfere with a sale happens when your buyer goes to the manager to be approved. The park must provide a buyer a reason why their tenancy was declined – in writing. There are only two reasons to refuse tenancy – the ability to pay the space rent and the expectation that the buyer wouldn't observe park rules and regulations nor had a history of evictions.

6. The park legally has 15 days to approve a buyer. Often times they will take longer and your buyer will go elsewhere.

7. Often times when you go to sell the park will give you a list of repairs to be completed before you can sell. This can involve painting the exterior of your home, repairing steps, railings, porch, etc. Sometimes they give more than one list – even within a couple days of escrow closing. All trying to interfere with your sale.

8. Parks sometimes try to evict people without going through the legal steps required. They try to scare people into leaving and/or selling their mobilehome. Sometimes the resident just walks away from his home. Please note there are definite rules and violations as per the MRL for evictions.

9. Some managers tell residents they can't sell "By Owner" and should go through a certain company, i.e. the "favored company."

10. Management may tell sellers their price is too high.

11. When a mobilehome changes owners, i.e. it is sold, if there is vacancy control, the park may increase the space rent up to a certain percentage of your rent. No more. Here in Los Angeles that percentage is 10%. Some areas the percentage is zero, i.e. the park must charge the seller the same rent you are being charged.

## WHAT CAN YOU DO TO PROTECT YOURSELF?

1. Know the laws, read Mobilehome Magazine and ask questions.
2. Know that the park may upgrade, but can not force you to move your mobilehome unless there are UNCORRECTED health and safety violations. Those violations only take into account problems OUTSIDE your mobilehome. Wiring, appliances, etc inside can not be included in health and safety violations.
3. Verify income for your seller or have your real estate agent do it, so you are prepared prior to the meeting with park management.
4. If the park "pushes" you, you should write a letter to management and the park owner. Usually they won't reply. Then organize a pro-resident group and stand up to these park practices.
5. Order a copy of "Clay Harrison's Sellers Guide." This is available from Mobilehome Magazine.

Of course, the above certainly is not complete, but it covers the main ways parks interfere and how parks make extra money through this practice.

MHMag is very interested to counter any interference of sales. If your sale is being interfered with, PLEASE CONTACT US. Questions and comments may be directed to Frank Wodley, Editor/Publisher of MHMag at 818-886-6479 or fawodley@yahoo.com.

# Interference of Sales: AB # 2026

Editor's Note: The Coalition of Mobilehome Owners (COMO-CAL), our former group, and now Mobilehome Magazine, have been writing about interference of sales for years. It is high on our list of issues.

We are happy to see Golden State Manufactured-Home Owners League (GSMOL) has introduced AB 2026 to combat the various ways parks interfere with sales of residents homes. One caveat: remember any law is only as good as enforcement. Today, enforcement means you have to hire an attorney and go to court.

Let's hope California soon is covered by legislation similar to the Alternate Dispute Resolution Program of Washington State where residents pay \$5 a year and can submit complaints to the state Attorney General's office.

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On February 20, 2014, Assembly member Stone introduced AB 2026, sponsored by GSMOL, to confront the problem of park owners making it difficult for homeowners to sell their homes in place, by refusing to approve the buyer to live in the park. This is one of the biggest problems identified in our survey of members last fall.

We asked you for your stories and examples to help support passage of the bill. We have received a number of great responses. BUT WE NEED MORE!

We need your stories to help build the case for the bill. Specifically, we need stories of homeowners who attempted to sell their home in place, but:

1. Found it difficult or impossible to find a buyer that park management would approve to live in the park;
2. Were told by management that they would have to make repairs to the home in order to sell it in place;
3. Were subjected to other unreasonable conditions that prevented them from successfully selling their home.

We also want to connect with brokers and agents who have been involved in the sale of manufactured homes, who might also be able to share with us stories of problems they have seen.

## ASSEMBLY BILL No. 2026

Introduced by Assembly Member Stone February 20, 2014

An act to amend Sections 798.73.5 and 798.74 of the Civil Code, relating to mobilehome parks.

AB 2026, as introduced, Stone. Mobilehome parks: sales.

Existing law authorizes the management of a mobilehome park, in the case of a sale or transfer of a mobilehome that is sold and that will remain in the park, to require repairs or improvements to the mobilehome, its appearances, or any accessory structure only if specified conditions are met, including that the repair or improvement based upon or required by a local ordinance or state statute or regulation relating to mobilehomes.

This bill would require a determination following an inspection by the appropriate enforcement agency that the repair or improvement is required by the local ordinance or state statute or regulation in order for the management to require the repair or improvement.

Existing law authorizes the management of a mobilehome park to require prior approval of a purchaser of a mobilehome that will remain in the park. Existing law also prohibits management from withholding approval if the purchaser has the ability to pay the rent and charges of the park, except as specified. Existing law authorizes management to require the purchaser to document the amount and source of his or her gross monthly income or other means of support but prohibits management from requiring personal income tax returns as evidence.

