



THE VOICE

COALITION OF MOBILEHOME OWNERS

JANUARY 2007 VOLUME 3 ISSUE 1

HAPPY NEW YEAR—CoMO-CAL BEGINS ITS THIRD YEAR

Yes, we are beginning our third year. After formation meetings during the summer of 2004, CoMO-LAC (we were then a county wide organization for Los Angeles County) began accepting members January 2005. Since then, we have kept you informed of important developments, given you tips on dealing with your park, explained important sections of the Mobile Home Residency Law, provided you with assistance on issues you might have, and much more. What you don't see are all the members who call to get advice—often times we can help without it costing them anything. Other times we must make referrals to attorneys who we have used in the past and will continue to use (Stuart Parker, Los Angeles @ 323-931-2999 and Jim Holmes, Ventura @ 805-642-2781)

Today we are the fastest growing advocacy group in California. And we are proud of our accomplishments, especially how THE VOICE has developed into a newsletter for our members, by our members—probably the most informative publication for mobile home owners in the state. We welcome contributions from our members, and you continue to share what's happening in your park or local area. We appreciate that.

No issue is taboo. Our goal is to inform you and to provide you with informative and accurate information. We are not afraid to write about other organizations, whether pro mobile home owner or against mobile home owners. You have a right to know whether an organization is actually helping mobile home owners.

Our recent "Questionnaire" was a success. What other organization would dare ask its membership how it was doing and how to improve? Two issues popped up—rent control and legal fund. So we are writing about these two important issues this month. Please fill out the questionnaire (Pages 17 & 18) on our Legal Fund and send it to CoMO-CAL, P.O. Box 4821, Chatsworth, Ca. 91313. The results will be published in the March 2007 THE VOICE.

Now that you know how your money is spent (remember, we publish our finances in an earlier VOICE), we are again asking for contributions for two categories—general use and legal fund. We would like to publish the names of anyone who contributes. If you DO NOT want your name published, simply let us know.

For those with computers and the internet, we have started a "message Board" at comocal.org. Anyone can post a message, but please keep it on mobile home issues. We have enough spam in our lives already. We monitor the message board daily and will participate as the need arises.

Finally, thank you for your support. Without your support we simply wouldn't be able to function. This month we will also be sending a promotional packet to members who live in parks with few CoMO-CAL members. It contains 8 single informational sheets about CoMO-CAL. We ask you to give one sheet to 8 friends or neighbors who live in a mobile home park. They don't have to live in your park. We are sure they would be interested learning that CoMO-CAL is there to assist and inform them.

HAPPY NEW YEAR - LET'S ALL WORK HARD TO MAKE 2007 BETTER FOR ALL OF US!

CoMO-CAL, P.O. BOX 4821, CHATSWORTH, CA. 91313-4821

RENT CONTROL

We are aware of several groups across the state that are working hard to get their local governments to pass rent stabilization ordinances. Recently we have made contact with the Stanislaus Mobilehome Owners-Advocates. They, have raised funds to hire an attorney, and have made considerable progress towards their goal. There have been a deluge of newspaper articles published mid-December 2006 in the Modesto Bee. Headlines such as:

Out of Control? An article about out of control rents, especially in parks controlled by Sam Zell (Equity Lifestyles). Mention is made of progress on an ordinance patterned after Citrus Heights.

Chicago Firm Owns Valley Mobile Home Parks. Article about Sam Zell, his real estate empire and how he is taking advantage of seniors.

Park Owners Make Case Against Edicts. Talks about slapping government enforced rent control on all mobile home parks isn't a good idea. Comments by park owners and their representatives with WMA.

In a Tight Spot. About seniors on fixed incomes having to chose between paying their rent and buying prescriptions and food.

Obviously THE VOICE has limited room to reprint articles. If you have a special interest, like rent control, let us know and we can send you recent articles on the subject.

Other areas working to get rent control are Loma Linda, Banning, Perris and many others. John Fatone of Perris, is working for rent control. He has written the following to CoMO-CAL:

I began an advocacy group in my park three years and by sheer perseverance we have gotten the City Of Perris's City Council and Attorney's attention. It looks as if we will have a workshop in Council's Chambers early January. We are excited because I started this campaign keeping in mind the numerous Seniors & limited income persons in this and other parks. We found that the County's protection did not help us because our City is Incorporated.

Anyone wishing to give advice is welcome to call me @ 951-657-6206. The Group I and my group joined was GSMOL, one year ago. The promises and other THINGS we heard that they could help us with, all lead to Dead Ends. I was directed to COMOCAL by a friend and reading the news letters and seeing actual proof of what they say they can do, I was impressed and have joined. I will be having a meeting with my group just after the Holidays to let them know about what I have learned and will resign my Presidency of Chapter 1832 GSMOL.

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CoMO-CAL, Inc. is a non-profit organization committed to protecting the rights of mobilehome owners in the state of California. All persons living in a mobilehome are eligible for membership on an equal basis, except management, owners and employees of owners.

THE VOICE is published monthly by the Coalition of Mobilehome Owners—California for the use of its members.

THE VOICE welcomes articles of interest to mobilehome owners.

VALLE VERDE COURTYARD—CHATSWORTH THE BATTLE CONTINUES

Residents of Valle Verde Courtyard just received notice of a \$19.08 passthrough for a variety of items, including clubhouse upgrade, pool furniture, fencing, signage, landscaping, and asphalt paving. CoMO-CAL called a meeting and organized a committee to study the passthrough and make recommendations to park residents. At first glance, several of the charges appear excessive. For instance, the pool furniture item consists of about 6 sets of tables and chairs that can be purchased at local discount store for about \$500.00 each plus lounge chairs costing about \$150.00 each. The total purchase amount for these items should be less than \$5000, yet the park claims \$44,000.00! And this is not the first time the park has over-charged.