Existing law permits the management or owner to be held liable for all damages if the approval of a prospective homeowner is withheld for any unauthorized reason.

This bill would delete the authorization to require documentation of financial support and would require the purchaser to be presumed to have the financial ability to pay the rent and charges of the park if he or she has been approved for a loan to purchase the mobilehome, that the purchaser intends to occupy. The bill would prohibit management from withholding approval on the basis that the prospective purchaser will not comply with the rules and regulations of the park. The bill would also prohibit management from withholding approval solely because the purchaser owns another mobilehome or real property residence and from requiring that the mobilehome being purchased be the sole residence of the purchaser. This bill would require the management, if a prospective homeowner is denied approval and if requested, to meet with the purchaser or homeowner at which time the management would be required to reconsider the denial based upon any additional information provided by the prospective homeowner. This bill would permit the management or owner to be held liable for damages to either the selling homeowner or the prospective homeowner if the approval is withheld for any unauthorized reason.



# Mobilehome Park Owner's California Conditional Use Permit (CCUP)

All mobilehome living starts with the mobilehome park owner's **California Conditional Use Permit (CCUP)**, which contains all the standards and requirements to construct and maintain a rental mobilehome park. The CCUP is so important because these standards and requirements are the terms and conditions of park tenancy when the homeowner contracted to place his home investment, or purchase a home in the park. To change any of these standards or requirements would require an alternate permit and I believe would be a breach of the homeowner's contract without mutual consent.

Before the Department of Housing and Community Development (HCD) issues a Permit to Operate, these standards and requirements of the CCUP, the provisions in the Mobilehome Parks Act ( Title 25 and the Health and Safety Code), must be constructed and provided. And they must be maintained for a yearly renewal of the Permit to Operate.



## THE MOBILEHOME PARKS ACT.

### STANDARDS AND CONDITIONS OF THE PARK CCUP.

**Title #25 #100 Application and Scope.** The provisions of this subchapter shall apply to the construction, use, maintenance, and occupancy of mobilehome parks, mobilehome lots, permanent buildings, and accessory buildings and structures. The provisions shall also apply to the use, maintenance and occupancy of mobilehomes and recreational vehicles and the installation for supplying fuel gas, water, electricity and the disposal of sewage from accessory structures and mobilehomes wherever located both within and outside of mobilehome parks in all parts of the state.

## CONSTRUCTION.

### STANDARDS AND CONDITIONS IN THE CCUP

Title 25 #1054. The provision of this section relates to excavation, grading, and earth work construction, including fills, embankments are applicable to the construction of all new mobilehome parks and additions or alterations to existing mobilehome parks.

Title 25. #1044. All construction shall be in accordance with approved plans and specification and shall not be changed, modified or altered without approval of the enforcement agency.

Title 25 # 1050. Any person commencing construction without a valid permit shall discontinue such construction until a permit to construct is obtained and shall pay double the fees prescribed for plan checking and permits to construct.

Title 25 # 1328. Utility facilities. Prior to installation of a mobilehome for human habitation or occupancy, utility facilities for the mobilehome shall be provided on the lot or site. A sewer drain inlet connected to an approved sewage disposal system, and when provided installations and equipment for

supplying heating purposes shall be completed and ready for connecting the mobilehome.

Title 25 #1130. Electrical. The requirements of this article shall apply to the construction, installation, alteration, and repair of all electrical wiring and equipment for supplying electrical energy to mobilehomes located in all parts of the state.

Title 25 # 1200. Fuel Gas. The requirements of this article shall apply to the construction, installation, arrangement, alteration and repair, of fuel gas equipment and installations for supplying fuel gas to mobilehomes to all parts of the state.

Title 25 # 1240 Plumbing. The requirements of this article shall apply to the construction, installation, arrangement, alteration and repair off all plumbing equipment and installations to supply water to mobilehomes and dispose of sewage from mobilehomes in all parts of the state.

## USE.

### STANDARDS AND CONDITIONS IN THE CCUP

When the park owner decides to change his vacant land into a rental mobilehome park, he will submit his CCUP plans to HCD for approval of a rental mobilehome park providing all these standards and requirements for a rental park. After he completes the standards and requirements of his CCUP, he receives a Permit to Operate issued by HCD. Then he considers his original investment, costs, operating expenses and a just return on his investment to establish a Base Rent low enough to interest affordable housing prospects.

## OCCUPANCY.

### STANDARDS AND CONDITIONS IN THE CCUP

The park owner decides what type of mobilehome park he will construct, a senior park, a 55+ age park, or a family park.

## No Automatic Distribution of the MRL

A bill to eliminate the automatic delivery of the Mobilehome Residency Law (MRL) to park residents in California was sponsored by Western Manufactured Housing Communities (WMA - the park owners group) and passed uncontested. On July 15, 2010 Governor Schwarzenegger signed AB2120 into law, releasing parks from their obligation to deliver the MRL by February 1st every year, beginning 2011. The following is an analysis of the bill by the state assembly:

The MRL is California's landlord-tenant law for mobilehome parks. When a homeowner signs a rental agreement in a mobilehome park, a copy of the text of the MRL must be attached as an exhibit. Anytime the MRL is significantly changed, park management must provide a new copy of the MRL to every homeowner by February 1 of the next year. This requirement has been in statute since 1981. The MRL has been changed through legislation every year since then and is significantly longer than it was in 1981.

As of 1/1/2011, AB 2120 requires the management of a mobilehome park to either provide a new copy of the MRL to all homeowners when the law changes or notify all homeowners that the law has changed and provide a free copy upon request.

### FILLING THE VOID

AB2120 is a loss for all mobilehome owners and a wake up call for advocacy groups. The Coalition of Mobilehome Owners (COMO-CAL), our former group, took a giant step in filling the void left by the passage of AB2120. They published the Handbook on Frequently Asked Questions and Answers.

Now every mobilehome owner has a "reference guide" available to them that explains many of the more important laws from the MRL in simple, concise, easy to understand language. Remember the MRL distributed by the WMA? It was a booklet about 15 pages long with very small type difficult for many of us to read. All the laws were there, but it was a challenge to use. Now we have a nice looking reference in large type. So please, tell your friends and neighbors about COMO-CAL's FAQ Handbook - available only through Mobilehome Magazine - \$4 plus \$2 postage (\$6.00 total). Just send a check for \$6.00 to Mobilehome Magazine, P.O. Box 3774, Chatsworth, CA. 91313. We will mail it first class mail to your home the same day we receive your order form.

And please read it and keep it for reference!

If he chooses it to be a senior park or 55+ age park he is given special CCUP concessions because of the lower occupancy per housing unit, fewer requirements for parking spaces, less wear and tear on utility installations, and senior park services and facilities.

### MOBILEHOME LOTS.

#### STANDARDS AND CONDITIONS IN THE CCUP

Title 25 # 1116 Mobilehome lots. (a). All mobilehome lots shall be numbered or designated by street number or other approved means and the lots defined. The lot designation shall be in a conspicuous location facing the roadway, or on the front side of the mobilehome nearest the roadway.

(c). Lot lines shall not be moved, shifted, or altered without written authorization from the local planning department and the occupants of the lots affected.

The park approved plot plan would show all the streets and mobilehome lots.

### PERMANENT BUILDINGS, AND ACCESSORY BUILDINGS AND STRUCTURES

#### STANDARDS AND CONDITIONS IN THE CCUP

These are too many too comment on, and each park would be different, but the provisions would cover roads, lighting, and

the park facilities provided, all would have to be provided and approved.

### MAINTENANCE

#### STANDARD AND CONDITIONS IN THE CCUP

Title 25 #1604 Responsibility. The owner, or his designated agent of the mobilehome park shall be responsible for the safe operation and maintenance of all electrical, gas, and plumbing equipment and installations within the mobilehome park, under his or her ownership or control.

Health and Safety Code #18251. Standard and requirements. The Legislature finds and declares that the standards and requirements for construction, maintenance, occupancy, use, and design of mobilehome parks should guarantee mobilehome park residents maximum protection of their investment and a decent living environment.

Annual renewal of the park owner's Permit to Operate is issued in accordance with these provisions, so that is why I feel it is so important to know these laws. It is not the homeowners' responsibility to enforce the laws. HCD is the governmental enforcement agency and their statutory duty is to see all these Mobilehome Parks Act provisions are enforced. If not there could be penalties and /or the Permit to Operate may be suspended or revoked.

Article by Donna Matthews. To ask Donna questions or comment on her articles, please contact Mobilehome Magazine.

# Results for Survey on MHMag's Offer to GSMOL

Recently we offered to help our state-wide advocate Golden State Manufactured-Home Owners League (GSMOL) “rebuild, renew and restore.” Simply put, we offered to print their 11,000 copies for current members and an additional 25,000 copies. They would distribute the 11,000 as they usually do. We would distribute the additional 25,000 copies via our current MHMag distribution network. The cost to GSMOL is yet to be decided, but we feel we can do the printing and distribution for less than GSMOL is currently spending to print and distribute only 11,000 copies, i.e. it is like GSMOL is getting an extra 25,000 distribution for nothing. And that's a potential 25,000 new members. What better way to help GSMOL Rebuild, Renew and Restore?