Another issue in Valle Verde: a resident has recently received a 60 day notice for eviction. The reason: she did not finish painting her mobile home. The park CoMO-CAL volunteer committee has gathered signatures on petitions and will submit them to the management to protest this notice. And CoMO-CAL is supporting their efforts. We will report further on this in the next newsletter.

RESEDA MOBILE HOME PARK (San Fernando Valley—L.A.)

We understand Reseda Mobile Home Park was purchased about two years ago. The new owner has gone to the L.A. Housing Department (LAHD) for a rent increase over and above the current 4%, claiming he can not make a “fair and equitable” return on his investment.

Last year CoMO-CAL sat with several residents from Reseda MHP and explained CoMO-CAL was there to assist them. Just 6 months ago a resident’s representative and CoMO-CAL chatted about the impending problem. Unfortunately many residents of Reseda MHP had already joined GSMOL and they felt another advocacy group could not help them. Today, the residents have lost their battle and face a \$90.00 rent increase as a consequence; however there is an appeal. So did they make the right choice by deciding not to let CoMO-CAL be involved? We don’t think so. In fact we have talked with a couple residents recently and they do not feel GSMOL helped much. On the other hand, CoMO-CAL has been successful in helping residents in other parks with similar issues—remember Locust Grove in Lancaster earlier this year?

Coming to the end. Lone Palm park closure proposed

Lone Palm Mobile Home Park in Vacaville is facing a closure within the next two years. A private school wants to build a high school on the property and the city is considering a closure impact report prepared by Resident Owned Parks, Inc. If the commission decides the report is sufficient, it would enable the owner to close the park. You can read the whole article By Jennifer Gentile//Staff Writer TheReporter.Com11/20/2006

Editor’s Note: What is troubling about this article is that ROP, Inc. is led by Maurice Priest, the long time lobbyist and corporate council for GSMOL. In fact Mr. Priest is the only lobbyist representing mobile home owners in Sacramento. I’ve chatted with several residents of Lone Palm and they are very angry that Mr. Priest is working against them. Let us know what you think.

Santa Rosa Co. to Order Moratoriums on Conversions to Condo-Like Ownerships

By BLEYS W. ROSE THE PRESS DEMOCRAT

Santa Rosa and Sonoma County officials are moving quickly to impose emergency moratoriums on mobile home park conversions, setting the stage for a legal showdown with Southern California forces trying to sell park dwellers the lots they now rent. Conversions, which effectively remove rent controls over a period of time, have sparked controversy across the state, pitting the issues of affordable housing against the property rights of park owners.

The Santa Rosa City Council and county Board of Supervisors today are to vote on identical 45-day moratoriums that proponents on both panels predict will pass unanimously. "Condo-izing the mobile home parks is an attack on affordable housing in Sonoma County," west county supervisor Mike Reilly said Monday. "Mobile home park owners cannot be allowed to take advantage of obscure state laws that make their parks unaffordable to a majority of residents."

"It's not a good deal for anybody in mobile home parks," said Sondra Chaffee, president of the Santa Rosa Manufactured Home Association and resident of the Country Mobile Home Park in Santa Rosa.

However, Santa Monica attorney Richard Close said he'll file legal challenges on behalf of owners of three mobile home parks in Sonoma County that are moving toward conversion. "Moratoriums are very, very difficult to enact because they take away property rights," Close said. "The city's and county's actions are illegal. There is no emergency and there is no urgency."

About 12,400 people live in 82 mobile home parks in Sonoma County. Many of those residents are senior citizens or others on limited incomes attracted by rent controls that apply to the vast majority of lots. Many dwellers own their units, but they rent the lots, which can range from about \$300 to \$1,000 a month. Conversions, increasingly common across California, allow park owners to subdivide their property and then rent or sell the lots back to mobile home owners. Opponents of conversion contend that purchase prices of lots could range from \$100,000 to \$200,000.

A report prepared by the city Community Development Department said lot purchase "may be financially out of reach" for many residents and warned that rents may be triple what mobile homeowners now pay. "People our age are not going to take out a 30-year loan for \$100,000 when we aren't going to be alive in 10 years," said Jean Warnes, homeowners association president at the Sequoia Gardens at Fulton Road and College Avenue in Santa Rosa.

Chaffee said park owners like hers simply are trying to unload millions of dollars in deferred maintenance to residents. Under most conversion scenarios, residents would be responsible for street, clubhouse and utilities improvements, Chaffee said. "Of course, he's wanting to sell it," Chaffee said of the owner. "It's old. It's maxed out. Not only that, once you own your own land, you have to pay property tax."

Margaret Brunn, president of the Santa Rosa Mobile Home Owners Group, which represents about 4,000 mobile home park residents, said the local moratorium would halt what she said is a "thinly disguised effort to destroy affordable housing and to get rid of rent control."

The Santa Rosa and Sonoma County resolutions declare there is an urgency "to avoid the loss of affordable housing stock." Emergency measures need four-fifths approval among supervisors and five-sevenths approval by the City Council. "Every council member is very concerned (continued on Page 19)

CoMO-CAL WELCOMES MODESTO MOBILE HOME OWNERS

by Frank Wodley, CoMO-CAL President

The following articles, published in the Modesto Bee by mobile home owners, struck a chord. “Over one-third (of mobile home residents in Stanislaus County) were losing their homes or would with the next rent increase! Many sales of mobile homes in parks have been lost due to interference by park owners. The demands of park owners appear to be unconscionable efforts to confiscate homes in order to provide extreme financial advantage to the park owners.”

This information is IMPORTANT. We all are in the same boat. If this isn't happening in your park today, it probably soon will or you simply don't know what's going on. Park owners and managers try to hide these kind of issues.

I've called and chatted with a leader of the Stanislaus Mobilehome Owners—Advocates group (see article below) and applaud what her committee has accomplished. We need more activists like her across the state. She has agreed to promote CoMO-CAL by including 1200 CoMO-CAL promotional fliers with her next newsletter—thanks! It is my hope that many take advantage and join our growing family to be informed and grow our membership so we become stronger!