## RESULTS OF SURVEY

MHMag wanted to hear what you thought of our offer - the average “Joe” mobilehome owner. To that end, a survey was distributed via the internet and also published in our March 2014 MHMag. Results are still coming in, but this is what we have so far:

**Question #1 & #2** simply explain our offer.

**Question #3.** In your opinion, how important is it for MHMag to help GSMOL increase its membership and to work with GSMOL in other ways?

**Responses:** 53% Extremely Important, 30% It's Important, 4% No Opinion, 2% It's Not Important, 4% I wouldn't waste my time, 4% Other. Other Comments as follows:

- *The more members we have, the greater our power base will be resulting in greater leverage with park owners and managers.*
- *Why not give it try? With mobile home owners so at the mercy of the-big-buck-boys, the only thing we have to lose by not working together, is more.*

*It is important that we fight the good fight. It is important to be the things our joint enemy is not. Honest, ethical, etc..*

**Question #4.** In your opinion, how important is it for GSMOL to work with MHMag? **Responses:** 53% Yes it is extremely important, 34% yes it is important, 2% No Opinion, 4% 0% no it's not that important, no I don't want them working together. - Comments:

- *This means that we can be better organized and equipped to fight for our rights.*
- *It is time to forget the past and look ahead to actually supporting MHP residents. Less talk. fewer meetings and get down to the real situation.*
- *Hang together or hang alone has already been said!*
- *As long as the two of you have the goal of helping Mobilehome residents (not just owners), the work you do should be compatible.*

- *I think it's important for all people and groups to try and work with each other, even Park Owners which I know many in GSMOL disagree with, As not all Park Owners are ghouls and creeps, there are good ones that you can communicate with that treat you like adults. This is the same with GSMOL but not all of GSMOL leadership seems to believe this.*

**Question #5.** What do you think GSMOL should do?

**Responses:** 72% immediately contact MHMag and enter into serious discussions in an effort to make this a reality, 18% GSMOL should take their time and wait until after their April 2014 Convention and then perhaps talk with MHMag, 2% GSMOL should ignore this offer. It is not in the best interest of mobilehome owners, 0% GSMOL should ignore this offer, it is not in the best interest of GSMOL.



- *As fast as the laws are changed by influential and wealthy park owners, we should move as quickly as possible.*
- *Mobilize in NO. Calif. , attend the Convention and elect some people that can do the job so damage control is not needed.*
- *If they want to wait til after the convention, fine but think very hard about this offer we need this magazine, we are falling apart.*
- *Grow and change! We park vulnerables simply can't have GSMOL fade and fail.*

- *“There can be change without progress, but there can be no progress without change.”*
- *Competition, and different perspectives on an issue, are good things. I would prefer that GSMOL and Mobilehome Magazine stay separate.*
- *Politics is not my strong point. I do believe that folks of similar viewpoints can work together for everyone's benefit. I wonder if it can be done. Is a lot of travel required?*
- *Just to be philosophical, I believe all should “look within” for good will, cooperation, clear communication, etc.*
- *It seems like waiting to talk about this issue is just time wasted, but I don't know about GSMOL's April convention and what it is. I think everyone on both sides has to be on board to make this work well. I ALSO THINK that transparently is important. I know that keeping some things confidential is probably necessary, but those who read the MH Mag and live in the Parks need info to keep their interest up. This has been a long ten years for me and I am tired. I need info to inspire me.*

- *If most of the ones that go to the convention can*

- *Agree to go with MH Magazine it may work better than just a few going ahead now.*

- *I will hold my stance on GSMOL. Talk, talk, talk, talk, very little action. Yes they pass a few bills to help us all, but it is the leadership, not the attorney that brings me to a fighting spirit.*

- *And then bring it forward to a vote at the convention up or down.*

**Question # 6.** If you support the offer of MHMag, will you?

**Responses:** 20% snail mail a letter of support to MHMag,

P.O. Box 3774, Chatsworth, CA, 91313, 56% email us a letter of support, we will forward it to GSMOL, 33% call us at 818-886-6479 to indicate your support.

- *You may use any or all comments I've made in this survey and e-mail it to GSMOL, with my name on it. Or if you would prefer return this to me and I'll construct them in the form of a letter and mail it to them.*
- *I fell that the most pressing needs are somehow two-fold. 1. Overcome the isolation that individual*

*mobile-home owners feel. (That's the power of management over residents.) 2) Certain important questions need be aired and answered.*

- *It sounds like a WIN-WIN proposal, I support it 100 %. I'm a member of both groups.*
- *I do not support your idea. I will not call, email or snail mail anything.*
- *I believe I speak for most mobile-home owners in thanking you for taking the time to look out for us.*
- *Remove the politics and do what is best for California mobile home owners.*
- *I think I have said it all...GSMOL please move forward and get involved in this and let MHMag help us by getting the word out.....and we will be saving money also and we need that.....*
- *The time is at hand for everyone buying and living in a park mobile home to unite, as one! By so doing tame the green-eyed monster that haunts our very steps, daily, with impunity, before it gobbles us up one by one and spits us out!*
- *We need masterful, unselfish, concerned and creative leadership at every level. Are you there?*
- *Let me know the results of this brilliant idea...*
- *WOW. Hope this happens.*
- *Frank you do and done a fantastic job helping all mobilehomes owners. Thank you, keep it going you have all my support.*
- *I feel like there is a lot that I don't know. I would hate to see both entities implode. I would like to know that GSMOL really does want this arrangement. They have been around a long time and are understandably cautious.*
- *I think we can get more accomplished if we all work together as one active group.*
- *Good luck with this. Chaos rules and those in power are still wielding it...*
- *Any time people work . Together great things happen . Sounds great. GOOD LUCK*
- *An excellent idea!*
- *Lets separate the politics from our business and lifestyle. GSMOL is way to heavy into hob nobbing with the mucky mucks, and there is more to our parks than just rent control. We have health and safety considerations and a changing demographic that needs to be recognized. The close knit Depression-WWII-post WWII generation is fading away as well*
- *Isn't it about time GSMOL started acting as an advocate instead of a small group of egomaniacs. As did Nero, the GSMOL BOD is fiddling while we are suffering. Let's all work together. It's not too late.*



## Long Term Lease Accord Sought for San Marcos Parks

Last October a number of Homeowner's Associations in San Marcos were contacted by an attorney representing the City of San Marcos to explore the possibility of formulating a San Marcos Lease Accord (an agreement). San Marcos mobilehome owners have been under the protection of a rent review ordinance enacted in 1978. The ordinance does not establish a rent control on annual increases, it only allows homeowners to protest any increase they feel is unreasonable. If they file a protest, the City conducts a rent review with input from both the Park owners and the Homeowners.

In prior years, the cost of such a review process was funded with Redevelopment Funds, and could run between \$50,000 and \$75,000. With the State having taken over the redevelopment funds, the City would now incur these costs, which they would like to avoid. If a Lease Accord could be hammered out and the Park owners and the Homeowners could agree, the City would be off the hook.

After several meeting of the Homeowner representatives with the Attorney and one meeting with Park Owner representatives also in attendance, the Attorney presented both parties with a "draft" containing suggestions she had received and possibly some nomenclature from other such accords or agreements. As the Homeowners reviewed the draft document, another meeting was scheduled for mid-March.

The general consensus amongst the Homeowner was that the 26 page document is oppressive, controlling and unacceptable. Anything remotely close to this document will most likely be rejected. One substantial obstacle being the relinquishment of the City's Rent Review protection. Once the suggestions by

the Homeowner groups are made, it is unlikely that the Park Owners will be willing to accept such changes, leading to a probable impasse.

Homeowners do not have to allow the City to impose an Accord with which they do not agree and which removes protection from unreasonable rent increases and allows an escalation in rents that result in financial hardship for many of the Homeowners. Homeowners, as a rule, are reasonable and understanding, something that is rarely said of Park Owners.

Many Homeowners have, over the years, been subjected to various offenses by Park Owners covering many subjects, such as Rent increases, evictions, interference with sales, harassment, failure to maintain and protection of the investments of the Homeowners. Speaking of investments, in most parks the homeowner's collective investments are greater than those of the Park Owner.

Unfortunately, the Housing and Community Development (HCD) does very little, if anything, to enforce the MobileHome Residency Law ( MRL) and the contractual rights of the Homeowners. Their usual response (and the City's) is to advise that "you need to retain an Attorney". A resolution by the City of San Marcos back in 1970 was recently unearthed and it was a notice to HCD that the City would be take responsibility for enforcement. The big question is why doesn't HCD do their job and enforce the MRL? If they do not have the authority to do so, then why the hell doesn't our State's elected representatives enact legislation to give them the authority? The MRL is a toothless tiger! Of course the answer to these issues is that Park Owners have their substantial profits with which to elect and

**HELP US  
PROTECT  
OUR HOMES**

# Frequently Asked Questions & Answers

The following come from the Frequently Asked Questions and Answers Handbook, plus information from MHMag.

**Question:** When does my rent become late? **Answer:** Your rent payment must be made within five (5) days after it is due, i.e. if it is due on the first, you have until the end of business on the sixth to pay it.

**Question:** The park gave us notice of an increase in late payment charge. Is this legal? **Answer:** No. Actually any change of a rule or a regulation requires the park to give notice and hold a meeting with all park residents. The residents do not have to approve the change, and the change becomes effective six (6) months after the meeting.

**Question:** Is there a law which caps rent in my park? **Answer:** No, there is nothing in the law which caps rents.

**Question:** How many parks have rent control in California? **Answer:** There are 365,000 mobilehome spaces in the state, and 165,000 have some form of rent control. Of these about 65-70,000 have some form of vacancy control, i.e. a cap on the rent when a home is sold.