I've written time and time again there is power in knowledge. We have a strategy against interference of sales by park owners and managers. We have Clay Harrison's article—the Seller's Guide. And we've written a four page flier on the law that applies to the removal of older mobile homes. We just need to get this information out to ALL mobile home owners. Please help us help them.

MODESTO BEE “LETTERS TO THE EDITOR” by Mobile Home Owners

There are 123 mobile home parks in Stanislaus County containing over 6,000 homeowners.

Our committee conducted a six-month survey, and out of 628 residents who responded, **over one-third were losing their homes or would with the next rent increase.** Rents have continued to escalate since then. Residents can't afford to move their homes, and there is nowhere to move them. Many park owners block sales or charge exorbitant credit check fees, so selling their homes is not an option. Homeowners are then forced to abandon their homes, losing their investment.

Mobile home owners are considered part of Stanislaus County's low-income housing stock. Mobile home owners also pay taxes on their homes. Many sales of mobile homes in parks have been lost due to **interference by park owners.**

These demands by predatory park owners are not consistent with the Mobile Home Residency Law or Title 25 of the Health & Safety Code. **They appear to be unconscionable efforts to confiscate homes in order to provide extreme financial advantage to the park owners.**

SALLY STUDER, LYNDIA RIGNEY and SUSAN TURNER Modesto

MODESTO BEE “LETTERS TO THE EDITOR” by Mobile Home Owners—continued**Seniors left homeless by the greedy**

Last Updated: August 6, 2006,

I am one of the many senior citizens that is also disabled. I have lived in a senior mobile home park for 13 years. I received notice on July 27 to vacate my home by Sept. 1. Apparently, they are going to remove my home to make room for a brand new modular so they can make more money.

I am 66 and on a very limited income. Where do I go now? I can't afford to pay more and there is no low-income housing that I can find. I am one of the hundreds in senior parks that this is happening to. There are more and more of us senior citizens that are becoming homeless every day.

NANCY WARD, Modesto

Seniors trapped by skyrocketing rents on mobile homes

By RAYMOND O. NEWMAN Last Updated: August 24, 2006

There are many communities of manufactured and mobile homes populated by seniors who are being seriously affected by usurious increases in their space rents. If allowed to continue, this will result in a whole new class of homeless.

Elderly, frail and disabled are being forced out of the homes in which they have lived for many years and will be out on the street, unable to find lodging. People who have worked their whole lives to be able to retire in some measure of secure comfort are being forced out of their homes by rent increases as high as \$350 a month.

Yet, because of fears of litigation, threatened by these parks' owners, local authorities are abandoning the one group of people who are least able to absorb this blow. This situation rightly should be classified as a form of elder abuse.

For those who may not be aware, manufactured and mobile homes are not mobile. Once in place, they are the same as a house, with some differences. The people who have purchased these homes and placed them in parks of their choosing are charged fully for the maintenance and upkeep of the home and its surrounding space. The park owner simply provides the piece of land on which the home resides and access to utilities, the charges for which usually are paid by the homeowner.

While the park operator may provide some amenities, such as a clubhouse or swimming pool, these are maintained by a portion of the space rent.

Unfortunately, in many parks, there are problems with sewer systems, water supply and general maintenance of the facilities, threatening the health of residents. These problems are not being addressed by the park owners, in spite of the huge rent increases.

Sadly, if homeowners decide to sell and move to more affordable housing, they find that the park owner will increase the space rent by several hundred dollars a month for the person wanting to buy the home. The result is that the buyer backs off and the would-be seller is trapped in a home he or she no longer can afford.

This leaves sellers with difficult choices. They can forgo their medications and food to pay the rent; turn off their air conditioners and suffer the physical consequences during times of extreme heat such as the valley just experienced; or they can decimate their meager savings to survive.

Whatever the choice, it is a disaster waiting to happen.

It is time for elected officials to step forward and enact mobile home rent stabilization to protect the homes and lives of the elderly.

Newman lives in a north Modesto mobile home park

.Mobile home owners have recourse

Last Updated: October 19, 2006,

The trial victory described in the story "Court win by tenants still leaves a bad taste" (Oct. 9, Page B-1) was far from a win. As with all residents that live in mobile home parks, park owners in the long run will win the battle as attorneys that know the mobile home residency laws settle cases out of court.

Judges are the only ones who can enforce the mobile home residency laws. If mobile home owners don't know the mobile home residency laws, they should get a copy from the park manager or the park owner and read them. If the county isn't doing its job, go to the state, starting with the Department of Housing and Community Development.

Counties do not always follow the law. Some park owners are devious and will cheat and do whatever it takes to keep from maintaining water systems, sewer systems and the park itself. The law requires that mobile home parks be inspected either by the county or the state to keep them from becoming substandard.

Mobile home parks are one of the few forms of affordable housing left in California and need to be preserved for seniors and the disabled. Rent-control ordinances are needed to keep rents affordable. There are state agencies that can be called when the counties fail.

JEAN DE MATTOS Mi-Wuk Village

'Elder abuse' at mobile parks

Last Updated: November 4, 2006,

At the Oct. 24 Modesto City Council meeting, I referred to the large group of mobile and manufactured home owners in attendance as "victims of elder abuse" ("Council strikes deal to keep Modesto Nuts," Oct. 25, Page B-1).

To clarify: Emotional or psychological abuse is the infliction of mental or emotional anguish, such as humiliating, intimidating or threatening. Exorbitant rent increases beyond the renter's ability to pay have resulted in this anguish.

Financial or material exploitation is the improper act or process of an individual, using the resources of an older person without his or her consent, for someone else's benefit. These homeowners are definitely being exploited to the benefit of the park owner.