**Question:** Our manager harasses and intimidates residents in my park. What can we do? **Answer:** The FAQ Handbook states: "The Mobilehome Residency Law (MRL) gives residents certain rights, but when difficult issues have to be resolved, residents need to form homeowners' organizations or affiliate with mobilehome groups that advocate for mobilehome owners interests and work as a group in

dealing with the park management. The best defense is a good offense, but don't confront the manager in a belligerent or overly argumentative fashion to make matters worse."

**Question:** Is there an ultimate solution to all the issues we experience in our parks today? **Answer:** Yes. The answer is resident ownership of the park. MHMag has often written of the advantages of resident ownership.

**Question:** Who can I get more information from regarding resident ownership of my park? **Answer:** Two good sources are Deane Sargent of PMC Financial and David Loop, Real Estate Attorney.

**Question:** Do rent increases affect my equity? **Answer:** Yes, for every \$10/month increase the value of your home decreases \$1000.

**Question:** The manager keeps threatening to evict me. Can the manager really evict me? **Answer:** In a simple word, NO. Only a court can evict you through a process called "unlawful detainer." The Mobilehome Residency Law details the seven reasons why you can be evicted. One is failure to pay rent on time, another is failure to comply with park rules and regulations. Consult 798.56 for further information or the FAQ Handbook.

**Question:** When is a resident most vulnerable to the park? **Answer:** We feel residents are most vulnerable when they go to sell their home. Refer to the article on page 5: AB 2026 introduced to combat interference of sales..

control the Assembly and Senate members. We have the votes and our representatives need to understand that our support may be what keeps them in office.

Mobile home owners are systematically denied their civil rights, economic rights, and other property rights enjoyed by other citizens. While there are many thousands of us, we do not have the deep pockets of corporations and individuals that make up the park owners. Hiring an attorney is not an option for the majority of mobile home owners. Knowing what to do and knowing what rights we have is beyond the ability of most of us. Even when a homeowner thinks he knows, he is more often than not, faced with intimidation, and even harassment or threats by the Park managers or Owners. Let's face it, how many Homeowners even read the MRL, or the Park rules and regulations? Any real push back by Homeowners that comes is usually through the Home Owner's Association (HOA) or a regional association such as San Marcos Mobilehome Resident's Association (SMMRA), Oceanside Manufactured Homeowner's Association (OMHA), or Coalition of Escondido Mobilehome Voters (CEMV). Unfortunately most of these groups do not have a large number of volunteer activists working on behalf of all of us.

Getting back to this draft/ lease, there is likely to be strong opposition to "pass through" expenses being included in any agreement. Some Park Owners believe that increases in taxes or insurance costs qualify for additional fees to be paid by the Homeowners. They even believe that ruptures in utility lines in the common areas, or a new roof on the clubhouse and other such costs ought to be paid by the Homeowners via a pass through charge. This is because they take their profits without funding a reserve account for such expenses like most businesses and common interest subdivisions (Resident owned Parks) are required to do under law.

Capital Improvements that could qualify for a pass through charge would be a new security gated entrance into the park, or a new basketball court, or a new fitness facility, and having been approved by a majority of the Homeowners.

There are many other sticking points in this draft, and coming to some agreement will not be easy. While a long term lease accord has possible mutual attractions for both parties, often the devil is in the details and Homeowners need to be extremely cautious with any agreement that effectively eliminates rent control protection. The next few months should be very interesting. Article by Lloyd Rochambeau

# Order Form for FAQ Handbook

The FAQ Handbook, is a “must have.” Ordering is simple. Just fill out the form below and send it with a check made out to “Mobilehome Magazine.” We will mail your Handbook within 24 hours of receipt of your order.

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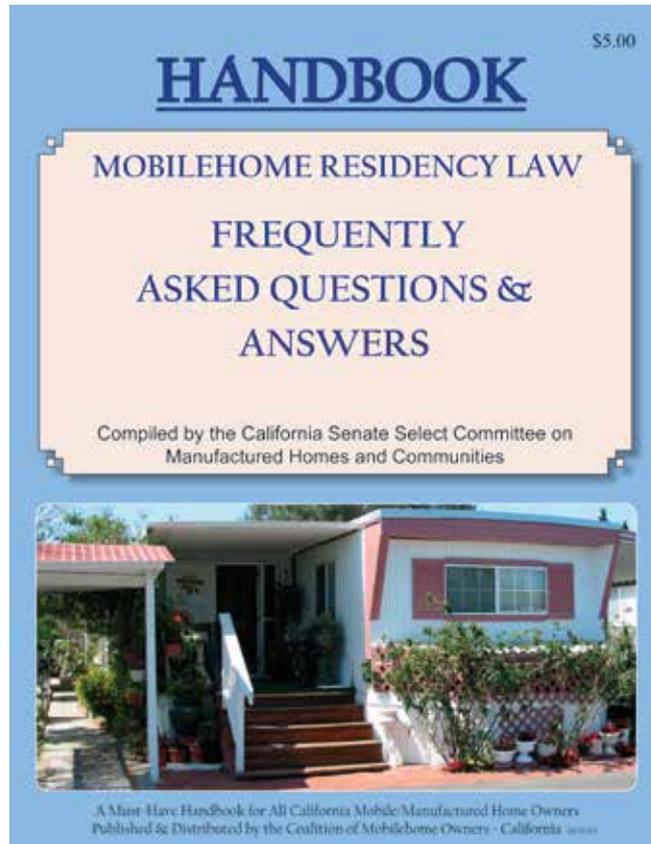
There are several ways you can support Mobilehome Magazine.

### a. Distribute in your park.

Please volunteer to distribute MHMag in your park. Remember the law allows the distribution of the magazine in your park, but only by a park resident. We will pay anyone volunteering to distribute in their park 5 cents per copy. Simply bill us to get reimbursed.

### b. Write an article.

Remember, this is your magazine. Please step up and write an article of interest to other mobilehome owners



- what’s happening in your park, successes you may have had, etc.

**c. Please donate.** We publish Mobilehome Magazine on a “shoestring” budget. We appreciate any donations you might send our way and please know 100% of all donations go to support our efforts to educate and inform California mobilehome owners.

**d. Send us your email address.** We soon will have an email network in California to link residents.

**e. Email or write us.** Tell us how we can improve MHMag. What kind of articles would you like to see? And we appreciate your feedback.

**f. Above all, please read** Mobilehome Magazine and educate yourself. You need to know the basics and where to

go to get assistance. We will continue providing you up to date, accurate information.

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4/14

# Huntington Beach law would preserve mobile home parks for seniors

*In a first in O.C., 10 Huntington sites will be kept from widening their age ranges.*

HUNTINGTON BEACH – The city is pioneering Orange County's first protections of senior mobile-home parks to preserve a lifestyle many seniors feared would vanish.

While other cities in the county have rent protection or programs in place for mobile-home communities, Huntington Beach is the first to target senior parks.

City Council members on Monday voted 6-1 to approve the first reading of an ordinance that will prohibit the owners of 10 senior mobile-home parks from converting their properties to family parks.

Apprehension in Huntington Beach has mounted for some seniors as corporate owners took control of their parks and rents nearly doubled. Dozens of seniors have appealed for the city's help at several council meetings in the last year.

"People have already lost their homes, people have already lost their life savings," said Councilman Joe Shaw. "We're not trying to extinguish property rights in any way; we're trying to equalize what's going on in senior mobile-home parks."

Mayor Matthew Harper voted against the ordinance, saying he believed the rule violates property rights, a concern several park owners have shared since the proposal was introduced.

The city's other eight mobile-home parks, which are open to families, will not be affected.

In Lake Forest, residents appealed to the council in January for rent protection at the city's mobile-home parks. City Council members did not move forward with the ordinance.

However, Lake Forest does have a rental assistance program for seniors who have lived in a mobile-home park for at least five years, according to an Orange County Register article.

San Juan Capistrano has rent protections for its seven mobile-home parks, including senior parks.

The 1997 ordinance was passed in an effort to protect seniors and lower-income residents, said Laura Stokes, housing coordinator and assistant planner for the city.

While Huntington Beach's ordinance does not guarantee more reasonable rents, it's a likely consequence of the new rule, council members said.

Rent control "is not the purpose of this ordinance, but seniors have limited incomes, so the ability to charge higher rents is limited if it's a senior park," Councilwoman Jill Hardy said.

More than a dozen seniors cheered after the council vote, and many hugged in the lobby of the council chambers.

Some wiped tears from their eyes – an emotional release after more than a year of fighting to protect their homes.

"(We) would not have had to mobilize seniors in this matter ... if not for the action of our owners to change to an all-age park," said Betsy Crimi, a resident at Rancho Huntington Mobile Home Park. "We recognize that park owners have rights, but we also have individual rights as homeowners."

Council members in July 2013 took up the issue after some seniors from Rancho Huntington expressed concern when the park's new owners announced plans to convert the community to a family park.

The council in August placed a moratorium on any conversions to give the city time to draw up an ordinance, sparking criticism from mobile-home park owners who said the idea infringed on their right to change the rules at their parks.

The council's decision Monday night will have to come back for a final vote at the next meeting and, if affirmed, would take effect 30 days later.

Despite what seems a final decision on the issue, some say the battle is not over.