Neglect is the failure of a caretaker to provide goods or services necessary to avoid physical harm, mental anguish or mental illness, such as denial of food or health-related services. Exorbitant rent increases create denial of food or health-related services because the homeowner has no money left after paying the rent.

This problem must be dealt with to prevent a new class of homeless.

RAY NEWMAN Modesto

MODESTO BEE “LETTERS TO THE EDITOR” by Mobile Home Owners—continued**Rent control for seniors needed**

Last Updated: November 25, 2006, 04:40:36 AM PST

In response to "Mobile home owners victimized" (Nov. 20, Letters): I have to express my outrage at mobile home park owners for their victimization of the elderly to make a quick buck. It's got to stop and be rolled back to a live-able level.

I live across the street from the Coralwood Mobile Home Park, where more than 50 of the 190 residents have their homes up for sale or have walked away from them because an unscrupulous mobile home park owner from Ohio raised rents far beyond any reasonable level.

These seniors' rents have gone from \$395 a month to \$750-plus a month in a year and half. Seniors who retire with Social Security only are capable of meeting the lowest housing requirements for even a low-income mobile home park. This is elder abuse to the highest degree without any compassion or even common business sense.

The county and the various city councils absolutely need rent stabilization for the 6,000 low-income residents in our community now. Where will this stop if we don't? You'll be next! Get involved and write or call your council person, supervisor, assemblyman, senator and congressman and express your outrage.

BOB ARMSTRONG, Modesto

Demand stable mobile home rents

Last Updated: December 3, 2006, 06:41:21 AM PST

Until I read in Opinions the plight of mobile home owners throughout the county, I thought the park where my husband and I live was the only one with these issues. The golden years of mobile home owners in Stanislaus County have been turned into a gold mine for greedy park owners.

Huge rent raises, intimidation and lack of basic maintenance of many parks have turned what should be a more or less peaceful time in our lives into one of poverty, fear and uncertainty.

A large number of mobile home owners are old, disabled and-or low-income families. The community should be outraged at this treatment of the most vulnerable of its citizens by mostly out-of-the-area park owners.

Contact elected representatives in your city and the supervisor in your district to let them know you support rent stabilization rather than waiting until more people become homeless or worse and become a burden on the community's already overburdened resources.

The gift of support of the community would be the best gift of all to the more than 6,000 mobile home owners in Stanislaus County. Many of them are trying to save their homes and live independently.

JUDY LAWSON Oakdale

ENFORCEMENT of RULES AND REGULATIONS by Frank Wodley

One would think the enforcement of reasonable Rules and Regulations is important when so many live together in a small community, such as a mobile home park. Residents should be able to count on management for this enforcement and residents should obey reasonable R&R. But is this really happening in our parks? Let's take a closer look at enforcement of just one rule in Chatsworth Mobile Home Park where I live.

There is a sign posted "No Street Parking" at the front of the park. There has always been a conflict between the park and residents over street parking. The park claims NO STREET PARKING because of safety concerns, although the streets are 30.5' wide, just a foot and one half short of the legal requirement to park on one side of the street. We've checked with the fire department. They have NO PROBLEM with parking on the street and although the park claims the streets are fire lanes, nothing is marked.

So what about enforcement. This park went from towing vehicles parked on the street to booting, i.e. having security place a metal boot on a vehicle tire to immobilize the vehicle. Then the resident would have to pay a "fine" of as much as \$75 to the security guard to get the boot removed. Even residents obviously loading and unloading their vehicles would be booted. The guest of one resident had parked his car on the street, perhaps 20 feet away from where they were chatting on his front porch. So what happened? The security guard sneaked up and booted the vehicle! He didn't bother to ask the people to move their car or how long they were going to be there. The resident ended up paying the \$75.00!

One time I alerted my neighbor that the guard was about to boot a guest's car parked in front of their home. What resulted? The manager, assistant manager, and security guard chased me out of the park, then blocked my way so I couldn't get back in! Obviously I called the police.

One would objectively think that the park was right. The sign posted at the front of the park did say "No Street Parking" yet these people broke the rule. The park was just enforcing a reasonable rule, right?

Unfortunately that's not the whole story. Today, like many parks, this park has a campaign to remove older homes and replace them with new, huge manufactured homes. Parks often pressure residents to sell to a real estate company chosen by the park at a lower than market price. This park then brings in basic homes and upgrades them "on site." This requires the park to bring in labor, and in some instances illegal workers. Often two or three pick up trucks are parked on the street, one on each side, with just enough room for a vehicle to get through. They have also left their large "tool trailer" on the street overnight. Of course this is just fine with the park because they are employees of the park!

The bottom line: the park boots cars for a whole year, collecting perhaps \$10,000 under the guise of our health and safety, i.e. the streets are fire lanes and no one should park on them. Yet, the park turns around and thumbs their nose at their own rule, when their employees park on the street, even overnight.

Conclusion: Many parks don't give a damn about Rules and Regulations. If they did they wouldn't be breaking them. Many parks use them only as ammunition against residents, especially residents they don't like. We've heard managers say "The Rules and Regulations are there for us to use when we decide to use them." Meaning, they don't enforce them all the time. Enforcement of Rules and Regulations takes time and effort. Most managers are too lazy to really manage. They would rather carry out the park owners campaign of harassment and intimidation.

Proposition 90 Revisited?

December 01, 2006 @ 2:33 PM

<http://www.camajorityreport.com/index.php? modle=articles&func=display&aid=1326&ptid=9>

One of the fascinating sub-stories of the November election is the demise of Proposition 90. Not the fact that the voters rejected the initiative itself -- which was terribly flawed, poorly drafted, and opposed by basically every interest group in the State -- but rather that property rights advocates fumbled such a golden opportunity to pass reasonable eminent domain reform. Think about what the Prop 90 crowd had going for them: (1) the visceral public outrage to the Supreme Court's decision in *Kelo v. City of New London* (which permitted a Connecticut city to seize residential property and transfer the land to a private developer to build condos, a hotel and a commercial component); (2) a clear, easy to understand campaign message that resonated with Democrats, Republicans, and Independents alike (i.e., "don't let the government take your home"); and (3) an angel investor (New York Real Estate Mogul Howard Rich) who, through an intricate web of advocacy organizations, was willing to fund practically the entire campaign.