"The adoption of this zoning overlay is unnecessary," said Vickie Talley, executive director of the Manufactured Housing Educational Trust. "It's going to result in large legal fees and it certainly isn't addressing the issues of seniors."

However, City Attorney Jennifer McGrath said she believes the ordinance would hold up in court.

Huntington Beach modeled its ordinance after a similar rule Yucaipa adopted in 2009 that withstood legal challenges.

Mobile-home park owners there sued the city alleging the ordinance violated the Fair Housing Amendments Act by protecting housing for a specific age group. The U.S. Court of Appeal upheld the Yucaipa ordinance in 2012 and determined it didn't violate the housing act, which provides an exemption for senior communities.

Huntington Beach residents have shared glimpses of their lifestyle with the council in recent months.

Many describe their parks as neighbor-focused communities filled with residents who share common social interests and take comfort in the solid sense of security their park provides.

"It's that quality of life ... the council was trying to protect," Councilwoman Connie Boardman said. "This ordinance was about keeping senior parks senior."

*Contact the writer: [azak@ocregister.com](mailto:azak@ocregister.com) and [jfletcher@ocregister.com](mailto:jfletcher@ocregister.com) <http://www.ocregister.com/articles/ordinance-604143-park-city.html?page=1>*

*BY JAIMEE LYNN FLETCHER and ANNIE ZAK / STAFF WRITERS Published: March 4, 2014*

# Mobilehome Magazine This and That

## WE ARE GROWING

We have wanted to open up a "California" magazine again for some time. We are happy to announce that as of April 2014 we are able to do it. Now parks, not in our 5 local areas (North Bay, San Jose, Orange County & South L.A., North San Diego County and San Diego), will receive MHMag if someone will distribute door to door in that park. We thank our friends at Indian Springs whose donations have helped us in this effort.

## DISTRIBUTORS NOTE!

If you are a distributor, i.e. receive boxes of magazines and deliver door to door in your park, we want to thank you. Without you there would be no magazine! We have one request. Please when you have finished delivery each month, send us an email or give us a call. This way the cycle is complete. We know residents in your park have received the magazine and as our way of saying thank you, those calling will be placed in a bimonthly drawing for a \$50 gift card from Restaurant.com.

## MONTHLY FEATURED PARK

What better way to form a community and get to know our neighbors than to feature one park each month. To that end, we ask you to send photographs (jpg or pdf) of the entrance of your park (with your park name), gatherings of residents, and views around your park. Please include a write up, perhaps what's happening, issues you are concerned about, successes, etc.

## E-MAIL: SURVEYS AND UPDATES

Although it is a lot of work, we will be more active in 2014 using Constant Contact, the service that allows us to send out surveys and provide residents updates between magazines. **To that end, if you have email, please send us an email (frank@mobilehomemagazine.org) so we have yours. We will add it to our email list.**

## CONFERENCE CALL NETWORK

Sunday January 5th we held our first conference call with leaders in Southern California. Those participating found it very productive and informative. We intend to continue the calls, perhaps at least monthly.

If there is enough interest, Frank Wodley, Publisher of MHMag will hold a weekly conference call with anyone who wants to join. Calls are free. Call Frank at 818-886-6479 to let him know you would be interested.

## SPANISH VERSION OF MHMAG

Yes we now produce a few pages in Spanish, but only for our friends in San Diego. If you would like some articles in Spanish in your area, please let us know. Call Frank at 818-886-6479 or email him at frank@mobilehomemagazine.org

## MOBILEHOME MAGAZINE'S CRUISE

We are still planning for our first cruise in the fall. It will be on Carnival Lines out of Long Beach. The cruise will last four days and go to Ensenada Mexico, costing about \$600/person, with two people per cabin. Let us know if you are interested.

## A ROLLER COASTER RIDE

Publishing a magazine for the Orange County Area has been a roller coaster ride. We have never had many advertisers.

Your interest in MHMag has been spotty. We do have some supporters in Huntington Beach and Torrance, but generally do not hear from you. We just received an email from the HOA President of Seven Flags in Sonoma: *Just a thought: In the April issue of Mobilehome Magazine put a letter in there again about the lost of advertisers and put a subscription page also. Maybe the magazine would survive if the residents of Seven Flags would subscribe again I don't want to lose the magazine.*

We are disappointed that folks don't see the real potential of MHMag. You will soon see that we are the real future of advocacy in California and you need to be an active participant. Watch for the May issue. If you don't receive it by May 1st, it is possible we are not publishing your magazine anymore. Check online at [www.mobilehomemagazine.org](http://www.mobilehomemagazine.org) to see if it is displayed there.

"The squeaky wheel gets the grease." Let us know if you value the magazine. Perhaps support the "subscription" idea. We don't have the answer. But we know we would hate to see you lose the magazine. You can call Frank at 818-886-6479 or email him at frank@mobilehomemagazine.org.

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