It is no mystery that the Prop 90 proponents squandered this constellation of good fortune by overreaching. Instead of narrowly tailoring the measure to restrict government seizures of private property for private development -- the core issue that set off the *Kelo* firestorm -- Prop 90 included a poison pill provision requiring local governments to compensate property owners for any law or regulation that could possibly de-value private property. In other words -- litigation hell, not to mention potentially crippling local governments' ability to control local planning and to protect the environment. As a result, the very broad and diverse "No coalition" (which included the California Taxpayers Association, AFL-CIO, Chamber of Commerce, Sierra Club, the Governor, and Senator Boxer, to name a few) made for all kinds of strange bedfellows.

Recently, the Howard Jarvis Taxpayers Association announced that it will go back to the electoral well one more time and place a new property rights initiative on the 2008 ballot. Eminent Domain Reform 2.0 (officially dubbed the "California Property Owners Protection Act") will shed some of the excesses that torpedoed Prop 90 and focus on prohibiting government seizure of private property for private development. Sounds more reasonable. But the political question is, can such an initiative pass after the Prop 90 debacle? First, voters don't like sequels (just ask the proponents of Proposition 85). Second, by the time the 2008 election rolls around, the *Kelo* decision could be a distant memory to all but lawyers and city planners. As voter anger shifts to the next issue du jour, property rights advocates will have missed their political window of opportunity. One thing is for sure, the initiative better be airtight -- no loopholes, drafting flaws, or questionable provisions -- or the opposition will have an easy time scaring away voters by conjuring up the ghost of Proposition 90. The No campaign probably won't even need Robo-calls from Robert Redford this time around. Simply borrowing Planned Parenthood's "No ... Again" slogan, used effectively against Prop 85, could do the trick.

The bottom line is that while the new eminent domain initiative may be a substantive improvement over Prop 90, it could face an uphill battle at the ballot box. Rather than irritating the voters with what will probably be perceived as a repeat initiative, the Howard Jarvis folks should focus on a Legislative solution.

Property rights fight on again - Taxpayer advocates edit defeated Prop. 90

BY HARRISON SHEPPARD, Sacramento Bureau LA Daily News Article Last Updated: 11/24/2006

SACRAMENTO - Just weeks after voters rejected a controversial measure to reform eminent-domain laws in California, taxpayer advocates have returned with a similar measure they say will protect property owners from some government seizures.

The measure, sponsored by the Howard Jarvis Taxpayers Association, would still allow governments to seize private property for public purposes but would prohibit seizures for private development. The measure is similar to Proposition 90, which voters rejected earlier this month, but differs in a few key aspects.

For one, Proposition 90 had a provision - not included in the Jarvis measure - that critics said would allow developers to sue if their projects were blocked or properties were devalued by government decisions such as zoning restrictions. California voters rejected Proposition 90 by about 360,000 votes, with 47.6 percent in favor and 52.4 percent opposed. "Clearly the closeness of the vote on Proposition 90 made it clear this issue is not going to go away for California," said Jon Coupal, president of the Howard Jarvis Taxpayers Association.

The proposed California Property Owners Protection Act is being reviewed by the state Attorney General's Office. If it meets the basic legal requirements, the office will issue an official title and summary. Supporters can then begin collecting the signatures needed to qualify it for the 2008 ballot.

Both Proposition 90 and the new Jarvis measure are in response to a U.S. Supreme Court ruling in 2005 that a Connecticut city had the right to use eminent domain to seize private property and turn it over to a private developer to further the community's economic development plan.

But Proposition 90 was opposed by a broad coalition of groups and elected officials - from Gov. Arnold Schwarzenegger and defeated gubernatorial candidate Treasurer Phil Angelides to organized labor and the California Chamber of Commerce.

Megan Taylor, a spokeswoman for the League of California Cities, a leading opponent of Proposition 90, said local governments recognize the need to reform eminent domain in California. They opposed Proposition 90 primarily because of the lawsuit provision, but they also believe the solution should be worked out through the legislative process, not the ballot as Jarvis is now attempting. Taylor also said California already has stronger protections for property owners than Connecticut.

"The legislative process lends itself to the broad-ranging, open discussion we all need to have about what the concern is and how we can address it, while still making sure we preserve our ability to meet our responsibilities as local governments to build affordable housing and address the infrastructure needs of the community," Taylor said.

"We understand the voters are concerned and reform is a priority for us over the next year."

Coupal said his organization is also willing to work through the Legislature, but introduced the ballot measure in case that option does not work.

harrison.sheppard@dailynews.com

Proposition 90 Returns & It Will Eliminate Rent Control

by Frank Wodley, CoMO-CAL President

Yes, on November 21, 2006, just two weeks after Proposition 90 failed, another eminent domain initiative was submitted for a Title and Summary by the state Attorney General, labeled 06-0039. The newspaper articles on the previous two pages have it right, except that the new initiative is NOT NEW. In fact the same initiative was introduced in late 2005; however supporters did not have the funding to get it on the 2006 ballot and it died. And the articles do not mention that we already know “**The California Property Owners Protection Act**” will abolish rent control in the State of California. We reported this in our April 2006 THE VOICE. In fact THE SACRAMENTO REPORT by Greg McConnell published on February 6, 2006 made the following statement: “THE ACT would amend the California Constitution to prohibit government from taking private property and transferring it from one private owner to another private person. In other words if the act were to become law...rent control throughout the state would be abolished.”

There is an alternate to The California Property Owners Protection Act. It is called “The People’s Initiative.” It was introduced last year. Unfortunately it did not get enough signatures to be placed on the ballot Here is something from their website:

*The People’s Initiative is the simple, single issue Initiative **which provides: “No eminent domain for private gain.”***

*Our “**people’s initiative**” is an all volunteer, non-partisan, grassroots effort that brings together people from every political persuasion. Our initiative was written by people representing the full spectrum of political values from conservative to liberal. One proponent of our initiative is an active Republican and one is an active Democrat. We have set aside our partisan differences to focus on this one all-important issue of protecting our homes, businesses and places of worship from eminent domain seizures for private gain. With public opinion polls showing 80-90% of Californians opposed to the use of eminent domain for private profit in the Kelo v. New London Supreme Court decision, this is the one issue we can all get behind. Overwhelming public support for this one issue, and this one issue only, will end eminent domain abuse in California.*

*We call ourselves “**The People’s Initiative**” because we represent and base our campaign on a groundswell of support from ordinary Californians like you. We stand for a single-issuethat simply fixes the kind of abuse that has so outraged the nation in the Kelo decision. Our cause and our initiative is simply “no eminent domain for private gain.” Nothing has been added to attract funding from special interest groups to finance a paid signature gathering effort. We are not playing politics and using the public’s passion for eminent domain reform to further other political or economic agendas. We are using the initiative process in the way it was intended – to give voters a voice and a vote when the courts and our legislative process fails us.*

This isn’t about politics, it’s about people. In her testimony at the Supreme Court, Suzette Kelo says it best: This battle against eminent domain abuse may have started as a way to save my little pink cottage, but it has rightfully grown into something much larger – the fight to restore the American Dream and the sacredness and security of each one of our homes.

Bottom Line: there is already an initiative that will curb eminent domain issues, while not hurting mobile home owners. Don’t be fooled again. Let’s support the People’s Initiative.

CoMO-CAL This and That

1. The new **Mobile Home Residency Law** for 2007 is now available. You can order it from . Or we will send it to you. Cost is \$5.00.

2. **Mobile Home Wars:** Please remember this terrific book. It has lots of information about the history of mobile home living, and the fights mobile home owners have endured over the years. Our friend, Donald DeVore authored the book. **“MOBILE HOME WARS” a Book by Donald DeVore**

A short time ago we were contacted by Donald DeVore who has spent 30 years of his life working for mobilehome owners and has written a terrific book titled “Mobile Home Wars.” Here is a partial list of the chapters:

ALL CoMO-CAL members should read it. Donald is RIGHT ON! Here are a few quotes from the book:

- The owners of manufactured housing have one of the biggest voting blocks in the state as a group of people and voters. As a group, you are a sleeping Giant.
- Every community should have a Home Owner Association (HOA).
- Some of the rental communities ..., including very nice ones, were referred to as “Concentration Camps.”
- Currently, Congress and the President are worried about 10-12 million illegal aliens, but they do not have time to help 40 million American citizens who own and live in manufactured housing.
- The Mobile Home Landlord/Tenant Law is a bucket of cow manure. (It is the wrong premise of law to use)

Donald also talks about GSMOL, AARP, HUD, the Rocky Mountain Mobile Home Owners League (which he formed as was president), and much more.

Mobile Home Wars is available through CoMO-CAL. We ask for a donation of at least \$8.50 by email, or \$12.00 for a “hard copy” mailed directly to you. It is in MS word. **EVERYONE SHOULD HAVE A COPY!**

3. A few members have requested CoMO-CAL to resume **meeting in the San Fernando Valley**. Let us know if you're interested.

4. **CoMO-CAL Message Board.** Our message board is easy to access and is available to all at our website comocal.org. Please limit your posts to issues of mobile home owners in parks.

5. **Antelope Valley Meeting:** The meeting will be held at the Quartz Hill Mobile Home Park, 5711 West Avenue M, on Saturday, January 13th, 2006, at 11AM. This will be an open recruitment meeting, for all mobile home park residents to join CoMO-CAL. Ralph Weber and Floyd Gilbert are working hard for all mobile home owners—especially those in the Antelope Valley. Please attend and support their efforts.

How is CoMO-CAL Different From GSMOL?

We've been asked over and over—"Just what are the differences between CoMO-CAL and GSMOL?" Of course, one difference, we are the new kid on the block. GSMOL has been around 45 years, but that doesn't guarantee they're doing a good job today.

1. CoMO-CAL works in the "trenches," with individual park residents as well as park groups. We do not require a waiting period before we will help someone. In fact we often get calls from mobile home owners in distress who are not members and will chat with them "on the spot.." We know there is a growing need among mobile home owners for help. They have few, if any other resources for help.

2. We are happy to get calls from mobile home owners. Why? Because we know they often need someone to talk to about issues and concerns. We use this experience to gain knowledge we share with our membership.

On the other hand, the GSMOL Garden Grove staff often are not happy when you call for assistance or information. Why? Because the two ladies staffing the office in Garden Grove were hired as office staff to handle membership and accounting. They are not mobile home owners and it is not their job to council GSMOL members who call them. That is the responsibility of the V.P.'s and Managers. Unfortunately half the state has NO V.P.; neither Zone C nor Zone D have an acting Vice President.

3. GSMOL needs a certain number of members just to survive. Right now their membership is approximately 17,000. Anyone can do the math. 17,000 members at \$20.00/year that means GSMOL's income through membership dues is about \$340,000. They also have other sources of income such as advertising, which does bring additional income, so we estimate their income at about \$400,000 per year.

So where is the problem? GSMOL spends tens of thousands of dollars on three items: office staff (2.5 full time office staff plus the Californian editor), corporate council and lobbyist in Sacramento, and their monthly publication, the Californian. In fact, each category demands about \$100,000 per year. That's right, GSMOL staff is not volunteer, but paid! That leaves essentially nothing to support GSMOL's volunteer network – those mobile home owners dedicated to helping others. GSMOL volunteers usually pay their expenses themselves!

GSMOL is in crisis because it can't cut expenses more than it has without making major changes in it's organizational structure. What would GSMOL be without a lobbyist? Or the office staff to run the organization? Or the Californian?

On the other hand, CoMO-CAL has no lobbyist. CoMO-CAL has no corporate council. We have no office staff and we have only spent a few hundred dollars for help with the newsletter. So right there our budget is about \$200,000 less than that of GSMOL. Our members dues go directly to helping members and building the organization. THE VOICE costs about \$9.00 to print and mail per year.

That leaves about \$6.00 for other uses and we have done much with that money. We have equipped our "office" with four printers, a top of the line computer, two audio recorders, one camcorder, a file, staplers, membership software, and much more. We have paid various fees to become incorporated. We have retained an attorney (we have had our two attorneys comment on Proposition 90 and other issues – we have

also consulted them with members problems) and have a terrific website. In 2006 we mailed over 5,000 fliers around California alerting residents to Proposition 90. We have such as printing and mailing fliers out to parks without CoMO-CAL members.

4. GSMOL is not a transparent organization. Members really know nothing of the organization, and unfortunately the great majority have not taken an active role. GSMOL leaders like it that way. In fact GSMOL has gone out of its way not to give information to the membership. Why? Because GSMOL has been losing members right and left. As a consequence, GSMOL is much less effective in Sacramento. If you attend a GSMOL Board of Directors meeting (and usually only a handful of members do), you are allowed to speak for three minutes. The Directors usually will not talk to you or comment.

CoMO-CAL on the other hand is a transparent organization. We have published our finances. Our membership knows where the money goes.

5. GSMOL must increase their membership to survive. It is a necessity simply because the way the organization is set up.

CoMO-CAL doesn't need more members. We can provide information and help to the members we have today just fine without adding one new member. And just ask our membership how we are doing. In fact, we did just that in the November 2006 THE VOICE (we printed a four page questionnaire and many returned it). And they said we are doing a good/excellent job – a breath of fresh air.

CoMO-CAL wants new members primarily for two reasons. Number One: We want to share THE VOICE, our website, and attorney/staff assistance with ALL mobile home owners across the state. Why? Because if everyone was educated and knowledgeable, the park owners and managers wouldn't be so bold to take advantage of us! And Number Two: we want to grow our membership—to promote UNITY and TEAMWORK among mobile home owners across the state.

6. You know from the last couple newsletters, we expect more of our members. We are constantly asking something from you, right? Fill out a questionnaire, send us information on lawsuits, information about happenings in their individual parks, etc. We need our members for that reason – not just for their \$15.00/year. We have often said “our members are our eyes and ears.”

7. We want you to be informed. We want you to have the information so they can make educated choices. We want you to know about other organizations. On the other hand, GSMOL does not publish information about other advocacy groups and usually feels other groups are “splinter groups” undermining GSMOL's organization.

8. CoMO-CAL makes an effort to alert mobile home owners that we exist. We have an ongoing program to mail fliers into parks without members. Why? Because we want to share with others. GSMOL, on the other hand, does not mail out fliers, although it has been suggested by concerned members many times. The GSMOL leadership always says GSMOL doesn't have the money for such efforts.

We realize writing about another organization is a bit controversial, but you deserve to know the facts. We welcome Tim Sheahan, President of GSMOL, or any other GSMOL leader to respond to any of our articles about GSMOL. Perhaps our members who also belong to GSMOL will take a more active role in both organizations.

QUESTIONNAIRE RESULTS (CONTINUED FROM DECEMBER)

Again, a big thanks to those members who took the few minutes to let us know what they think. It helps us know how to serve you better. About 5% responded.

How Can We Serve You Better? THE CoMO-CAL LEGAL FUND

Many checked “**provide legal assistance.**” So let’s talk about ways CoMO-CAL can provide legal assistance, which to us simply means having the funds available to hire an attorney. It’s primarily about MONEY, right?

Where can we get the money? We can ask you to make a donation to a legal fund. In fact we have already started a “legal fund” and a few members have contributed. Today we have perhaps \$1000.00 earmarked for this purpose.

So how much should we collect before we use the funds? How much is enough? What have other organizations done? We only know about GSMOL. They started collecting for ELF (Emergency Legal Fund) in January 2002. They wanted \$250,000 before offering the monies to help any member. Initially they required 75% of all residents of a park to contribute and belong to GSMOL to qualify for funds.

So what happened? In 2003-2004 I was the President of my GSMOL Chapter. It was obvious that the goal of 75% membership was totally unreasonable, so I did not support ELF. Today, after 5 full years of suggesting that ELF was the “magic bullet” that would finally resolve many of the problems mobile home owners face, the ELF fund has helped NOT ONE GSMOL MEMBER.

Let’s learn from this history. Let’s not make the same mistake. If a legal fund is to be successful, and the money is to come from the membership, then everyone must contribute a small amount or a few must contribute a large amount. CoMO-CAL belongs to you. If you want a legal fund, you must contribute or find other means.

Other means. We are a non-profit 501(c)3 and we are tax exempt. We CAN apply for grants. But it takes time and effort. Currently we DO NOT have someone working to find and get grant money. This would be an opportunity for someone to volunteer and help out. And everyone benefits. You need drive more than expertise. We can do this together.

The bottom line. Legal assistance requires money. Either you have to donate or we must secure it through other means. One way or another, no one gets anything for nothing. It takes money and/or hard work. We welcome your comments and suggestions. To that end, go to Page 17 and fill out the “TELL US WHAT YOU THINK ABOUT A CoMO-CAL LEGAL FUND.” Mail it to CoMO-CAL, P.O. Box 4821, Chatsworth, Ca. 91313. We will report the results in the March 2007 THE VOICE.

CONTRIBUTE TO OUR LEGAL FUND
WE NEED EVERYONE’S PARTICIPATION

CoMO-CAL LEGAL FUND

TELL US WHAT YOU THINK

Do you want a CoMO-CAL Legal Fund?:

- Yes
- No

If you answered YES, how important is it to the success of CoMO-CAL to have a legal fund that actually helps members?

- Extremely important
- Very important
- Important
- Not Important

Who should qualify?

- Only those contributing a minimum amount
- Every CoMO-CAL member, whether or not they have contributed.
- Those contributing either money or volunteering their time
- Other—comment on another sheet

Should there be a requirement that a member contribute a minimum amount each year to qualify to receive funds?

- Yes
- No
- No opinion

Should every CoMO-CAL Member be required to contribute a minimum amount, i.e. should it be part of membership dues?

- Yes
- No
- No opinion

Should there be a waiting period before someone is eligible for funds?

- No, I should be able to contribute to the legal fund and be covered immediately
- Yes, there should be a waiting period
- Other (describe in Additional Comments)

Should there be a dollar threshold before funds are used?

- Yes
- No

If you answered Yes, how much money should be in the legal fund before it is used?

- At least \$10,000.
- At least \$25,000
- At least \$50,000
- Other. At least \$ _____

Where should we get the funds?

- Member contributions only
- Grants
- Other _____

If you checked "Member contributions only", what would you be willing to contribute per year?

- \$10.00
- \$25.00
- \$50.00
- Other _____

If you can not afford even \$10.00 per year, would you volunteer at least 2 hours a month to qualify for THE LEGAL FUND?

- Yes
- No

The Modesto Group has been doing fund raising events to fund an attorney to secure rent control. Would you help with a fund raiser in your park to raise legal funds?

- Yes—but only for park residents
- Yes—for CoMO-CAL
- No

Do you know of anyone who has had a lawsuit with their park?

- Yes
- No

If you answered YES, what court was involved?

- Small Claims Court
- Superior Court
- I don't know

CoMO-CAL is interested in any information about any lawsuits. Please let us know

Have you ever needed funds for a lawsuit?

- Yes
- No

If you answered YES, Please give us info why and how much you would have needed—on another sheet.

If CoMO-CAL had a legal fund with \$50,000, what should be the maximum any one member should receive?

- \$1,000
- \$2,500
- \$5,000
- \$10,000
- \$25,000
- no opinion

Do you need financial help TODAY?

- Yes
- No

If you answered YES, tell us why?

- I've been served with a 60 day notice to be evicted
- Other (explain)

Please provide the following:

Your name (optional)

Space # _____

Park name: _____

City: _____

THANK YOU SO MUCH!

(continued from Page 4: Santa Rosa)

about conversion, so we'll have no problem getting agreement on a moratorium," Councilman Bob Blanchard said. "It takes some of the angst off the park residents, so we'll have time out while we figure out how to make it a fair process."

Close, the attorney representing owners of Leisure Park, Sequoia Gardens and Country Mobile Home Park, accused local officials of playing politics just two weeks before an election. Close won a precedent-setting lawsuit against Palm Springs in 2002 that determined cities and counties were virtually powerless to stop conversions of mobile home parks to condo-like ownership. "It could be considered pandering to the electorate, but at what cost to the taxpayer?" Close said.

Proponents of the moratorium, which could be extended, would give officials and mobile home organizations time to lobby the Legislature for changes that prevent conversion unless approved by a majority of park residents. Opponents contend state law now protects many low-income residents.

David Grabill, a local attorney and affordable housing activist who represents residents of the three mobile home parks, said the moratorium gets park dwellers only part way to their goal of blocking conversions. "During the moratorium, we hope they'll look for ways to mitigate the very harsh consequences of conversion," Grabill said. "Losing thousands of these units in this process will hurt everybody."

CoMO-CAL

(COALITION OF MOBILEHOME OWNERS-CALIFORNIA)

P.O. Box 4821, Chatsworth, Ca 91313-4821.

NEW MEMBERSHIP APPLICATION (Print Please)

NAME: _____ Date: _____

PARK NAME: _____ SPACE #: _____

MAILING ADDRESS: _____ CITY _____

E-MAIL ADDRESS: _____ ZIP _____

APPLICANTS PHONE NUMBER (_____) - _____ - _____

SIGNATURE OF APPLICANT _____

Check # _____ Amount: \$ _____ Money Order () Amount: \$ _____

MEMBERSHIP (\$15.00/12 Months, \$40.00/36 Months) Membership Dues Not Refundable.

PLEASE INCLUDE CHECK OR MONEY ORDER PAYABLE TO "CoMO-CAL" & THANK YOU FOR JOINING

MAIL TO: CoMO-CAL, P.O. BOX 4821, CHATSWORTH, CA. 91313-4821

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CoMO-CAL is a non-profit California Corporation dedicated to serving mobilehome owners in California. Our purpose is to educate, communicate and unite. We are MAKING A DIFFERENCE!

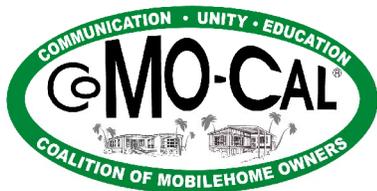


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mobilehome owners.**

SERVICES WE PROVIDE OUR MEMBERS

1. 12 issues of THE VOICE. Usually 20 pages long, filled with important information no mobilehome owner should be without. Articles from around the state of California. Tips and Suggestions. Important laws explained so you can understand how you are protected.
2. Website: **comocal.org**. Members have access to all issues of THE VOICE, attorneys who know the MRL, important links to government, advocacy groups, etc.
3. Small Claims Court Assistance: We will pay your fees up to \$30.00 and help with your paperwork. (Some restrictions apply.)
4. Questions / Problems: Our staff is ready to take your call to advise you regarding questions and problems you might have.
5. We have several attorneys to help with litigation or give advice.
6. Above all, a way to UNITE and have a VOICE.

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